SUMMARY OF CHANGES

This regulation supersedes Chancellor's Regulation A-101 dated August 27, 2015.

Changes:

- Deletes footnote 1, which stated: "Race may be considered as a factor in school enrollment only where required by court order; gender is a factor only in single-gender schools." (Section I.A.1, p.1.)

ABSTRACT

This regulation supersedes Chancellor's Regulation A-101 dated August 27, 2015. It sets forth the policies concerning admission, discharge, and transfer of pupils in New York City public schools.

I. INTRODUCTION

The Office of Student Enrollment (Student Enrollment) maintains sole authority and responsibility for enrollment policy and enrollment planning for all schools except those in District 75 and District 79. The Superintendents for those districts maintain responsibility for enrollment operations and policy in those districts.

A. Admission to School – General Policies and Procedures

1. Children may not be refused admission to a public school because of race, color, creed, national origin, gender, gender identity, pregnancy, immigration/citizenship status, disability, sexual orientation, religion, or ethnicity.
2. Children whose 4th birthday falls within the calendar year of admission are to be admitted to pre-kindergarten (limited to designated programs and subject to available seats).
3. Children whose 5th birthday falls within the calendar year of admission are required to attend and must be admitted to kindergarten, whether these children are entering school for the first time or being transferred from another school, except that such children are not required to attend kindergarten if:
   a. their parents elect instead to enroll them in 1st grade the following academic year, or
   b. they are enrolled in non-public schools or in home instruction.
4. Children whose 6th birthday falls within the calendar year of admission must be admitted to the 1st grade, subject to paragraph 6 (below).
5. Children are required to attend school from age 5, except in cases of 3a or 3b above. Attendance is required through the end of the school year in which children turn 17 and, if no high school diploma has been granted, they may remain in school until the end of the school year in which they turn 21.
6. In cases where a student is required to attend 1st grade based upon his or her age, but the principal deems that another grade placement would be more instructionally appropriate, the principal will consult with the Superintendent concerning placement and will provide medical or other evaluative documentation, which has been submitted by the parent or guardian, justifying a different placement. The Superintendent will make the final decision concerning the appropriate grade level for the student.
7. A student must be a resident of New York City in order to be entitled to attend a New York City public school. Any student whose primary residence is outside New York City must submit an application to the Office of Student Enrollment to be considered for enrollment in a New York City public school in accordance with Chancellor's Regulation A-125. All students must complete a Residency Questionnaire upon enrolling at their school. Any student identified as living in temporary housing must be referred to the Students in Temporary Housing program. See the Residency Questionnaire (Attachment No. 6) which is accompanied by the McKinney-Vento Act Guide for Parents and Youth (Attachment No. 7).

8. In order for a student to register into a New York City public school, the parent[1] and the child must both appear,[2] and must present:

   - Verifiable proof of residence (see Section VII);
   - Proof of age, such as a birth certificate, passport (including a foreign passport), or record of baptism (which includes date of birth). If these documents are unavailable, other documentation or recorded evidence may be used to determine a child's age, such as:

     a official driver's license;

     b. State or other government issued identification (including an IDNYC card);

     c. school photo identification with date of birth;

     d. consulate identification card;

     e. hospital or health records;

     f. military dependent identification card;

     g. documents issued by federal, state or local agencies (e.g., local social service agency, federal Office of Refugee Resettlement);

     h. court orders or other court-issued documents;

     i. Native American tribal document; or

     j. records from non-profit international aid agencies and voluntary agencies.
   - Child's immunization records (if available);
   - Child's latest report card/transcript (if available);
   - Child's Individualized Education Program (IEP) and/or 504 Accommodation Plan, if applicable and available.

   If a student is not able to produce proof of immunizations, the student must be registered provisionally and appropriate follow-up must be done by the school in accordance with the procedures set forth in Chancellor's Regulation A-701.

   If a student is unable to produce a birth certificate, passport, record of baptism, or other appropriate documentation that establishes the student's age, the student must be registered provisionally and the school must take follow-up action to ensure appropriate grade placement.

9. No student who has been appropriately registered by a school or registered or assigned by the Office of Student Enrollment, a District 75 program, or a Committee on Preschool Special Education, where applicable, may be turned away by the school to which the student is assigned/registered.

10. If a student is pre-registered or registered to attend an elementary school that s/he is eligible to attend (e.g., based on his/her home address, sibling priority, specialized program recommendation), the student must remain eligible at the time of admission in order to attend. If the student's eligibility status changes, the Office of Student Enrollment will transfer the student and register him/her at an appropriate school for which s/he is eligible.

11. If a student is admitted to the New York City public school system for the first time in grades 2-8 after having attended school in another school district, that student will be placed based on the available educational records from the student's last school that

[1] Parent as used in this regulation means the student's parent or guardian or any person in a parental or custodial relationship to the student, or the student if s/he is an emancipated minor or is 18 or older.

[2] As described in Section VIII, if an unaccompanied student comes into an enrollment office or a school and indicates that he/she is homeless and wants to enroll in or transfer schools, he/she is not required to return with a parent in order to enroll/transfer. A student who is emancipated is also not required to register with a parent.

are presented at the time of enrollment. In the absence of sufficient educational records to make a determination, the student will be placed based upon his or her age.

12. For students who are new to the New York City public schools and do not have educational records, placement will be made as follows:

    a. In cases where a student is placed in grades 2-8, but the principal deems that another grade placement would be more instructionally appropriate, the principal will consult with the Superintendent and provide evidence to justify any recommendation. The Superintendent will make the final decision concerning the appropriate grade level for the student.

    b. For students of high school age, a student who does not have educational records and who turns 15 within the school year (on or before June 30th) of admission will be enrolled in 9th grade. In cases where such a student is placed in high school, the principal or his/her designee will then determine an appropriate grade placement within the school upon receipt of the appropriate educational records.

13. If a student is discharged from the NYC public schools and returns within the same school year (on or before June 30th) the student will be placed based on consideration of the student's grade placement at his or her previous NYC school and the available educational records from the student's last school that are presented at the time of enrollment. If no records are available, the student will be placed in the same grade level as when he/she was discharged in that school year. If a student is discharged from the NYC public schools and returns to the NYC public schools in a subsequent school year, the student will be placed in the same manner as a student entering the NYC public school system for the first time, as outlined in paragraph 12 (above).

14. Placement for any school-age student seeking admission at a school or Family Welcome Center must be arranged by the next school day, if possible, but in no event later than 5 school days.

15. By law, students may not be required or asked to present documentation of immigration status nor can they be denied admission to school based on immigration status or failure to present documentation about immigration status. Reference to the immigration status of a child or parent is not to appear on any school forms and/or records.

16. Students in the care of social welfare agencies, juvenile justice agencies, and correctional agencies are to be admitted into schools in the same manner as other students.

17. Students in grades K-12 who change residence within New York City are entitled to remain in their current school until completion of the terminal grade. Students may not be transferred to their zoned school or district of residence because of disciplinary or academic problems except pursuant to the procedures set forth in Chancellor's Regulation A-450.

18. Parents of such elementary and middle school students referenced in Section I. A.17 above for whom the change of residence renders the student ineligible for his/her current school based on his/her new residence are responsible for pupil attendance and punctuality. These students will not become eligible for yellow bus transportation. If attendance or punctuality worsens, the school must work with the student and his/her family to facilitate and support regular attendance and punctuality. If, however, excessive absence and/or lateness continues, and it is in the best interest of the student, the principal may begin the transfer process to an appropriate school which the student is eligible to attend based on his/her new residence. The principal must submit to the Borough Field Support Center point person documentation regarding the student's excessive absence and/or lateness, as well as documented efforts made to work with the student and his/her family to support regular attendance. The Borough

Field Support Center point person will review the documentation submitted by comparing the attendance and lateness record prior to and following the student's change in residence as well as the documentation of the school's efforts to support the student's attendance. If the Borough Field Support Center point person confirms that attendance and punctuality have worsened, s/he will inform the Executive Director for Borough Enrollment or his/her designee, who will approve or deny the transfer request. If approved, the parent must be provided with written notification by the principal that the student is being transferred. The Office of Student Enrollment will effectuate the transfer of the student and place the child on register of the zoned or assigned school or another appropriate school which the student is eligible to attend.

The transfer of homeless students or students in temporary housing for poor attendance is prohibited by Title VII of the McKinney-Vento Homeless Assistance Act (42 USC 11431) and Chancellor's Regulation A-780.

II. ADMISSIONS PROCEDURES

A. Sibling Priorities[3]

1. For purpose of assignment priority, a sibling is a brother or sister (including half–brothers, half-sisters, stepbrothers, stepsisters, foster brothers, foster sisters) of the applicant, who lives in the same household.
2. Schools maintain responsibility for verifying sibling status before assignments are made.
3. Siblings of students already pre-registered or enrolled at an elementary school at the time of application submission are given sibling priority for admission into elementary school programs for which they meet the eligibility requirements as described below, subject to available seats.
4. In a K–5, K–6, K–7, or K–8 elementary school, an applicant can be granted sibling priority only if the sibling is pre-registered or enrolled in the school at the time of application submission, and will be in grade 5 or below at that school at the start of the following September.

B. Admission to Universal Pre-kindergarten Programs

1. Students must turn 4 by December 31st of a school year in order to be eligible to attend Universal Pre-kindergarten programs.
2. Students are admitted to NYC DOE Pre-K programs in zoned district schools in accordance with the following admissions priority order, subject to available seats:
   a. zoned students whose verified siblings are pre-registered or enrolled at the time of application submission and will be in grades K-5 in the school at the start of the following September; In some cases, dependent upon the timing of the approval of a rezoning plan, a student's zoned district school may change during the application period. In such cases, the student continues to have priority to the original zoned school.
   b. zoned students other than those in (a) above applying to the zoned school;
   c. students whose verified siblings are pre-registered or enrolled at the time of application submission and will be enrolled in grades K-5 in the school at the start of the following September who are residents of that district and who have no zoned school or whose zoned school has no pre-kindergarten program;
   d. students whose verified siblings are pre-registered or enrolled at the time of application submission and will be enrolled in grades K-5 in the school at the

[3] Sibling priorities are granted only at the elementary school level.

start of the following September who are residents of that district, and who are zoned to a different school, which has a pre-kindergarten program;

e. out-of-district students who reside in the borough, whose verified siblings will be enrolled in grades K-5 at the start of the following September;

f. out-of-district students who reside outside the borough, whose verified siblings will be enrolled in grades K-5 at the start of the following September;

g. in-district students with no zoned school or whose zoned school has no pre-kindergarten program;

h. in-district students applying to a program at a school other than their zoned school;

i. out-of-district students applying to a program at a school in their borough;

j. out-of-district students applying to a program at a school outside their borough.

3. Students are admitted to NYC DOE Pre-K programs in non-zoned district schools in accordance with the following admissions priority order, subject to available seats:

a. students whose verified siblings are pre-registered or enrolled at the time of application submission and will be enrolled in grades K-5 in the school at the start of the following September who are residents of that district and who have no zoned school or whose zoned school has no pre-kindergarten program;

b. students whose verified siblings are pre-registered or enrolled at the time of application submission and will be enrolled in grades K-5 in the school at the start of the following September who are residents of that district, and who are zoned to a different school, which has a pre-kindergarten program;

c. out-of-district students who reside in the borough, whose verified siblings will be enrolled in grades K-5 at the start of the following September;

d. out-of-district students who reside outside the borough, whose verified siblings will be enrolled in grades K-5 at the start of the following September;

e. in-district students with no zoned school or whose zoned school has no pre-kindergarten program;

f. in-district students applying to a program at a school other than their zoned school;

g. out-of-district students applying to a program at a school in their borough;

h. out-of-district students applying to a program at a school outside their borough.

C. Admission to Kindergarten[4]

1. Zoned schools are obligated to serve all students residing in their zone, space permitting, regardless of when families show up to register. Applicants must be admitted to zoned schools in the following order of priority:

a. zoned students whose verified siblings are pre-registered or enrolled at the time of application submission and will be enrolled in grades K-5 in the school at the start of the following school year in September;

b. zoned students other than those in (a) above applying to the zoned school;

If space allows, and if the Office of Student Enrollment deems appropriate based on district needs, offers may be made for the following priority groups, in the order outlined below. Only the Office of Student Enrollment may authorize the placement of non-zoned students out of this priority order; for example, for

[4] Sections II.C.1 and II.C.2 do not apply to non-zoned districts.

students who cannot be accommodated at their zoned school, or for specialized programs, such as dual language programs or programs for students with Autism Spectrum Disorder.

c. students whose verified siblings are pre-registered or enrolled at the time of application submission and will be enrolled in grades K-5 in the school at the start of the following school year in September who are not zoned to the school but are residents of that district;

d. students whose verified siblings are pre-registered or enrolled at the time of application submission and will be enrolled in grades K-5 at the start of the following school year in September who are residents of another district;

e. students currently attending the school's pre-kindergarten program who reside outside the school's zone but in the school's district, *without* a sibling who will be in grades K-5 at the school in the following school year;

f. students currently attending the school's pre-kindergarten program who reside outside the school's zone and district, *without* a sibling who will be in grades K-5 at the school in the following school year;

g. students other than those in (c) and (e) above who are residents of that district;

h. students other than those in (d) and (f) who are residents of another district.

2. Applicants must be admitted to non-zoned schools in the following order of priority:

a. in-district students whose verified siblings are pre-registered or enrolled at the time of the application submission and will be enrolled in grades K-5 in the school at the start of the following September;

b. out-of-district students whose verified siblings are pre-registered enrolled at the time of application submission and will be enrolled in grades K-5 in the school at the start of the following September;

c. students currently attending the school's pre-kindergarten program who reside in the school's district, *without* a sibling who will be in grades K-5 at the school in the following school year;

d. students currently attending the school's pre-kindergarten program who reside outside the school's district, *without* a sibling who will be in grades K-5 at the school in the following school year;

e. in-district students other than those in (a) and (c) above;

f. out-of-district students other than those in (b) and (d) above.

D. Admission to Zoned Elementary[5] and Middle Schools[6]

1. Eligibility

a. Zoned students are entitled to attend their zoned elementary school subject to available seats.

b. Elementary and middle school students without a zoned school are entitled to a seat in a school in the district to which the student's address has historically been assigned, for elementary or middle school respectively.

c. In some cases, dependent upon the timing of the approval of a rezoning plan, a student's zoned school may change during the application period. In such cases, the student's zoned entitlement would be to the zoned school in effect at the time of enrollment.

[5] Subject to the additional provisions above, the provisions of this regulation pertaining to elementary schools include kindergarten as well.

[6] The policies in Section II.C govern admission to zoned elementary and middle schools with the exception of admission into pre-kindergarten which is governed by the policies set forth in Section II.A.2 above.

d. Children whose verified siblings are enrolled in a zoned school that has been impacted by a re-zoning plan adopted by the CEC will maintain zoned sibling priority to that impacted school if such priority is provided for in the approved zoning plan.

2. Priority for middle school—Middle School Choice

a. Students with a zoned middle school have a priority to attend that school if they rank it on their middle school choice application. During the middle school admissions process, available seats (determined by OSE) at zoned schools will be available for non-zoned students who apply once all of the zoned students have been accommodated in the application process. Zoned students who do not apply to their zoned school no longer have a priority to attend that school. Zoned students who have applied will be accommodated before non-zoned students on appeal as space is available.

b. 5th grade students attending a K-8 school maintain a priority for the 6th grade middle school admissions process if they rank the continuing K-8 school on their middle school choice application. During the middle school admissions process, available seats (determined by OSE) at K-8 schools will be available for non-continuing students who apply once all of the continuing students have been accommodated in the application process. Continuing students who do not apply to their current school no longer have a priority to attend that school for 6th grade. Continuing students will be accommodated before non-continuing students on appeal as space is available.

c. When students receive a non-zoned or non-continuing school placement as a part of the middle school choice process, the students no longer have any entitlement to return to their zoned or K-8 school for the duration of middle school. Any requests for the zoned or K-8 school must be expressed through the PER or transfer process.

3. Registration/Assignment

a. Zoned students arriving after the admissions process for kindergarten may register directly at their zoned elementary schools subject to available seats. Students without a zoned school arriving after the admissions process may visit a Family Welcome Center for placement.

b. Zoned middle school students arriving after the admissions process who are seeking to enter the New York City public school system may register directly at their zoned middle school. Zoned students enrolled in the New York City public school system at the time of the 6th grade application process will be assigned to middle school through the middle school admissions process. Students without a zoned school arriving after the admissions process may visit a Family Welcome Center for placement.

c. Students not participating in an admissions process for an entry grade seeking admission to a non-zoned elementary and middle school or to an elementary or middle school for which they are not zoned may only be assigned/registered in accordance with the policies set forth in this regulation or as otherwise determined by the Office of Student Enrollment.

E. Policies for Zoned Elementary and Middle Schools

1. Kindergarten is the entry grade to New York City Public Schools. Students must turn 5 by December 31st of a school year in order to be eligible to begin kindergarten in that academic year.

2. Students zoned for an elementary or middle school have priority for enrollment in those schools in accordance with the policies outlined in this regulation and must be accommodated before assignments are made to non-zoned students.

3. Zoned schools are required to register zoned students and must accept zoned

students in accordance with the policies set forth in this regulation and subject to available seats as determined and authorized by the Office of Student Enrollment.

4. Non-zoned students may be admitted to a zoned school only in accordance with the policies set forth in this regulation and as otherwise determined by the Office of Student Enrollment.

5. A zoned school has a responsibility to serve all children who live within its attendance zone in accordance with policies outlined in this regulation. Therefore, in no case may a zoned school cap a grade to achieve or maintain reduced class size in any grade. Only the Office of Student Enrollment or Office of District Planning may close a grade to further enrollment.

6. In cases where students must be diverted from the zoned school in the student's grade because of overcrowding, the student is entitled to an alternative placement within the district of residence. This entitlement to a placement grants students in this situation a priority to another zoned school ahead of any non-zoned applicants. Any students assigned to attend a different school due to overcrowding must either accept the assignment or find another alternative to the zoned school.

7. Students who have been reassigned to a school other than their zoned school on the basis of an approved capping plan may remain on the waitlist for their zoned school until a deadline as established by the Office of Student Enrollment. In cases when kindergarten students are reassigned, any available 1st-grade seats for the following year will first be offered to the reassigned kindergarten students in waitlist order. Students who have been reassigned may decline a return to the zoned school and remain at the overflow school. By declining their return, such students will no longer have an automatic right of transfer to the zoned school based on place of residence. Such students who were eligible for transportation to the overflow school will no longer be entitled to transportation unless otherwise required or eligible based on guidelines established by the Office of Pupil Transportation. Upon completion of the last grade in an elementary school, such students will have the option to matriculate to middle school based on their elementary school of enrollment or their place of residence.

8. Parental requests for transfer to a student's zoned elementary will be granted subject to available seats.

9. It is the primary obligation of a zoned school to serve its zoned students. If a zoned school is unable to accommodate all zoned students, non-mandatory programs at the school may be reduced or eliminated.

F. Matriculation Policies

1. Matriculation from a "choice" program (elementary and middle school only)

Any student who is admitted through an application or choice process, or who is granted a Placement Exception Request (PER) or is transferred into an elementary school for which he/she is not zoned, as outlined in Section IV, and who remains in attendance through the completion of the school's last grade may choose to matriculate to middle school based on the options that are generally available to students who are zoned to an elementary school in the district where the student attended elementary school. In districts with middle school choice, students may apply to middle school in the district in which they attend elementary school. The student may also choose to matriculate to middle school in the district containing the middle school to which they are zoned. In this scenario, an out-of-district elementary school student who elects to stay in that district for middle school has the same priority as in-district applicants. In districts where there is middle school choice, if an articulating student is not matched to a school of his/her choice, he/she has priority for a placement in the district of residence.

2. Articulation in K–8 and 6–12 schools

   A school that is structured as a K-8 or a 6-12 must have multiple entry points. Therefore, when a student is admitted to a school that is structured as a K–8 or 6–12 that student is entitled to and has priority for admission to the upper grades. Such students may, at the same time, apply to any other school or program for which they are eligible. Students who reside in the elementary school zone have a priority to attend the K-8 school for 6th grade if they are not already in attendance.

G. Articulation to High School

1. Students articulating from 8th grade are either given a priority for or guaranteed admission to their zoned high school, as indicated in the High School Directory for the application year, if they apply to that school in the high school admissions process.

2. No high school (except District 75 schools, District 79 programs and transfer schools) may register students. Only the Office of Student Enrollment may register high school students.

3. Students who have been discharged from the NYC public school system, and have been matched to a school (including the specialized high schools, transfer schools and schools for newcomers and students with limited English proficiency) as the result of the high school admissions process, have a right to return to and attend the school to which they have been matched at any time during the school year for which they were matched.

III. READMISSION

A. Readmission/Right of Return

In general, students all have the right to return to their prior school following discharge from the NYC public schools within one calendar year of discharge in accordance with the following guidelines:

1. Elementary/Middle School Students

   a. for elementary and middle school students, a student who returns to his/her prior address has the right to return to his/her zoned school, subject to available seats;

   b. elementary or middle school students who previously attended a non-zoned school have the right to return to that school for 1 calendar year if they continue to be eligible based on their residence;

   c. students who previously attended district or citywide Gifted and Talented programs may return to a Gifted and Talented program if a seat is available and if they return to the same district (for district programs). Students who attended district Gifted and Talented programs and return to another district may be readmitted to a Gifted and Talented program in their new district if a seat is available.

2. High School Students

   a. for high school students, a student who has been discharged from the NYC public school system has the right to return to his/her previous high school (including the specialized high schools, transfer schools and schools for newcomers and students with limited English proficiency) until the conclusion of the calendar year starting on the date of discharge, if he or she has been in attendance for a minimum of 1 day;[7]

   b. if there is a question regarding a student's right of return, the Office of Student Enrollment will make the final determination about readmission.

[7] A student discharged without a diploma may return to school until the end of the school year in which he/she turns 21.

IV. TRANSFERS

Schools are required to meet with families to review transfer requests and provide all supporting documentation when a transfer is warranted.

A. All requests for transfers as well as all Placement Exception Requests[8] must be approved by Student Enrollment with the exception of:

1. involuntary transfers and voluntary transfers following suspensions, which are handled by the Borough Director of Suspensions in accordance with Chancellor's Regulation A-450 and A-443;
2. transfers of elementary schools students seeking to attend their zoned schools (when seats are available), in which case, the receiving principal admits the student; and
3. transfers of students due to a new specialized program need, such as a bilingual special education program, as defined on the IEP;
4. transfers authorized by the Special Education Office due to the documented inability of the child's current school to provide the appropriate special education program (Integrated Co-Teaching and Special Class) as recommended on the IEP;
5. transfers mandated by an Impartial Hearing Order; and
6. transfers within District 75 and District 79.

B. Other transfers may be granted to address a particular hardship as described below provided all requisite documentation is presented. In all cases, the Office of Student Enrollment will either deny or approve the transfer request and will determine the school to which a student will transfer.

1. Childcare Hardship Transfers (students in grades K-5 only): A parent may request a transfer for his/her child because a childcare hardship is created by his/her school's distance from employment and/or childcare location. The parent must provide supporting documentation from his/her employer and/or childcare provider affirming the childcare hardship.

2. Sibling Transfers (students in grades K-5 only): A parent may request a sibling transfer for his/her child/children because one or more siblings attend different schools.

3. Medical Transfers: A parent may request a medical transfer for a child to address an exigent medical issue that can be addressed by a change in school. The parent must provide documentation signed by a doctor on the medical provider's letterhead stating the medical condition and the reason why the transfer is recommended. Appropriate staff from the Department of Education may contact the medical provider to gain further information.

4. Safety Transfers: The procedures for granting safety transfers are outlined in Chancellor's Regulation A-449. Safety transfers may be granted in the following instances: (a) when students are victims of a violent criminal offense on school property pursuant to No Child Left Behind or (b) in situations (including complaints of harassment, intimidation and bullying) in which it is determined that a student's continued presence in the school is unsafe for the student. No Child Left Behind Safety Transfer (NCLB) requests will be coordinated by the Borough Director of Suspensions.

   With respect to non-NCLB safety transfers, the determination as to whether or not to grant a safety transfer must be made by the Executive Director of Borough Enrollment

[8] Placement Exception Requests are requests made for fall admission to a school other than the student's zoned or assigned school due to a hardship.

within 1 week of receipt of the required documentation from the principal/designee. The procedures are as follows:

a. All safety transfer requests and supporting documentation must come from schools; families should not bring the documentation to the Family Welcome Center. To be considered for a safety transfer, a school must fax:

- School Occurrence Report or other school documentation;
- Police Report, Docket number, or court documentation;
- Safety Transfer Summary of Investigation Form; and
- Safety Transfer Intake Form.

b. If the supporting documentation does not sufficiently describe the safety issue or if additional information is needed, the Dean, the Assistant Principal Security, or the Principal must provide additional information to the Office of Student Enrollment;

c. If it is determined that transferring the student will address the safety issue (regardless of where the incident took place), the safety transfer will be approved and a new placement identified by the Office of Student Enrollment.

5. Sports Transfers (high school students only)

a. In general, there are no transfers for sports;

b. A student athlete listed on the official Public School Athletic League (PSAL) roster in a particular sport who is attending a school that is being phased out and the school building has dropped that particular sport, may apply for a transfer to another school. A student athlete listed on the official PSAL roster in a particular sport who is attending a school where the team ceases to exist may also apply for a transfer to another school. In such cases, the Office of Student Enrollment will identify a school that has a space available and has a PSAL team for that sport and will facilitate an appropriate placement to meet the student athlete's academic and athletic needs;

c. A student athlete listed on the official PSAL roster in a particular sport who applies for a transfer under No Child Left Behind Public School Choice (NCLB) is only eligible to be transferred to a school on his/her NCLB application;

d. In those cases outlined in b and c above, a student athlete is not guaranteed a spot on the official PSAL team in his/her sport at the new school. He/she must try out for the team;

e. All regulations regarding high school athletics are governed by the PSAL Student Athlete Rules and Regulations (available at www.psal.org).

6. Travel Hardship Transfers (high school students only)

a. A family must present verifiable proof of address to request a travel hardship transfer;

b. For a travel hardship transfer to be considered, the commute from home to school must be 75 minutes or greater or otherwise inaccessible by public transportation (i.e., more than 3 changes).

7. Transfer to Zoned High School (high school students only)

a. First-time 9th graders are expected to complete their first year in high school at the school to which they were placed through the high school admissions process and may request a transfer to their zoned school (where applicable), at the earliest for the following school year. However, they may be granted a transfer to their zoned school earlier if they demonstrate a documented hardship, as listed above in items B.1–B.4 and B.6.

b. Students, other than first-time 9th graders, who are attending a high school other than their zoned high school, may request a transfer to their zoned high

school at any time. Students with a documented hardship as listed above in items B.1–B.4 and B.6 will be prioritized over those students without a documented hardship. All transfer requests will be subject to available seats and may be deferred until the start of the new term.

C. Placement Exception Request (elementary and middle school only)

1. Prior to the start of the school year, students may request a "Placement Exception Request (PER)" for fall admission to a school other than their zoned or assigned school.
2. Exceptions to placement are considered primarily to address a hardship issue and must be supported by appropriate documentation. They will be granted to a particular school only if a school has not reached its projected register and there are seats available.

V. ENROLLMENT POLICIES FOR STUDENTS WITH DISABILITIES WHO RECEIVE SPECIAL EDUCATION SERVICES

A. All policies regarding enrollment for general education students also apply to students with disabilities, including the policies governing student participation in admissions processes. With regard to transfers and placement of students with disabilities, the following policies should be noted:

1. When there is a change in program on the Individualized Education Program (IEP), students with disabilities are expected and entitled to remain in their current school unless the changes require a District 75 placement or Non-Public School.
2. Specialized Programs
   a. If a child's IEP is revised to recommend a specialized program, including Bilingual Special Education and programs for students with Autism Spectrum Disorder (ASD), the student is entitled to remain at the current school until if and when the NYC DOE identifies and authorizes a new placement in that program. At that time, the student will be transferred.
   b. If at any time, until the terminal grade, a student's IEP no longer reflects the specialized program need, the student is expected and entitled to remain at the school until the terminal grade. Students in elementary or middle school retain the right to transfer to his/her zoned school, space permitting.

B. A student seeking readmission to New York City who was previously identified as a student with a disability who appears without an IEP will be placed by the Family Welcome Center, where applicable, in accordance with his/her last New York City IEP. Where appropriate, an IEP meeting must be held at the student's school within 30 days and a new IEP must be developed.

C. If a student presents documentation from out of New York City indicating the need for special education services, the student must be referred to the appropriate CSE or Family Welcome Center, where a determination of comparable services will be made and an appropriate school will be assigned.

VI. DETERMINATION OF RESIDENCE

A. A student's residence is determined as follows:

1. Residence is determined by a person's physical presence as an inhabitant within the designated geographic boundaries of a school district with the intent to remain.
2. The residence of a student for school purposes depends upon a factual determination of the care, custody and control of the student.

B. The following procedure outlines how a person who is not the student's birth or adoptive parent or legal guardian may register the student:

1. Students must be accompanied by a person in parental relation when registering for school (except for cases of unaccompanied youth as described in Section VIII.D and

Chancellor's Regulation A-780). A person in parental relation includes the student's father or mother, by birth or adoption, stepfather or stepmother, legally appointed guardian or custodian. A person is regarded as the custodian of another individual if s/he has assumed the charge and care of such individual. Evidence of legal guardianship is not required to register a student.

2. If the individual registering a student is not the parent by birth or adoption or the legal guardian, the individual must provide an affidavit to the school or Family Welcome Center with the name, home address, telephone number, name of the birth or adoptive parent(s) or legal guardian, the circumstances under which the student came to reside with him/her, and the duration of the stay (see Attachment No. 1 or 2). Unaccompanied minors are not required to submit this notarized statement or affidavit (see Section VIII.D).

3. If there are questions regarding the status of the person seeking to register the student, the student must be registered pending a further investigation by the school into who is serving in custodial relationship to the student.

C. The following factors should be considered in determining if a student resides with an individual other than his /her birth or adoptive parent(s) or legal guardian:

1. Does the student intend to remain at the address?

2. Has the birth or adoptive parent or legal guardian relinquished custody and/or control over the student to another person with whom the student lives?

3. Does the birth or adoptive parent or legal guardian continue to support the student?

4. Does the adult with whom the student is living provide for the student's care and supervision?

5. Is there sufficient evidence that the parent has transferred custody and control of the student to the individual with whom the student is living? The school may require a sworn and notarized statement or affidavit from the birth or adoptive parent or legal guardian (see Attachment No. 1 or 2).

6. Why is the student living with others? If the sole reason for living with others is to permit the student to attend a certain school or secure a transfer from his/her current school to another school for which he/she is not eligible, then the student's residence is not established there.

VII. VERIFICATION OF RESIDENCY

A. Proof of address must be provided when enrolling a student in school. Except as set forth below in paragraph 2, proof of residence must be demonstrated by any two of the following documents, each of which must state the home address.

1. Proof of address may be verified by any two of the following:

a. a lease agreement, deed or mortgage statement for the residence;

b. a residential utility bill (gas or electric) in the resident's name issued by a utility company (e.g., National Grid or Con Edison); must be dated within the past 60 days;

c. a bill for cable television services provided to the residence; must include the name of the parent and the address of the residence and be dated within the past 60 days;

d. documentation or letter on letterhead from a federal, state, or local government agency, including the IRS, the City Housing Authority, the federal Office of Refugee Resettlement, the Human Resources Administration, or the Administration for Children's Services (ACS), or an ACS subcontractor, indicating the resident's name and address; must be dated within the past 60 days;

e. a current property tax bill for the residence;

f. a water bill for the residence; must be dated within the past 90 days;

g. rent receipt which includes the address of residence; must be dated within the past 60 days;

h. State, city, or other government issued identification (including an IDNYC card), which has not expired and includes the address of residence;

i. income tax form for the last calendar year;

j. official NYS Driver's License or learner's permit, which has not expired;

k. official payroll documentation from an employer issued within the past 60 days such as a pay stub with home address, a form submitted for tax withholding purposes or payroll receipt (a letter on the employer's letterhead is not adequate); must include home address and be dated within the past 60 days;

l. voter registration documents, which include the name of the parent and the address of residence;

m. unexpired membership documents based upon residency (e.g., neighborhood residents' association), which include the name of the parent and the address of residence;

n. evidence of custody of the child, including but not limited to judicial custody orders or guardianship papers; documents must have been issued within the past 60 days and include name of student and address of residence.

None of the documents listed above will suffice alone. Two proofs of residence are required, except in cases where a Third-Party Affidavit (see Attachment 8) is one of the documents, and in that case, three proofs of residence are required (as explained in paragraph 2 below). A telephone bill, credit card bill or medical insurance card is not acceptable proof of residency.

2. If a parent is subletting an apartment or home, or if more than one family shares a living space and there is only one leaseholder or homeowner, residency can be demonstrated by an "Address Affidavit" signed by both the primary leaseholder as well as the parent affirming that the family is residing in this home, and two other documents verifying the family's home address. It is preferable that the signatures on the Address Affidavit be notarized, but in the absence of notarized signatures, the Affidavit can be accepted together with additional documentation that verifies the primary leaseholder and the parent's residence in the apartment or home. If the parent is unable to obtain this type of Address Affidavit, the parent may submit a written statement by a third party attesting to the fact that the parent resides at a particular address ("Third-Party Affidavit", see Attachment 8), along with two other documents from the list in Section VII.A.1, above, verifying that the family is residing at this address.

3. If a parent has more than one residence in New York City, then the residence to be used for the purpose of school registration is the residence where the child lives.

4. If there is a question as to the adequacy of the proof of the home address, or if the parent is unable to provide the appropriate documents, the Office of Student Enrollment or the school, where appropriate, will admit the student on a provisional basis. The parent will be given a Provisional Admission Notice indicating that the student is being admitted to the school on a provisional basis pending the outcome of an address investigation (see Attachment No. 4). The school where the student is registered is responsible for initiating an address verification investigation in accordance with procedures below regarding "Falsification and Investigation of Residency". The student may not be turned away and is entitled to attend class while the investigation is pending.

5. The Primary Leaseholder/Tenant need not submit an Affidavit of Residency for students who are homeless.

B. Falsification and Investigation of Residency

If there is a question about a student's address or there is suspicion that a falsified address was used to register the student, the school must initiate an address verification investigation within 30 days of discovery of the problem. If it is determined that the student resides at an address that renders the student ineligible to attend his/her current school, the principal must provide the Borough Field Support Center point person with the results of the investigation. The Borough Field Support Center point person will review the results, and if he or she deems appropriate, will recommend a transfer to the Borough Field Support Director, or his/her designee. The Borough Field Support Director, or his/her designee, must review the documentation of the investigation and determine whether it is sufficient to warrant a transfer. The Borough Field Support Director, of his/her designee, must then inform the Executive Director of Borough Enrollment of the approval to transfer the student. The Executive Director of Borough Enrollment will then determine the transfer school and effective date of transfer, and will place the student on the register of the transfer school.

1. If the student is to be transferred, the principal must provide the parent with written notice stating the following:
   a. the findings of the investigation; and
   b. the child is not entitled to attend the current school and will be transferred to the appropriate school; and
   c. the name, number and location of the transfer school, and the date the transfer becomes effective as determined by the Executive Director for Borough Enrollment; and
   d. the right to appeal the results of the investigation to the Borough Field Support Director, or his/her designee, that supports the school within 5 days of the notification letter.
2. The student will be transferred pending a ruling on the appeal unless the Borough Field Support Director, or his/her designee, in consultation with the principal and the Executive Director for Borough Enrollment, determines that it is not appropriate. The ruling on appeal should be issued within 10 school days.
3. In order to determine an appropriate transfer school, the parent will be required to submit verifiable proof of address. If the parent fails to provide verifiable proof of address documenting the student's residence in New York City, subject to the discretion of the Executive Director for Borough Enrollment, the student either will be transferred to an appropriate school as determined by the findings of the investigation, or will be considered a non-resident, in which case the parent will be required to pay tuition in accordance with Chancellor's Regulation A-125.

VIII. SPECIAL SITUATIONS

A. Missing Child

If there is suspicion that a student who is being admitted to school may be a "missing child," a child who has been taken from a parent who has rightful custody, the principal must admit the child and immediately contact the local police precinct.

B. Emancipated minors (16-17 years of age)

1. Only those students who are independent and living apart from their parents and who are not in need or receipt of foster care may be considered emancipated. If it is determined that a student is emancipated, the student is not required to be accompanied by a parent to register. The following questions may assist in determining whether a student is emancipated:
   - Has the parent relinquished custodial duties?
   - Is the student living separately from the parent or paying rent at home?
   - Is the student managing his/her own affairs?
   - When was the student last in touch with his/her parent?

A student may be asked to sign an Affidavit of Emancipation (see Attachment No. 5).

2. Proof of residence may be shown by a rent receipt in the minor's name, a statement from the person furnishing housing, or an affidavit by the minor.

3. In cases where the student is under 18 and is married, the student is emancipated.

C. Children whose parents do not reside together

1. A child may have only one legal residence. For a child whose parents live apart, the child's residence is presumed to be that of the parent who provides custodial care.

2. If parents have been awarded joint custody, the child's residence is that of the parent who has primary physical custody.

D. Homeless, Unaccompanied [9]and Runaway Youth

1. Definitions:

a. A homeless child is one who lacks a fixed, regular, and adequate nighttime residence. This includes a child who:

- is living with a friend, relative or someone else because their family lost their housing due to economic hardship, or a similar reason (referred to as "doubled up"), or is living in a motel, hotel, trailer park, or camping ground due to the lack of alternative adequate accommodations; or
- is living in a subsidized publicly or privately operated shelter designed to provide temporary living accommodations (including commercial hotels, congregate shelters, and transitional housing for the mentally ill); or
- is awaiting foster care placement; or
- is living in a public or private place not designed for or ordinarily used as a regular sleeping accommodation; or
- is living in cars, parks, public spaces, abandoned buildings, substandard housing, bus or train stations or similar settings.

b. Unaccompanied youth means a youth not in the physical custody of a parent or guardian and who meets the definition of homeless set forth above.

2. A homeless, unaccompanied or runaway child may either remain in his/her current school of attendance or may transfer to a new school which s/he is eligible to attend based on his/her new residence and for which he/she meets the entrance criteria, where applicable. Homeless high school students are not required to demonstrate a travel hardship before transferring to another school.[10] If the student elects to attend the new school based on the new residence, that school shall immediately enroll the homeless child or unaccompanied student, even if the child or unaccompanied student is unable to produce records normally required for enrollment. See Chancellor's Regulation A-780 for further information on the rights of homeless students; see also Attachments 6 and 7.

3. Children living in residential programs for victims of domestic violence are included in the definition of homeless children. The address of a student living in a domestic violence residence is to be kept confidential by entering a post office address provided by the parent, or by creating an address using the two-digit district number, followed by the letters "DV" and by the county, borough, state and zip code. For example, District 1 = Box 01DV, New York, New York 10002.

4. The lack of a permanent address does not constitute a legitimate basis for denying a student admission to school. These students are entitled to immediately enroll and attend New York City public schools in accordance with Title VII of the McKinney-Vento Homeless Assistance Act (42 USC 11431) and Chancellor's Regulation A-780.

[9] An unaccompanied/runaway youth includes a student living in a residential program for runaway youth.
[10] Travel hardship transfers are only applicable at the high school level.

5. An unaccompanied student is a homeless child not in the custody of a parent or guardian. An unaccompanied student is not required to appear with an adult in order to enroll in or transfer schools. Enrollment staff or school officials, where applicable, must consider the age and circumstances of the student to determine whether the Administration for Children's Services should be notified.

6. A homeless student may not be denied immediate enrollment in a school because of lack of documentation, including proof of residency.

7. Homeless students participating in admissions processes for articulating grades (pre-k, kindergarten, 6th grade and 9th grade) are to be afforded equal admissions priority as permanently-housed students living in the same area.

E. Foster care students

Students in foster care who change foster homes are entitled to remain in the school of origin or are entitled to a school for which the student is geographically eligible to attend based on his/her new address. For foster care students in high school who change residence, if travel from the new foster home to his/her school presents a hardship, the student may be transferred to a school closer to the new foster home without being required to meet the threshold for a travel hardship transfer.

F. Students returning from Home and Hospital Instruction

A student returning from home or hospital instruction has the right to return to his/her prior school unless Student Enrollment, in consultation with the family, determines that a different school placement is appropriate.

G. Students returning from custody

Students who return to the public schools from the care of the State, City, or private agencies are entitled to expeditious and appropriate educational placement. These facilities include group homes, psychiatric centers, developmental centers, custodial facilities, and residential treatment centers, such as those under the auspices of the New York State Office of Children and Family Services (OCFS) and the Administration for Children's Services (ACS). Students are not required to provide release letters from the custodial agency before enrolling in school.

1. As soon as the agency determines that a placement recommendation to return to school will be made, the agency should send a letter describing the student's change in status with relevant school records, including the IEP, to the appropriate Family Welcome Center of the Office of Student Enrollment.
2. As with other students being readmitted to NYC public schools, students returning from a custodial facility within or outside of NYC may have the right to return to the school he/she attended prior to adjudication within the calendar year in accordance with enrollment policies referenced in this document. The Office of Student Enrollment, in consultation with the student and parent, may determine that the prior school is not appropriate and may therefore identify a different placement.
3. Students <u>are not required</u> to provide release letters from the custodial agency before enrolling in school.

H. Students returning from suspensions

1. Students who are suspended have the right to return to the school from which they are suspended unless the student has voluntarily transferred to another school or has been involuntarily transferred in accordance with Chancellor's Regulation A-450. 8th grade students who have been suspended who have been assigned 9th grade seats for the next fall have rights to those seats upon fulfillment of the 8th grade promotional requirements.
2. Schools may not deny admission to a transferred or articulating student based on his or her former "suspended" status.

IX. LIST NOTICE/TRANSFER PROCESS

A. Transferring students at the end of the school year

1. In June, "sending" schools inform "receiving" schools by list notice of the general education and special education students entering in September as a result of promotion.
2. The principal of the "sending" school must sign the list notices and confirm that the articulation and immunization information is complete and correct. The special education site supervisor or designee must sign the special education checklists.
3. All "receiving" schools should designate a staff member to review incoming students' records. If materials are missing, the "receiving" school should inform the "sending" school as soon as possible.
4. Cumulative records, special clinical packets and other confidential records are reviewed by articulation staff assigned by the principal, packaged and delivered to the "receiving" schools on Transfer of Records Day, which usually occurs the first 2 weeks of June. All schools must complete transactions by the end of the school year.

B. Reasons for using the List Notice Process

Students are moved from one school to another by List Notice in June only for the following reasons:

1. promotion to a higher level school (either public or non-public) i.e., from elementary to junior high/intermediate school or intermediate school to high school;
2. school closings, openings or reorganizations;
3. schools may not list notice students at any other time of year for any other reason.

C. Community School District schools may not List Notice students to District 75 – Citywide Program schools.

D. District 75 may List Notice a high school student to a non-District 75 school only if the student participated in the high school admissions process and the Committee on Special Education (CSE) re-evaluation has been completed and the IEP reflects a community district school setting.

E. General education students receiving Department of Education home instruction or attending in-hospital schools at the time the List Notices are prepared cannot be put on a printed List Notice, since they are not on a regular school register.

F. No student is to be List Noticed outside of the five boroughs.

X. WAIVER

This Regulation or any portion thereof may be waived by the Chancellor or his/her designee if it is determined to be in the best interests of the school system.

XI. INQUIRIES

Telephone: 718-935-2009	*Inquiries pertaining to enrollment, admission and transfer requirements should be addressed to:* The Office of Student Enrollment	Fax: 212-374-5568
Telephone: 212-374-6095	*Inquiries pertaining to attendance guidelines and regulations should be addressed to:* Office of School and Youth Development – Mandated Responsibilities	Fax: 212-374-5751

Telephone: 212-802-1500 Telephone: 917-521-3639	*Inquiries pertaining to District 75 admissions and transfers should be directed to District 75.* *Inquiries pertaining to District 79 admissions and transfers should be directed to District 79.*	Fax: 212-802-1678 Fax: 917-521-3649

Department of Education

NON-PARENT CUSTODIAN AFFIDAVIT

Date: _____

STUDENT INFORMATION

LAST NAME	FIRST NAME	MIDDLE NAME	STUDENT ID #

DATE OF BIRTH (mm/dd/yyyy)	AGE	SEX M F	HOME ADDRESS (house number and street)	APT #

BOROUGH	STATE	ZIP CODE	HOME PHONE NUMBER ( )

NON–PARENT CUSTODIAN INFORMATION

LAST NAME	FIRST NAME	RELATIONSHIP TO STUDENT
HOME ADDRESS (house number and street)		
HOME PHONE NUMBER ( )	WORK PHONE NUMBER ( )	CELL PHONE NUMBER ( )

This student is living with me for the following reasons:

Does the student intend to remain at your address? _____

For what period of time will he or she be residing with you at the location above? _____

PARENT/GUARDIAN INFORMATION

LAST NAME	FIRST NAME	RELATIONSHIP TO STUDENT
HOME ADDRESS (house number and street)		
HOME PHONE NUMBER ( )	WORK PHONE NUMBER ( )	CELL PHONE NUMBER ( )

In the event that this custodial arrangement changes, I agree to contact the student's school immediately.

I declare that I have assumed custody and/or control of this child and that he/she is residing with me at the location noted above AND

I declare the birth/adoptive/legal guardian has relinquished custody and/or control over to the child to me AND

I declare I am financially responsible for the child AND

I declare that the information provided above is true and correct.

Non-Parent Custodian Signature: _____

STATE OF NEW YORK)
) ss:
COUNTY OF _____)

Sworn to before me this _____ day of _____, _____
year

_____
Notary Public

Department of Education

PARENT AFFIDAVIT

Date: _____

STUDENT INFORMATION

LAST NAME	FIRST NAME	MIDDLE NAME	STUDENT ID #

DATE OF BIRTH (mm/dd/yyyy)	AGE	SEX M F	HOME ADDRESS (house number and street)	APT #

BOROUGH	STATE	ZIP CODE	HOME PHONE NUMBER ( )

PARENT/GUARDIAN INFORMATION

LAST NAME	FIRST NAME	RELATIONSHIP TO STUDENT
HOME ADDRESS (house number and street)		
HOME PHONE NUMBER ( )	WORK PHONE NUMBER ( )	CELL PHONE NUMBER ( )

My child is not living with me for the following reasons:

My child does not reside with me and is residing with the following individual at the following address:

LAST NAME	FIRST NAME	RELATIONSHIP TO STUDENT
HOME ADDRESS (house number and street)		
HOME PHONE NUMBER ( )	WORK PHONE NUMBER ( )	CELL PHONE NUMBER ( )

My child will be in the care and custody of the above-named person at the address indicated above for the following period of time: _____

I declare that I am the parent/legal guardian of this child and that I have relinquished custody/control over the child and am no longer financially supporting him/her. My child is residing with the above-named person at the above address, and I declare that this person has assumed custody and/or control over the child and is financially supporting him/her.

I declare that the information provided above is true and correct. In the event that this custodial arrangement changes, I agree to contact my child's school immediately.

Parent's Signature: _____

STATE OF NEW YORK)
) ss:
COUNTY OF _____)

Sworn to before me this _____ day of _____, _____
year

_____
Notary Public

Department of Education

PARENT AFFIDAVIT OF RESIDENCY

In accordance with Chancellor's Regulation A-101, if a parent is subletting an apartment or home, or if more than one family shares a living space and there is only one leaseholder or homeowner, the parent must present a notarized "Address Affidavit" signed both by the primary leaseholder as well as the parent affirming that the family is residing in this home, and must attach the lease or deed. ***If a parent is homeless, he or she may submit this form without the primary leaseholder's affirmation and signature.***

Section A: STUDENT INFORMATION – Please print clearly in ink

STUDENT'S LAST NAME	STUDENT'S FIRST NAME	GENDER (optional)	M / F

DATE OF BIRTH (MM/DD/YY)	OSIS #/STUDENT'S ID # (if available)	TELEPHONE #

STUDENT'S CURRENT ADDRESS (House #, Street, Apt. #, City, State and Zip Code)

Section B: PARENT INFORMATION – Please print clearly in ink

PARENT/GUARDIAN'S LAST NAME	PARENT/GUARDIAN'S FIRST NAME

PARENT/GUARDIAN'S CURRENT ADDRESS (House #, Street, Apt. #, City, State and Zip Code)

HOME PHONE	WORK PHONE	CELL PHONE	EMAIL ADDRESS

Section C: PRIMARY RESIDENT/TENANT INFORMATION – Please print clearly in ink

PRIMARY RESIDENT/TENANT'S LAST NAME	PRIMARY RESIDENT/TENANT'S FIRST NAME

PRIMARY RESIDENT/TENANT'S CURRENT ADDRESS (House #, Street, Apt. #, City, State and Zip Code)

HOME PHONE	WORK PHONE	CELL PHONE	EMAIL ADDRESS

RELATIONSHIP TO PARENT	ANTICIPATED DURATION OF STAY

To be completed by the Parent:

I, _____, the parent of _____,
(insert name and date of birth of student)

hereby affirm that I am residing with _____
(insert name)

at the following address _____.
(insert address and contact number of primary leaseholder)

I understand that the New York City Department of Education has the right to conduct an Attendance Investigation to verify my residence including a visit to the home of the primary leaseholder. I also understand that registration in school is based on eligibility determined by my residence, and the Department of Education has the right to transfer students for whom falsified documentation was provided at the time of registration.

In the event that my residency changes, I agree to notify my child's school and present new proof of address.

Parent Signature: _____

STATE OF NEW YORK)
) ss:
COUNTY OF _____)

Sworn to before me this _____ day of _____, _____
year

_____
Notary Public

To be completed by Primary Leaseholder/Tenant:

I hereby affirm that
_____
(insert name of parent and child/children)

are residing with me at _____.
(insert address)

I understand that by signing this affidavit, I am verifying the residence of _____
(insert names)

I also understand that the New York City Department of Education has the right to conduct an Attendance Investigation to verify the residence of the parties named in this affidavit, including a visit to the home and interviews with my neighbors. I can be contacted at the number(s) listed below should the Department of Education require further information.

Primary Leaseholder Signature: _____

STATE OF NEW YORK)
) ss:
COUNTY OF _____)

Sworn to before me this _____ day of _____, _____
year

_____
Notary Public

Department of Education

PROVISIONAL ADMISSION FORM

_____
Date

Dear _____:
Name of Parent/Guardian

State Education Law 101.7(c) and Chancellor's Regulation A-101 require that address information must be provided upon registering your child in school. This information enables the school to contact you in the case of an emergency, to effectively communicate with you, or when needed, to conduct home visits.

The proof of address that you have provided does not meet the requirements set forth in Chancellor's Regulation A-101. As a result, your child is being admitted to school on a provisional basis pending an address investigation and/or the submission of additional documents establishing address.

If the results of the investigation indicate that your child resides at an address that is not zoned for this school or district, your child will be transferred to an appropriate school which s/he is eligible to attend based on his/her residence.

Thank you for your cooperation in this matter.

Sincerely,

_____
Principal

- or –

_____
Office of Student Enrollment

Department of Education

AFFIDAVIT OF EMANCIPATION

Name of Student: _____ Date of Birth: _____

Reason for Not Living with Parents: _____

_____

_____

Means of Support: _____

Receiving Financial Support from Parent(s)? ❑ YES ❑ NO

Current Relationship to Parents (last seen, contacted, knowledge of whereabouts, etc.):

_____

_____

Other Facts Relevant to Student's Status: _____

_____

_____

I hereby affirm that I am an emancipated minor.

Signature of Student: _____

STATE OF NEW YORK)
) ss:
COUNTY OF _____)

Sworn to before me this _____ day of _____, _____
year

_____
Notary Public

Department of Education

RESIDENCY QUESTIONNAIRE

Parent/Guardian/Student:

This form is intended to address the McKinney-Vento Act 42 U.S.C. 11435, and must be completed for each student. The information you provide is confidential. Your child will not be discriminated against based upon the information provided.

Please complete the following questions regarding the student's housing in order to help determine services the student may be eligible to receive.

Note to schools/Temporary Housing Liaisons: Please assist students and families in filling out this form. Do not simply include this form in the registration packet, because if the student qualifies as residing in temporary housing, the **student is not required to submit proof of residency** and other required documents that may be part of the registration packet.

Student Name			
Last	**First**		**Middle**
OSIS #	**Date of Birth** MM/DD/YY	**Gender**	**School**

Please identify the student's current living arrangements. Please check one box:

Check (√)	Residency Questionnaire Choice	School Use Only ATS Code
	Doubled-Up With another family or other person because of loss of housing or as a result of economic hardship	**D**
	Shelter Emergency or transitional shelter	**S**
	Awaiting Foster Care Placement	**A**
	Hotel / Motel Living in what is NOT an emergency or transitional shelter **and** involves payment	**H**
	Other Temporary Living Situation Trailer park, campground, car, park, public places, abandoned building, street, or any other inadequate living space	**T**
	Permanent Housing Student who is living in a fixed, regular, and adequate housing situation	**P**

If the student is NOT living in permanent housing, also indicate if the below applies:

		School Use Only Enter "Y" if applicable
	Unaccompanied Youth Youth who is not in the physical custody of a parent or guardian	

_____ _____ _____
Parent/Guardian Name (print) Parent/Guardian Signature Date

Please return this form to your child's school as requested.

Note: The answer you give above will help determine what services you or your child may be eligible to receive under the McKinney-Vento Act. Students who are protected under the Act are entitled to immediate enrollment in school even if they do not have the documents normally needed, such as proof of residency, school records, immunization records, or birth certificate. After the student has been enrolled, the new school must contact the last school attended to request the student's educational records, including immunization records, and Students in Temporary Housing (STH) Liaison(s) must help the student get any other necessary documents or immunizations. Students who are protected under the McKinney-Vento Act may also be entitled to free transportation and other services. Please refer to Chancellor's Regulation A-780.

This form is accompanied by a one-page attachment titled,
"McKinney-Vento Homeless Assistance Act – Students in Temporary Housing Guide for Parents & Youth."

Department of Education

MCKINNEY-VENTO HOMELESS ASSISTANCE ACT

Students in Temporary Housing – Guide for Parents & Youth

TOPIC	IMPORTANT INFORMATION
Children living in the following situations are considered homeless for the purpose of education rights under the McKinney-Vento Act:	• In a shelter, transitional shelter, motel, campground, abandoned in a hospital, or awaiting foster care. • In a car, park, public place, bus, train, or abandoned building. • Doubled up with friends or relatives because you cannot find or afford housing.
Unaccompanied Youth	• Youth who is not in the physical custody of a parent or guardian, and who meets the definition of homelessness set forth in the explanation above. *Unaccompanied homeless youth have the same rights as homeless students who reside with a parent or guardian.*
Students who fall under the McKinney-Vento Act's definition of homeless have the following rights:	• To a free public education. • To immediate enrollment in the zoned school. • To attend school no matter how long they have lived at their current location. • To stay in their school of origin (school attended before becoming homeless or the last school attended) or choose to attend their new zoned school. • To transportation services to and from school. • To not be denied immediate school enrollment just because of their situation or because they lack enrollment documentation. • To not be separated from the regular school program because they are homeless. • To receive free school meals.
Important Information:	• Each borough has at least one Students in Temporary Housing (STH) Content Expert who serves as the STH liaison and manages programs and services designed to help children who are homeless pursue their education. The STH Content Expert supervises a team of Family Assistants. Contact information for the Content Experts can be found here[1]. • Additionally, District 75 and District 79 each have a designated STH liaison available to assist children who are homeless with their educational needs. • Family Assistants are located at shelters and in some schools. They are responsible for assisting homeless parents and their children with their educational needs. • Family Assistants are available to assist the child's parent/guardian with school enrollment, obtaining immunizations, school records, and arranging transportation to and from school. School staff should not hesitate to contact their STH liaison for individual questions, to arrange training, or to assist unaccompanied youth.
School Selection:	• Schools must allow parents/guardians to choose the child's school when their child is homeless. The parent/guardian may choose among the following: a) The school the child attended when permanently housed (school of origin); b) The school in which the student was last enrolled; or c) Any school available to a permanently housed child residing in the area where the homeless student is currently residing.
School Enrollment: (Apply only if your child is not currently enrolled or you want to change school)	• Elementary School – register your child at your zoned school. If you are currently residing in a NYC Department of Homeless Services shelter, the family assistant at your shelter will be able to assist you, if needed. If there is no family assistant in your shelter or if you are not residing in a shelter, please contact your STH liaison for assistance. • Middle School – same procedure as elementary school except where your district does not have zoned middle schools, then you must report to the Family Welcome Center. For the location of your Family Welcome Center, please call 311. • High School – all high school students must register at the Family Welcome Center. For the location of the nearest Family Welcome Center, please call 311.
Enrollment Disputes:	• If a dispute arises over the school selection or enrollment, your child must be immediately admitted to the school in which he/she is seeking enrollment, pending resolution of the dispute. • The parent/guardian must be provided with a written explanation of the school decision on the dispute, including the right to appeal, and referred to the STH Family Assistant or STH liaison for assistance.
Transportation	• Students who are defined as homeless by the McKinney-Vento Act are entitled to transportation to and from school, if necessary. • If available, busses will be provided to students in grades K-6; if not available, they are eligible for a student MetroCard. • For students in grades Pre-K-6 who are eligible for transportation and receive a student MetroCard, their parents/guardians are eligible for public transportation assistance (MetroCard) to accompany the child. • Students in grades 7-12 are eligible for student MetroCard.

For more information, please contact your borough STH liaison or call 311.

[1] http://schools.nyc.gov/NR/rdonlyres/6C02DF12-F56D-4024-BE84-EA5B6A51A7B9/0/CopyofSTHContactInformationFORDISTRIBUTION.pdf

Department of Education

THIRD PARTY STATEMENT OF RESIDENCY

Section A: STUDENT INFORMATION – Please print clearly in ink

STUDENT'S LAST NAME	STUDENT'S FIRST NAME	GENDER (optional) M / F

DATE OF BIRTH (MM/DD/YY)	OSIS # / STUDENT'S ID # (if available)	TELEPHONE #

STUDENT'S CURRENT ADDRESS (House #, Street, Apt. #, City, State and Zip Code)

Section B: PARENT INFORMATION – Please print clearly in ink

PARENT/GUARDIAN'S LAST NAME	PARENT/GUARDIAN'S FIRST NAME

PARENT/GUARDIAN'S CURRENT ADDRESS (House #, Street, Apt. #, City, State and Zip Code)

HOME PHONE	WORK PHONE	CELL PHONE	EMAIL ADDRESS

Section C: THIRD PARTY INFORMATION – Please print clearly in ink

LAST NAME	FIRST NAME

ADDRESS (House #, Street, Apt. #, City, State and Zip Code)

CONTACT NUMBER	EMAIL ADDRESS

RELATIONSHIP TO PARENT/FAMILY

WHAT IS THE BASIS FOR YOUR FIRSTHAND KNOWLEDGE OF THE ABOVE NAMED PARENT/GUARDIAN AND STUDENT'S HOME ADDRESS?

Department of Education

To be completed by the Third Party:

I, _____, have firsthand knowledge that

_____ and _____
(Insert parent/guardian's name) (Insert child(ren)'s name(s))

reside at _____
(Insert address)

I understand that this document will be submitted to the New York City Department of Education (DOE), and that the DOE will rely on my sworn statement. I am submitting this document based on my firsthand knowledge of the above-stated facts. Any false statements made by me may be subject to penalties as prescribed by law.

I understand that the DOE may conduct an Attendance Investigation to verify the truth of the above-stated facts, which may include a visit to the home and interviews with neighbors. I understand that registration in school is based on eligibility determined by the residence I have attested to above and the Department of Education has the right to transfer students for whom falsified documentation was provided at the time of registration.

I can be contacted at the number(s) listed above should the DOE require further information.

Name (Print): _____

Signature: _____

STATE OF NEW YORK)
) ss:
COUNTY OF _____)

Sworn to before me this _____ day of _____, _____
year

_____
Notary Public

To be completed by Parent /Guardian:

I hereby affirm that I reside at the address stated above. I also understand that the New York City Department of Education has the right to conduct an Attendance Investigation to verify the residence of the parties named in this affidavit, including a visit to my home and interviews with my neighbors. I also understand that registration in school is based on eligibility determined by the residence provided and the Department of Education has the right to transfer students for whom falsified documentation was provided at the time of registration.

Parent/Guardian's Signature: _____ Date: _____