

**STUDENT ENROLLMENT & RESIDENCY**

The district shall provide a public education to all persons between the ages of five (5) (Policy 5140) and twenty-one (21) who have not received a high school diploma and are entitled to attend school. A resident student for the purpose of this Policy is one who resides with his or her custodial parent(s) and/or legal guardian(s), is an emancipated minor or is a homeless person pursuant to express mandate of Education Law Section 3202, or pursuant to the express mandate of any other statute of the State of New York or decision by the Commissioner of Education and is domiciled in the District. A resident student may also reside with a person(s) who have assumed total care, custody, control and support as outlined below.

If such persons reside in the district, they may attend without payment of tuition. The residence of children dwelling within the District boundaries shall be established in a manner consistent with State Law and the Regulations of the Commissioner. Residency means domicile, which requires one's physical presence and the intention to remain there. All persons seeking to register students in this School District will be required to furnish proof of residency as defined in the Regulations.

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.

*Determination of Student Residency*

Upon registration, all new students shall be required to present proof of residency in the District, proof of age, proof of parental/guardianship control, and proof of immunizations and health certificates.

The Board of Education or its designee shall determine whether a child is entitled to attend a District school. Acceptable proof of residency in the District may include one or more of the following documents: a pay stub, income tax form, deed or lease to a house or apartment, utility bills or other bills sent to the student's home address, voter registration document or a state- or other government-issued ID. The Superintendent shall establish regulations that more fully delineate the documents that must be submitted.

Acceptable proof of parental control shall include original birth certificate or baptismal certificate.

Acceptable proof of age shall include an original birth certificate, baptismal certificate or passport, including foreign passport (for age only). Those medical records required by law shall also be submitted including a record of immunizations and health certificates. Any exceptions to the information required upon registration require the approval of the Superintendent of Schools, subject to action by the Board of Education.

Any adverse residency decision by the Board or its designee shall include written notice to the parent/legal guardian of the procedures for obtaining review of the decision, including the right to appeal.

#### *Relocation During School Year*

High school seniors whose parents change their place of residence after October 31st may be permitted, at the discretion of the Superintendent, to matriculate for the remainder of that school year without the payment of tuition. Permission will be considered only upon the written request of the parent or guardian. If the student will subsequently reside outside of the District, no transportation will be provided by the District. The student shall abide by all District policies, rules, and regulations. The District reserves the right to terminate educational services to a student in the event that the student fails to follow laws or District policies, rules, or regulations applicable to resident students.

#### *Children Living With Non-Custodial Parents*

A minor's residence is usually determined by the residence of the custodial parent. In the event a student intending to enroll does not reside with his or her parents or legal guardian, both parents and all persons claiming a custodial relationship are required to complete a notarized affidavit to establish that parental care, custody and control has been severed. Such affidavit shall be provided in a form as developed by the District. In appropriate cases, the requirement for an affidavit for a particular parent or parents may be waived for cause, upon submission or adequate proof that the parent's whereabouts is unknown. Such affidavit(s) must also present evidence that the District resident(s) in custody of such child has permanent care, physical custody and control of the child, has undertaken the support obligation, as well as the reason why such care, custody, control and support have been assumed.

#### *Emancipated Minors*

A determination of whether a student is to be designated as an emancipated minor in the Dobbs Ferry Union Free School District will be based on evidence that the student

## DOBBS FERRY

5130

is no longer under custody, control and support of his or her parents. To establish emancipation, a minor must show that he or she is beyond compulsory school age, is living separate and apart from his or her parents in a manner inconsistent with parental custody and control, is not receiving financial support from his or her parents, and has no intent to return home. The minor must submit proof of age, documentation of his or 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 or her parents.

Statements pertaining to emancipation must be resubmitted each school year. If at any time the above information is changed without prompt notification or is proven to be false, the parent/legal guardian and/or student may be subject to legal action.

### *Transportation*

Transportation services for resident students shall be provided in accordance with the provisions of New York State Education Law and the School District's transportation policy.

### *Temporary Residents*

Residents of the District who temporarily reside outside of the District under exigent circumstances may maintain enrollment of their children with resident status in accordance with law. The condition of being a taxpayer in this District does not automatically entitle the taxpayer to register a child in this School District unless the residency requirement is met.

Temporary residents shall not be entitled to enroll a child or children as students in this District or seek services for their children who may attend a non-public school located within or outside of the School District.

Cross-ref: 5151, Homeless Students  
5420, Student Health Services

Ref: Education Law §§903, 904, 1711; 3201; 3202(1-a); 3205; 3206; 3208; 3225  
Public Health Law §2164  
8 NYCRR §101  
Family Court Act §§711 et seq.  
*Student Registration Guidance*, New York State Department of Education,  
August 26, 2010

Adoption date: October 15, 2009

Revised: February 2, 2012