

Residency

Syosset Central School District

BOE Meeting 11/06/23



Genesis of School Admissions/Residency Policies

NYS Ed. Law § 3202: Public schools free to resident pupils.

“A person over five and under twenty-one years of age who has not received a high school diploma is entitled to attend the public schools maintained in the district in which such person resides without the payment of tuition.”

SCOTUS Decision in Plyler v. Doe (1982)

- Immigrants are nevertheless residents

AG letter to Westbury UFSD re: enrollment of migrant children (2015)

- Must enroll registrants within 24 hours

Syosset CSD Policy 5150: School Admissions

The District's policy is aligned with NYS Education Law and regulations.

The District requires that families:

- Appear in-person to finalize registration
- Submit original residency documents
- Re-verify residency and submit updated documentation (2017)
 - 5th and 8th grade transition
 - At the expiration of a lease (online tracking)
 - Upon a home sale/subsequent purchase within district

Facts about Residency

- By law, the District must enroll all registrants within 24 hours of establishing residency
- “Pillow Test:” Residency is determined by where the child sleeps each night
 - Exceptions - students permitted to enroll:
 - Non-resident awaiting possession of a new home within 45 days
 - Must pay tuition in escrow should the home sale fail
 - Court-ordered child custody arrangement (i.e. divorce, order of protection)
 - McKinney-Vento homeless students with previously established district residency (i.e. house fire)

Acceptable Proofs to Establish Residency

Choose one from A and two from B, OR choose any three from B.

Column A

- Proof of ownership (mortgage, deed)
- Residential Lease*
- Notarized affidavit from landlord
- Notarized affidavit from other third party that establishes residency

*The District requires that upon the expiration of the lease the parent/guardian provide proof of the renewal of said lease or proof of new residency.

Column B

- Pay stub
- Income tax form(s)
- Utility bill
- Voter registration document(s)
- Official Driver's license, learner's permit or non-driver identification
- State or other government issued identification
- Membership documents that are based upon residency with address
- Documents issued by federal, state or local agencies
- Evidence of custody of the child/children, including, but not limited to judicial custody orders or guardianship papers
- Other forms of documentation and/or information establishing parents(s) or person(s) in parental relations' physical presence in the School District

6 Types of Residency Affidavits

The following affidavits may be necessary to establish residency on behalf of a student:

- **Homeowner or Leaseholder** (Lists the people living at the address and their relationship to the homeowner/leaseholder)
- **Resident** (Resident lists the names of people living in their home)
- **Non-Resident** (Current non-resident taking property ownership/residency within 45 days)
- **Parent** (Parent relinquishes all custody, control, and support for their student who is living with a guardian)
- **Custodial** (Guardian assumes all custody, control, and responsibility of a student, including medical decisions, financial support, etc.)

Facts about Residency Irregularities

- The District has the authority to verify residency, to investigate residency irregularities, and to exclude non-residents.
 - Process for identifying and excluding non-residents:
 - Investigation
 - Residency Hearing
 - Determination of non-residency
 - Exclusion
- Code Enforcement is the responsibility of The Town of Oyster Bay
 - Illegal accessory apartments
 - Multiple families/Number of individuals living in a single dwelling

Residency Verification

The District has an ongoing, multifaceted process for monitoring and investigating student residency.

Over the last six months, the District excluded 20 students and is currently in the process of investigating another 35 students.

- 36 Total Investigations (64 students)
 - 19 Open Investigations (35 students)
 - Current, active, and ongoing
 - 17 Closed Investigations (29 students)
 - 5 resulted in confirmation of residency (9 students)
 - 12 resulted in exclusion (20 students)

New Initiatives

The Board of Education has appointed an Executive Director for financial services, reporting, and student registration.

This position includes supervision and responsibilities for all aspects of district residency.

Questions?

Email: residency@syossetschools.org

Phone: 516-364-5669