



# RESIDENCY

Board of Education Meeting  
December 9, 2024

Presented by: Isha Morgenstern, Executive Director of Human Resources



## District Residency/Registration Department

Registration department handles the actual application enrollment process and maintains student records.

Residency department focuses on verifying and managing the residency status of students within the district.

Both departments work together to ensure that students are eligible to attend schools within the district and have all the necessary documentation.



# What is Residency?

NYS Ed. Law § 3202 and Policy #5150:

Residency means domicile which requires both one's physical presence as an inhabitant within the district and intent to reside in the district.

A child's residence is presumed to be that of his/her parent or person in a parental relationship.

School districts are required to provide free instruction only to district residents who are “...over five and under twenty-one years of age who has not received a high school diploma is entitled to attend the public schools maintained in the district in which such person resides without the payment of tuition.”



## Registration/Enrollment

All children must be residents of the school district in order to attend.

A school district must enroll a child when the parent, person in a parental relationship or child request enrollment. The child will begin attendance the next school day or as soon as practicable.

(8 NYCRR §100.2 (y)(3)).

By law, the district must enroll the student within 24 hours.

If there is insufficient documentation to support residency, the student is un-enrolled from the School District after the third day.

(8 NYCRR §100.2 (y)(3),(4)).



# How does the District ensure that new entrants are verified residents?

- Must complete the online registration application
- Must complete the registration process In-Person with the district Registrar- Must be a parent or guardian
- Must bring-in three (3) original proofs of residency documents
- Must provide proof of child's age - i.e. original birth certificate, baptismal record or passport
- Must provide proof of immunization
- All Deeds/Mortgages are verified through Nassau County
- Leases are verified through contact with landlord

Student Registration:  
[Student Registration](#)





# District Policy 5150 - School Admissions

All residents are required to provide three (3) proofs of residency -(8 NYCRR §100.2 (y))

## Column A - Choose one and two from Column B

- Residential Lease
- Proof of ownership (mortgage, deed)
- Affidavit from Landlord or
- Statement from other third party that establishes residency
- 
- 
- 
- 
- Proof of Residency:  
[Acceptable Proofs of Residency](#)



OR

## Column B - Choose any three (3)

- Pay Stub
- Income tax form(s)
- Utility bill
- Voter registration document(s)
- Official Driver's License
- State or government issued identification
- Membership documents based on residency address
- Documents issued by federal, state or local agencies
- Evidence of custody of child/children, including but not limited to judicial custody orders or guardianship
- Other forms of documentation and/or information establishing parent(s) or person(s) in parental relation's physical presence in the school district



# Types of Residency Proofs

The following affidavits may be necessary to establish residency on behalf of a student:

- Homeowner or Leaseholder - Lists the people living at the address and their relationship to the homeowner/leaseholder
- Resident - Lists the names of people living in their home
- Parent - Parent relinquishes all custody, control, and support for their student who is living with a guardian
- Custodial - Guardian assumes total and permanent custody, control, and responsibility of all children, including educational, medical decisions, financial support, etc.
- Family moving into District - a non-resident scheduled to become a resident of the school district by purchasing a Syosset District residence within 45 calendar days from the start of the school year with payment of 2/10ths of the yearly tuition for non-resident students.

Registration Forms  
And Affidavits:  
[Registration Forms and Affidavits](#)





# Residency Investigations

The District has the authority to verify residency, to investigate residency inconsistencies, and to exclude non-residents.

Process for identifying and excluding non-residents:

- Investigation - through a private investigation firm
  - Surveillance
  - Home visits
- Residency Meeting
- Final Determination of non-residency
- Exclusions
- Appeals



# What prompts an investigation inquiry?

- Returned or forwarded mail
- Anonymous calls 516-364-5669/5691 or emails to [residency@syosetschools.org](mailto:residency@syosetschools.org)
- Lease Expirations (reviewed every month)
- Home sales records, if students are still in attendance
- Residency Re-verification
  - Parent or guardian of a student in 5<sup>th</sup> or 8<sup>th</sup> grade must complete the Residency Re-verification process prior to entrance into middle or high school: [Student Registration / Residency Re-verification](#)
- Student chronic absenteeism or tardiness
- Registration duplicates (more than one resident enrolling a child at the same address)
- Audit review of affidavits



# Residency Investigations

<u>23-24 School Year</u>	# of Households	# of Students
Total Investigations	39	72
Closed - Confirmed In-District Residency	22	42
Closed - Out-of-District Residency - Student Excluded	17	30

<u>7/1/2024- Present</u>	# of Households	# of Students
Total Investigations	28	39
Closed - Confirmed In-District Residency	10	18
Closed - Out-of-District Residency - Student Excluded	4	4
Open Investigations	14	17



## School District Residency Role Verify Residency

## VS Town of Oyster Bay Role Enforces Building Codes

School districts must educate students physically residing in the district (NYS Ed. Law § 3202)

The district has the authority to verify residency, investigate inconsistencies (internal and external through a private investigation firm) and exclude non-residents

As per the Appeal of Morales, 34 Educ. Dept. Rep. 435, 13,372 (1995):

- The Commissioner has held that a school district cannot determine non-residency status because multiple families live in a home that is out of compliance with a town's residential zoning rules
- The Commissioner has held that a school district cannot discriminate against students in unpermitted housing

Local governments are solely responsible for enforcing building and housing codes

The Town of Oyster Bay's Code Enforcement Bureau enforces zoning, housing, and public safety codes, rules, and regulations, including residential zoning.

### Handles citizen requests

- The Code Enforcement Bureau is expressly designed to handle citizen requests for possible violations.

### Examples of Residential Zoning Violations

Residential: Using a property zoned for single-family residences as a multi-family dwelling without rezoning or obtaining a variance/permits is illegal

Over-Occupancy: Exceeding the allowed number of occupants for a residential property

Safety Codes: Multi-family dwellings must meet specific safety standards, including fire exits, ventilation and occupancy limits. Unauthorized conversions may not comply, posing safety risks.

### Investigates complaints

- To file a request for investigation, you can:
- Complete the Code Enforcement Investigation Form: [Code Enforcement - Request for Investigation](#)
- [Code Enforcement Bureau](#): 516-624-6200 ext. 4

Code Enforcement Bureau:  
[Code Compliance Bureau](#)





Thank you!

Questions?