

# POLICY

2005

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Students

## **SUBJECT: ENTITLEMENT TO ATTEND -- AGE AND RESIDENCY**

### **Ages of Attendance/Compulsory Attendance Age**

According to Education Law, a student who becomes six (6) years of age on or before the first of December in any school year shall be required to attend full-time instruction from the first day that the District schools are in session in September of such school year, and a student who becomes six (6) years of age after the first of December in any school year shall be required to attend full-time instruction from the first day of session in the following September. Except as otherwise provided in Education Law Section 3205(3), a student shall be required to remain in attendance until the last day of session in the school year in which the student becomes sixteen (16) years of age. However, in accordance with Education Law Section 3205(3), the Board of Education in any school district shall have the power to require minors from sixteen (16) to seventeen (17) years of age who are not employed to attend full-time instruction until the end of the school year in which the student turns seventeen years of age.

All persons dwelling within the District who are between the ages of five (5) years and twenty-one (21) years and who have not received a high school diploma shall be entitled to enroll in the District.

### **Children Living With Noncustodial Parents**

A child's residence is usually determined by the residence of the custodial parent. However, a noncustodial parent who resides in the District may enroll his/her child in a District school if he/she shares the day-to-day responsibilities for the child and the custodial parent designates the child's residence with the noncustodial parent.

### **Homeless Children**

The parent/person in parental relation to a homeless child; or the homeless child, together with the homeless liaison designated by the School District in the case of an unaccompanied youth; or the director of a residential program for runaway and homeless youth established pursuant to Article 19-H of the Executive Law, in consultation with the homeless child, where such homeless child is living in such program, may designate either the school district of current location, the school district of origin, or a school district participating in a regional placement plan as the district the homeless child shall attend.

(Continued)

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Students

**SUBJECT: ENTITLEMENT TO ATTEND -- AGE AND RESIDENCY (Cont'd.)**

## **Children of Activated Reserve Military Personnel**

Students temporarily residing outside the boundaries of the District, due to relocation necessitated by the call to active military duty of the student's parent or person in parental relationship, will be allowed to attend the public school that they attended prior to the relocation. However, the District is not required to provide transportation between a temporary residence located outside the District and the school the child attends.

## **Emancipated Minors**

A determination of whether a student is to be designated as an emancipated minor in the West Canada Valley Central School District will be based on evidence that the student is no longer under custody, control and support of his/her parents/persons in parental relationship. To establish emancipation, a minor may submit documentation of his/her means of support, proof of residency and an explanation of the circumstances surrounding the student's emancipation, including a description of the student's relationship with his/her parents/persons in parental relationship.

These statements are renewable each school year. If at any time the above information is changed without prompt notification or proven to be false, the parent/person in parental relationship and/or student may be subject to legal action.

McKinney-Vento Homeless Education Assistance Act,  
Section 722, as reauthorized by the No Child Left  
Behind Act of 2001  
Education Law Sections 2045, 3202, 3205, 3209 and  
3212(4)  
8 New York Code of Rules and Regulations  
(NYCRR) Sections 100.2(x) and (y)

NOTE: Refer also to Policies #7131 -- Education of Homeless Children and Youth  
#7132 -- Non-Resident Students

Adopted: 11/14/05  
Revised: