

ENTRANCE/PLACEMENT/RESIDENCY

POLICY

Students who have been determined to be legal residents of, or those who temporarily reside within, the Valley Stream Union Free School District #24 as homeless children in accordance with the Commissioner's Regulations, and who meet District registration requirements, are entitled to attend the Public Schools within the District. In accordance with its obligation, the Board of Education has adopted this Policy in order to regulate student enrollment and ensure that its educational programs and resources remain available for only those students who are legally entitled to benefit from them.

When a child's parent(s) or legal guardian(s) requests enrollment of the child in the District, the child will be enrolled and will begin attendance on the next school day, or as soon as practicable. Within three business days of initial enrollment, the parent(s) or legal guardian(s) must submit documentation in support of the child's residency in the District. The District must review all documentation submitted by the child's parent(s) or legal guardian(s) and make a residency determination in accordance with this Policy within three business days; provided that, if the documentation is submitted on the third business day, the District may make the determination on the fourth business day.

The following criteria will be used to assist in determining admission of students to the District as indications of legal domicile that will permit attendance in the District's schools. These criteria will include:

1. The student's parent(s) or legal guardian(s) is domiciled within the confines of the District on a full-time, year round basis, AND the student resides with the parent(s) or legal guardian(s) within the confines of the District on a full-time, year round basis. Domicile is defined as the intent to make the District as the permanent residence of the family or, where appropriate, the student.
2. Homeless children will also be admitted when eligible pursuant to Commissioner's Regulations Section 100.2.

3. The District will not request on any enrollment/registration forms or other form of communication a Social Security card/number or any information regarding or that would tend to reveal the immigration status of the child, the child's parent(s) or legal guardian(s) including, but not limited to, copies of information concerning visas or other documentation indicating immigration status.
4. Proof of residence must be provided indicating residency within the boundaries of school attendance zones. Acceptable proof of legal residency eligibility includes, but is not restricted to:
 - a. A copy of a residential lease or proof of ownership of a house or condominium, including a deed or mortgage statement;
 - b. A statement by a third-party landlord, owner or tenant from whom the parent(s) or legal guardian(s) leases or share property within the District, which may be either sworn or unsworn; or
 - c. A statement by a third party establishing the parent(s)' or legal guardian(s)' physical presence in the District.
 - d. Pay stub;
 - e. Income tax form;
 - f. Utility or other bills;
 - g. Membership documents (e.g., library cards) based upon residency;
 - h. Voter registration documents;
 - i. Official driver's license, learner's permit or non-driver identification;
 - j. State or other government issued identification;
 - k. Documents issued by federal, state or local agencies (e.g., local social service agency, federal Officer of Refugee Resettlement);
 - l. Evidence of custody of the child including, but not limited to, judicial custody orders or guardianship papers.

Parent(s) or legal guardian(s) should anticipate the need to establish residency with the District on an unscheduled periodic basis.

5. If the child is not living with his or her parent(s) or legal guardian(s), the parent(s) or legal guardian(s) and the proposed guardian will be required to complete the Custodial Affidavit (FORM D).
6. Proof of immunizations as required by New York State Public Health Law Section 2164.
7. Proof of age when entering Kindergarten or Grade 1 must be presented indicating that the child will be five years of age on or before December 1st of the enrollment year. Where a certified birth certificate or record of baptism (including a certified transcript of a foreign birth certificate or record of baptism) giving the date of birth is available, no other forms of evidence may be used to determine a child's age. Where the birth certificate or record of baptism is not available, a passport (including a foreign passport) may be used to determine a child's age. Where none of the above documents are available, the District may consider other documentary or recorded evidence in existence two years or more to determine a child's age.

Once a child is determined to be a resident of the District, the family must provide the District with proof that the child passed the grade previous to the one he/she wishes to enter (see Placement Policy #5110.2).

Responsibility of Superintendent or Designee

1. Reviewing and making the final determination in all questionable cases involving students residing with someone other than a natural parent. A thorough examination will be conducted into the underlying facts and circumstances relating to the reason why the student does not reside with his or her parent(s) or legal guardian(s).
2. Reviewing and making the final determination in all questionable cases involving individuals who rent or cohabit residences with other families. The Superintendent or designee is to ensure that the student and parent(s) or legal guardian(s) are actually present and did not establish residency solely for the purpose of attending the District's schools.

3. Reviewing and making the final determination in all other questionable cases referred by the building registrar.
4. Ensuring that all students denied admission or removed from school receive, in accordance with the Commissioner's Regulations, the approved District notice form within two business days of the District's determination.

Students Attending Illegally

All enrollments will be subject to the verification of the facts of eligibility through, but not limited to, home visits by the District's personnel. Upon determination that an application has been falsified or that residence within the District has terminated, the enrollment will be discontinued according to Commissioner's Regulations Section 100.2(y) and appropriate tuition charged for the services that have been inappropriately rendered. The school attorney will be notified of all cases when the payments are not made in order that actions for recovery can be instituted in a timely fashion.

Prior to a determination being made as to entitlement to attend the District's schools, the child's parent(s), legal guardian(s), or person in a parental relation to the child, as appropriate, will be given the opportunity to submit information concerning the child's right to attend school in the District.

In all cases where a determination is made that a child is not entitled to attend school because the child is neither a resident nor a homeless child entitled to attend school pursuant to Commissioner's Regulations Section 100.2(x), a written notice will be sent in accordance with the requirements of Section 100.2(y).

Board of Education

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