

City School District of New Rochelle
RESIDENCY VERIFICATION Q&A

The City School District of New Rochelle will undertake a full residency verification of students during the 2018-2019 school year, starting July 2, 2018. The following is intended to answer many of the key questions residents are likely to have:

HOW WILL THE RESIDENCY VERIFICATION TAKE PLACE?

In the first phase of the residency verification program, the District is requesting that incoming ninth graders supply current and updated residency information during the summer months to the extent practicable. Documents can be submitted at the New Rochelle High School residency center located in House IV; via e-mail or by regular mail. Additional community drop off sites will also be identified.

WHY IS RESIDENCY VERIFICATION IMPORTANT?

The City School District of New Rochelle has an obligation to educate every child within the physical boundaries of the school district and to maintain proper records

WHO CAN ATTEND THE NEW ROCHELLE PUBLIC SCHOOLS?

Students whose legal residence is located in the City of New Rochelle are eligible to attend New Rochelle Public Schools. A student must physically reside in the District on a continuous basis and must demonstrate intent to reside there. A homeless student who is residing in a shelter or temporary home within the District is eligible to attend New Rochelle Public Schools. In addition, students who become homeless during the school year and are domiciled in shelters or other temporary houses outside of New Rochelle are considered district residents and are legally entitled to continue attending schools in the district.

WHAT DOCUMENTS DOES A PARENT OR GUARDIAN NEED TO ESTABLISH LEGAL RESIDENCY?

In total, at least 5 documents are needed (two for identification and three for proof of residency): 1) Photo identification of the parent or guardian registering the student: Driver's license, passport, government-issued ID, etc., U.S. Permanent Resident Photo Identification, U.S. Department of Justice Employment Authorization Card, Military ID (U.S. Uniformed Services ID.) 2) Student identification: Birth Certificate, Refugee Resettlement ID, passport, guardianship documentation or baptismal certificate. 3) At least three proofs of residency. Some examples include: a home mortgage documents, property tax bill, house deed, signed rental or lease agreement, utility bill and or other bills (less than 30 days old), income tax return, voter registration card, Department of Social Services (DSS) identification card, a sworn or unsworn landlord statement, a sworn or unsworn third-party affidavit or a membership card based on residency. (A complete list of documents that may be used to establish residency is available on the Pupil Services page of District's website).

WHAT IF A PARENT OR GUARDIAN DOES NOT HAVE ALL NECESSARY DOCUMENTS?

The residency verification process provides flexible opportunities for registrants. If some, but not all, required documents are provided initially -- or if the documents provided do not sufficiently establish residency -- registrars will make a note of that fact and will indicate what further documentation is needed. Documents that are acceptable will be scanned into a file and recorded. These documents will update or reaffirm contact info.

CAN A PERSON HAVE MORE THAN ONE RESIDENCE FOR THE PURPOSE OF ATTENDING SCHOOL IN A PARTICULAR SCHOOL OR DISTRICT?

No. A person can have only one legal residence.

WHAT IF A STUDENT'S FAMILY LIVES WITH A HOST FAMILY?

"Host families" are residents who own property within the School District and allow a visiting family to live in their home. Members of the visiting family are considered residents and the District is required to offer tuition-free education to any of the family members who are school- aged children. Both the host family and the head of the visiting family in a household must participate in the residency verification. The visiting family must show the same physical presence and intent to reside long-term (and not simply for the purposes of accessing the school system for the child or children) as any other resident family. Forms for host family proofs of residency are available on the District website.

MUST A VISITING FAMILY BE RELATED TO THE HOST FAMILY?

No. A visiting family may reside with friends or other non-relatives, provided the visiting family can establish residency there and that the family intends to reside there long-term.

WHAT IF THE STUDENT LIVES WITH A CUSTODIAN (GUARDIAN)?

Formal guardianship or a court order is not required to establish a parental transfer of custody and control to a custodian or guardian. However, a student cannot simply be sent to live with another relative to reside for the purposes of attending New Rochelle schools while the parent(s) continue to be responsible for key decisions such as health care and finances. The district requires a notarized Custodian Affidavit and a notarized Parent Affidavit be submitted to demonstrate that the custodian's residence is the child's permanent address and that the custodian exercising parental control has full authority and responsibility regarding the child's support and custody.

WHAT IF A PARENT/GUARDIAN HAS MORE THAN ONE CHILD IN THE SCHOOLS?

All of a family's children who are students in the District may be verified at the same time. For instance, the parent or guardian of an incoming 9th will be able to register any other child or children at the same time. Be advised that the student ID (birth certificate, refugee settlement ID, etc.) for each child must be presented.

CAN A PERSON WHO RESIDES IN AN APARTMENT THAT IS NOT LEGALLY RECOGNIZED ATTEND SCHOOL IN A PARTICULAR SCHOOL DISTRICT?

For school eligibility purposes, it is not required that a student's dwelling unit be a legally recognized residence. A student residing in an illegal apartment in New Rochelle is legally entitled to attend District schools so long as they are able to meet the eligibility requirements and to establish residency within the District.

DO UNDOCUMENTED STUDENTS QUALIFY AS DISTRICT RESIDENTS FOR THE PURPOSES OF RECEIVING A TUITION-FREE PUBLIC EDUCATION?

Yes. The U.S. Supreme Court in Plyler v. Doe, 457 U.S. 202 (1982), recognized the right of undocumented residents to attend local schools tuition-free. Further, the New York State Education Commissioner has ruled that federal immigration status alone does not preclude an immigrant from establishing residency for the purpose of attending public school on a tuition-free basis.

WHAT HAPPENS WHEN A STUDENT'S RESIDENCY IS NOT VERIFIED?

State law operates under a presumption of residency. If a student is unable to present the required documentation for residency, the student may remain in school but the District may elect to perform an investigation into the student's residency. In no event will students be excluded from school merely because they did not provide documentation through the residency verification program. Any ultimate decision of the School District to exclude a student for residency purposes is appealable to the Commissioner of Education.

WHAT ARE THE CONSEQUENCES OF PRESENTING FALSE INFORMATION?

If a person presents any writing that contains false information with intent to defraud the District during residency verification program, the person presenting it would be committing a class E felony under New York Penal Law §175.35. If officials believe an individual knowingly presents false information in order to defraud the District, the District may seek restitution in court, and may refer the case to the proper authorities.