



Revised Notice
August 11, 2015

Carmen Fariña
Chancellor

AMENDMENTS TO REGULATION OF THE CHANCELLOR

Number: A-101

Subject: ADMISSIONS, READMISSIONS, TRANSFERS AND LIST NOTICES FOR ALL STUDENTS

I. Description of the subject and purpose of the proposed item under consideration.

Chancellor's Regulation A-101 sets forth the policies concerning admission, discharge, and transfer of pupils in the New York City public school system. The proposed amendments will revise the prior version of the regulation, which was issued on October 31, 2013, by: (1) adding categories of documents that may provide proof of age for a student's registration in a school; (2) clarifying that no student who has been appropriately registered by a school or registered/assigned by the Office of Student Enrollment, a District 75 program, or a Committee on Special Education, may be turned away by the school to which the student is registered/assigned; (3) clarifying that zoned students who apply to a NYC DOE Pre-K program and have verified siblings who are pre-registered or enrolled at the time of application submission and will be in grades K through 5 in the school at the start of the following September will have priority for admissions and, if the applicant's zoned district changes during the application period due to a rezoning plan, he/she continues to have priority to the original zoned school; (4) describing the admissions priorities to NYC DOE Pre-K programs in non-zoned district schools; (5) clarifying that 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; (6) clarifying the matriculation policy for elementary and middle school; (7) explaining that approvals of transfers of students due to a new specialized program need, such as a bilingual special education program, transfers authorized by the Special Education Office due to documented inability of the child's current school to provide the appropriate special education program as recommended by the IEP, and transfers made by an Impartial Hearing Order are authorized by the respective office and referred to the Office of Student Enrollment for placement; (8) updating enrollment policies for students with disabilities who receive special education services; (9) adding categories of documents that may be used to provide proof of residence for registration of a student in a school, and exempting homeless students from these requirements; (10) adding protections for homeless or unaccompanied students; (11) clarifying the circumstances under which District 75 may List Notice a high school student to a non-District 75 school; (12) clarifying that placement of 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; and (13) updating the names of DOE

offices and personnel to reflect the new DOE organizational structure.

II. Substantial revisions to the item.

- a. The time frame for placement of any school-age student seeking admission at a school has been shortened: placement must be arranged “by the next school day, if possible” and in no event shall it take longer than 5 school days.
- b. Language has been added to make clear that unaccompanied minors are not required to submit a Parent Affidavit or a Non-Parent Custodian Affidavit.
- c. The following additional categories of documents may be used to provide proof of residence for registration of a student in school: a bill for cable television services provided to the residence, which must include the name of the parent and the address of residence and be dated within the past 60 days; voter registration documents, which include the name of the parent and the address of residence; unexpired membership documents based upon residency (e.g., neighborhood residents’ association), which include the name of the parent and the address of residence; and a written statement by a third party attesting to the fact that the parent resides at a particular address (“Third-Party Affidavit”).
- d. When a Third-Party Affidavit is submitted as proof of residence, two other documents must be submitted to verify that the family resides at that address.

III. Summary of all public comments received on the item following the initial public notice.

- a. Several comments expressed concern over the use of an official NYS Driver’s License or learner’s permit as proof of residency because these documents are not reliable proof of residency.
- b. A comment expressed concern over the use of the IDNYC card as proof of residency because it is not reliable proof of residency.
- c. A comment was made there should be a higher priority in UPK admissions for students living outside the zone of a school, who are zoned to a different school within the district that has no pre-k program, and who have a sibling currently attending the first-mentioned school.
- d. One comment objected to the fact that pre-k placement has an impact on kindergarten placement.
- e. A comment expressed support for allowing NYS Driver’s licenses and IDNYC cards to be used as proof of residency.
- f. One comment advocated for an amendment to provide a transfer mechanism for English Language Learners.
- g. One comment requested that a timeframe be specified within which comparable special education services be provided to students with Individualized Education Programs (IEPs) who transfer from another school district to a DOE school.
- h. One comment stated that the proposed amendment should provide specific information about how to enroll unaccompanied immigrant youth residing with someone other than the parents.

- i. One comment expressed support for the proposed amendment's expansion of the types of documents the DOE will accept as proof of residency, but requested that another type of document be added: a statement by a third party relating to the parent(s) or person(s) in parental relation's physical presence in the district.
- j. One comment criticized the proposed amendment for requiring two proofs of residence, stating this was unnecessarily restrictive.
- k. One comment stated that the proposed amendment should make clear that students who are homeless are entitled to immediate enrollment even if they don't have the documents normally needed for enrollment.
- l. One comment recommended that the word "physical" should be inserted before "custody" so that the definition of unaccompanied homeless youth is consistent with Section 8 of the regulation and with state and federal law.
- m. One comment recommended that the regulation specify that it is the enrolling school's responsibility to obtain the records from the previous school attended.
- n. One comment opined that Section VIII.D.7 of the regulation should be modified to allow students in temporary housing to be considered residents of the area where they were last permanently housed during the prior school year and the area where they are currently temporarily housed for purposes of articulation and admissions priorities.

IV. Information regarding where the full text of the proposed item may be obtained.

The full text of the proposed item can be found on the main page of the PEP website: <http://schools.nyc.gov/AboutUs/leadership/PEP/publicnotice/2015-2016/August262015Regulations>

V. The name, office, address, email and telephone number of the city district representative, knowledgeable on the item under consideration, from whom information may be obtained concerning the item and to whom written or oral comments regarding the item under consideration can be submitted.

Name: Sonali Murarka
Office: Office of Student Enrollment
New York City Department of Education
Address: 52 Chambers Street, New York, New York 10007
Email: RegulationA-101@schools.nyc.gov
Phone: 212-374-2140

VI. Date, time and place of the PEP meeting at which the Board will vote on the proposed item under consideration.

August 26, 2015
6:00 pm – 8:00 pm
MS 131
100 Hester Street

New York, NY 10002