

Book	HPCSD BOE Policies
Section	5000: Students
Title	School Admissions and Residency
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## **HPCSD BOE POLICY 5150: SCHOOL ADMISSIONS AND RESIDENCY**

### School Admissions

The district shall provide a public education to all persons residing in the district between the ages of five and twenty-one who have not received a high school diploma. Residence is defined as both physical presence and intent to remain in the district. Eligibility of foster students and homeless children to attend district schools shall be determined in accordance with federal and state law and regulation; see policy 5151 for guidance.

A veteran of any age who has not yet received his/her high school diploma and who has been discharged under conditions other than dishonorable is eligible to attend school. A non-veteran under twenty-one years of age who has received a high school diploma shall be permitted to attend school or BOCES upon payment of tuition.

Upon registration, all new students shall be enrolled and begin attendance the next school day or as soon as practicable. Students and their parents/guardians/persons in parental regulation are required to present within three business days the following:

1. Documentation of Age -- a birth certificate (original or certified transcript, including a foreign birth certificate), or baptismal record is sufficient, if provided no other form of evidence may be requested. If neither of these is available, a passport (including a foreign passport) may be used. If a passport is not available, the district may consider other evidence, which has been in existence for at least two years, such as: an official driver's license, government-issued identification, school photo I.D. with date of birth, consulate identification card, hospital or health records, military dependent I.D. card, documents issued by government agencies, court-issued documents, Native American tribal documents, or records from non-profit international aid agencies or voluntary agencies; or other documents such as an entry in a family bible, and adoption records, or previously verified school records.
2. Record of immunizations -- (see 5420-R for more on immunizations) and a health certificate from an authorized medical provider; and
3. Documentation of district residency -- examples of acceptable forms of documentation include, but are not limited to, home owner's tax bill, mortgage/deed or lease documents to a house/condominium apartment, a notarized statement by the parent/guardian's landlord or property owner, a pay stub, telephone or utility bills, membership documents based upon residency, official driver's license, learner's permit, or non-driver identification, rent payment receipts, a copy of a money order for payment of rent, a notarized letter from a parent's employer that is written on company letterhead, voter registration document, or a state or other government-issued ID, documents issued by federal, state or local agencies, or judicial custody orders or guardianship papers showing residency. The district may require multiple forms of residency documentation sufficient to establish both physical presence in the district and intent to remain.

The district shall post its student enrollment/registration forms, procedures, instructions and requirements, including the examples of acceptable documentation, on the district website, and shall provide such materials to all parents/guardians/children who request enrollment in the district.

If the parent/guardian of a student seeking to enroll is limited English proficient, the district will meaningfully communicate material information about enrollment as required by federal law. The district will provide parents/guardians of all newly enrolled students with appropriate information including student handbooks and information about access to special education services.

### **Residency**

#### **Non-Residence/Unauthorized Attendance**

#### **No Entitlement to Enrollment**

Except for Homeless and Foster Students, non-residents are not entitled to enroll in the schools of the district. The Board of Education will take whatever steps are necessary in the best interest of the district to substantiate reliable information received that individuals seeking enrollment in the district's schools and individuals already enrolled in the district's schools are not residents.

#### **Determination of Residency**

Where an issue concerning residency is raised, appropriate measures will be taken to determine issues of residency including, but not limited to, the holding of a hearing pursuant to section 100.2(y) of the Regulations of the Commissioner of Education. The Board of Education will annually appoint a residency officer to conduct residency hearings.

#### **Investigation**

The Board will hire investigators, when warranted, to gather facts about the residence of individuals.

#### **Tuition Recoupment**

When the Board determines that it is in the best interest of the district to do so, it will authorize the recoupment of unpaid tuition by individuals who are not residents of the district, but who have enrolled their children in the schools of the district.

#### **Cross-ref:**

5151, Education of Students in Temporary Housing  
5420, Student Health Services

#### **Ref:**

Education Law §§903; 904; 3202; 3208; 4402(8)

Public Health Law §2164

*Student Registration Guidance*, New York State Department of Education, August 26, 2010 [www.emsc.nysed.gov/sss/pps/residency/studentregistrationguidance082610.pdf](http://www.emsc.nysed.gov/sss/pps/residency/studentregistrationguidance082610.pdf)

*Educational Services for Recently Arrived Unaccompanied Children*, New York State Education Department, September 10, 2014

*Information on the Rights of All Children to Enroll in School*, U.S. Departments of Education and Justice, Revised May 8, 2014

*Fact Sheet I and II: Information on the Rights of All Children to Enroll in School*, <http://www2.ed.gov/about/offices/list/ocr/docs/dcl-factsheet-201405.pdf>

*Plyler v. Doe* 457 US 202 (1982)