Regulation of the Chancellor

Number: A-101
Subject: ADMISSIONS, READMISSIONS, TRANSFERS, AND LIST NOTICES FOR ALL STUDENTS
Category: STUDENTS
Issued: June 20, 2019

SUMMARY OF CHANGES

- Clarifies the definitions of parent, person in parental relation, admission, DOE school, enrollment, provisional registration, registration, transfer, and zoned school (§ I.B).
- Provides admissions and enrollment policy for District 75 throughout.
- Provides that a child cannot be refused admission or enrollment to a DOE school because of their sex (§ I.C.1).
- Clarifies that children who are new to the NYC school district and do not have educational records, or lack sufficient records, will be initially placed in a grade level based on their age. The principal, in consultation with the Superintendent, will then evaluate whether another grade placement would be more instructionally appropriate (§ I.D.4).
- Clarifies that children who are returning to the NYC school district after being discharged whose records reflect grade completion elsewhere will be registered for the next grade for the following year (§ I.D.4.d).
- Clarifies that students in foster care and in students in temporary housing may continue to attend their school of origin in NYC if the student resided in NYC and was enrolled in a DOE school at the time of foster care placement or relocation outside of NYC to a temporary housing situation (footnote 3, footnote 5, footnote 10, footnote 17).
- Provides that a child does not need to appear with their parent in order to register at a DOE school (§ I.F.1).
- Clarifies that a child will be provisionally registered and appropriate action must be taken by the school if the parent is unable to show sufficient proof of residence, age, or immunization records (§ I.F.3).
- Changes the definition of sibling to be gender neutral (§ II.A.1).
- Provides that schools maintain responsibility for verifying sibling status before admissions offers are made (§ II.A.4).
- Clarifies that articulation policies apply to all schools, including but not limited to Gifted & Talented programs, specialized high schools, transfer schools and schools for newcomers, English Language Learners, and multilingual learners (footnote 11).
- Clarifies that a child returning to the NYC school district within the academic year of discharge from a DOE school has the right, but not the obligation, to return to their prior school, subject to available seats (§ III).
- Clarifies that families are not required to submit a police report, docket number, or court documentation to process or approve a safety transfer (§ IV.B.5).
• Clarifies that if a child’s safety transfer cannot be substantiated but the family believes that the child’s continued presence in the school is unsafe for the child, the appropriate DOE office may work to arrange another type of transfer (e.g. Guidance, Other Transfer) (§ IV.B.5.f, § IV.B.8.f).
• Clarifies the right of zoned students to transfer into the zoned programs at their zoned high school and removes the transfer category of “Transfer to Zoned High School” (§ IV.B).
• Clarifies that only a parent (or child, if the child is an emancipated minor, unaccompanied youth, or over 18 years old) can request a guidance transfer (§ IV.B.8).
• Clarifies the different content matter experts whom a Family Welcome Center or the District 75 Office may consult depending on the nature of the guidance transfer request (§ IV.B.8.c).
• Provides that the Family Welcome Center or the District 75 Office may, but is not required to, request approval from the Superintendent when the transfer request is due to academic performance or chronic attendance issues (§ IV.B.8.d).
• Clarifies that a child may have only one legal residence for the purposes of registration, enrollment, and admission (§ VI.A).
• Clarifies enrollment policies for children residing in a domestic violence shelter (§ VII.B.4).
• Clarifies that a child must remain on register of (“affiliated” with) their current or assigned school throughout the duration of home or hospital instruction (§ VII.D.1).
• Clarifies the only circumstances under which a school can list notice a child (§ VIII).
• Technical, non-substantive amendments were made to streamline language, update terms, and eliminate redundancy.
ABSTRACT

This regulation supersedes Chancellor’s Regulation A-101 dated March 1, 2018. It sets forth the policies concerning admission, discharge, and transfer of pupils in the New York City (NYC) school district, both in administrative Districts 1-32 and in District 75 specialized schools and programs, unless otherwise noted.

I. INTRODUCTION

A. The Office of Student Enrollment maintains sole authority and responsibility for admissions and enrollment policy and planning for all schools administratively belonging to Districts 1-32 within the NYC school district. The Superintendents of District 75 and District 79 maintain responsibility for admissions and enrollment policy and planning in all schools and programs belonging to their respective districts.

B. Definitions:

For the purposes of this regulation:

1. **Admissions** refers to the application processes through which families submit their school or program preferences to receive an offer for a school or program in which to enroll for the following school year.

2. **DOE** refers to the NYC Department of Education.

3. **DOE School** refers to a school within the NYC school district, including schools in Districts 1-32 and schools and programs in District 75.

4. **Enrollment** refers to the child, having completed registration with the assigned school and the school having placed the child on register in the system, actually attending the school.

5. **Parent** refers to the child’s parent or guardian or any person in a parental or custodial relationship to the child. This includes: birth or adoptive parent, step-parent, legally-appointed guardian, foster parent, and “person in parental relation” to a child attending school. **“Person in parental relation”** refers to a person who has assumed the care of a child because the child’s parents or
guardians are not available, whether due to, among other things, death, imprisonment, mental illness, living outside the state, or abandonment of the child.

6. **Provisional Registration** refers to the act of a school placing a child on register in the system when not all documentation is presented or there is a question as to the validity of the documentation or circumstances of the child’s eligibility to attend the school.

7. **Registration** refers to the process of confirming eligibility of a child to attend a school based on the parent’s provision of required documentation, including proof of age and proof of address, except as provided in Section VII, and the act of the school placing the child on register in the system.

8. **Transfer** refers to a child exiting the current DOE school and entering a different DOE school, based on one of the categories outlined in Section IV. Children who transfer are not discharged from the NYC school district.

9. **Zoned School** refers to a school that gives first priority to children residing in a specific geographic area defined as the “zone.” A zoned school serves children residing in that school’s zone before serving any children residing outside of that zone\(^1\). New zoned children are entitled to register and enroll in their zoned school subject to available seats.

C. Admission to School

1. Children may not be refused admission or enrollment to a DOE school because of race, color, creed, national origin, gender (sex), gender identity, pregnancy, alienage, citizenship status, disability, sexual orientation, religion, weight or ethnicity.

2. Children whose 3\(^\text{rd}\) birthday falls within the calendar year of admission are eligible to be admitted to 3-K programs (subject to admissions priorities (see Section II.B.) and available seats).

3. Children whose 4\(^\text{th}\) birthday falls within the calendar year of admission are to be admitted to pre-Kindergarten (“pre-K”) (subject to admissions priorities (see Section II.C.) and available seats).

4. Children whose 5\(^\text{th}\) 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 at a DOE school if:

\(^1\) Excludes admittance into pre-K, in which applicants who are currently attending that school’s 3-K program receive first priority to attend that school.
a. their parents elect instead to enroll them in 1st grade as a 6-year-old the following school year, or

b. they are enrolled in a non-public school or if their parent has registered them with the DOE’s Office of Home Schooling.

Children whose 6th birthday falls within the calendar year of admission and who are not currently enrolled in a DOE school or registered with the DOE’s Office of Home Schooling must be admitted to the 1st grade.

5. Children are required to attend school from age 5, except as set forth in paragraphs 4a or 4b 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, even if they have received commencement credentials.

D. Grade Placement Policies

1. Kindergarten is the entry grade to the NYC school district. Only children who turn 5 in the calendar year will be registered into kindergarten. Children who turn 6 in a calendar year will be registered into 1st grade.

2. In cases where a child is required to attend 1st grade based upon their age, but the principal deems that another grade placement would be more instructionally appropriate, the principal will consult with the Superintendent concerning grade placement and will provide medical or other evaluative documentation, which has been submitted by the parent, justifying a different grade placement. The Superintendent will make the final decision concerning the appropriate grade level for the child.

3. Children new to the NYC school district will be placed in grades 2-12 based on the available educational records from the child’s last school that are presented at the time of registration.

4. For children who are new to the NYC school district and do not have educational records or lack sufficient educational records, grade placement will be made as follows:

   a. Children will be initially registered based on age; for children of high school age, if the child turns 15 before the end of the school year (on or before June 30th), the child will be registered in 9th grade.

   b. The principal will evaluate whether 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 child.

   c. If the principal receives additional or newer educational records, they will then adjust the grade placement.
d. Children who were discharged from the NYC school district and are returning to the NYC school district will be placed into a grade based on educational records. If the child is returning within the same school year in which they were discharged and their educational records reflect grade completion elsewhere, the child will be registered for the next grade for the following school year.

E. Residency Requirements

1. Except as provided in Sections VII.B and VII.C, a child must be a resident of NYC in order to be entitled to attend a DOE school. Any child whose primary residence is outside NYC must submit an application to the Office of Student Enrollment to be considered for admission in a DOE school in accordance with Chancellor’s Regulation A-125.²

2. All parents must complete a Housing Questionnaire for their child upon registering at their school. Any child identified as living in temporary housing must be referred to the Students in Temporary Housing program. See the Housing Questionnaire (Attachment No. 6) which is accompanied by the McKinney-Vento Act Guide for Parents and Youth (Attachment No. 7).

3. Children in grades K-12 who change residence within NYC are entitled to remain enrolled in their current school until completion of the terminal grade. Children 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.

4. Parents of children who change residence within NYC while enrolled, and whose new address is either outside of the zone or the district of residence of their current school, are responsible for attendance and punctuality. These children will not become eligible for yellow bus transportation outside the provisions of Chancellor’s Regulation A-801 and any entitlement to specialized transportation as written on the Individualized Education Program (IEP). If attendance or punctuality worsens, the school must work with the family to facilitate and support regular attendance and punctuality.

   a. If, however, excessive absence and/or lateness continues, and it is in the best interest of the child, the principal may begin the transfer process to the school for which the child is newly zoned or to another school closer to the child’s new residence. The principal must submit to the Borough Office point person, or in the case of a District 75

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² Students in foster care and students in temporary housing shall remain in their school of origin and articulate to the zoned school or, if no zoned school exists, to an appropriate school, provided it is in the best interest of the child (see Section VII.C), even if the child moves outside of NYC to a foster care or temporary housing situation.
school, the District 75 Office, documentation regarding the child’s excessive absence and/or lateness, as well as documented efforts made to work with the child and their family to support regular attendance. The Borough Office point person or District 75 Office will review the documentation submitted by comparing the attendance and lateness record prior to and following the child’s change in residence as well as the documentation of the school’s efforts to support the child’s attendance.

b. For District 1-32 schools: If the Borough Office point person confirms that attendance and punctuality have worsened, they will request a new placement from the Family Welcome Center Executive Director or Director. For District 75 programs: The District 75 Placement Office will confirm that attendance and punctuality have worsened and assign a new District 75 program.

c. The parent must be provided with written notification by the principal that the child is being transferred. For District 1-32 schools: After receiving confirmation from the Borough Office point person, the Office of Student Enrollment will effectuate the transfer of the child and place the child on register of the zoned or assigned school or another appropriate school which the child is eligible to attend. For District 75 programs: The District 75 Office will send the parent notification of new placement and advise the parent to register.

d. Students in temporary housing and students in foster care may not be transferred unless it is determined that it is in the child’s best interest to change schools, as provided in Section VII.B (for students in temporary housing) and Section VII.C (for students in foster care).

F. Registration Policies

1. In order for a child to be placed on register and enroll in a DOE school, the parent must appear, unless the child is an emancipated minor, 18 years of age or older, or is an unaccompanied youth (see Section VII.A).

   a. If the individual registering a child is not the parent, the individual must complete a non-parent custodian affidavit and provide it to the school, Family Welcome Center, or District 75 program (see Attachment No. 2); if available, the parent affidavit must be produced (see Attachment No. 1). Emancipated minors, children 18 years of age or older, and unaccompanied youth are not required to submit a non-parent custodian affidavit or parent affidavit (see Section VII.A).

   b. If there are questions regarding the status of the individual seeking to register the child, the child must be registered pending a further investigation by the school of the individual’s relationship to the child.
2. The person appearing must present:
   a. Verifiable proof of address (see Section VI);
   b. 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:
      i. official driver’s license;
      ii. State or other government issued identification (including an IDNYC card);
      iii. school photo identification with date of birth;
      iv. consulate identification card;
      v. hospital or health records;
      vi. military dependent identification card;
      vii. documents issued by federal, state or local agencies (e.g., local social service agency, federal Office of Refugee Resettlement);
      viii. court orders or other court-issued documents;
      ix. Native American tribal document; or
      x. records from non-profit international aid agencies and voluntary agencies.
   c. Child’s immunization records (if available);
   d. Child’s educational records, such as latest report card/transcript (if available).

3. If the parent has been unable to show sufficient proof of the following, the child must be provisionally registered and appropriate action must be taken by the school:
   a. address;
   b. age;
   c. immunization records;
   d. educational records.

4. No child who has been appropriately registered by a school or registered or assigned by the Office of Student Enrollment, the District 75 Placement Office or a District 75 program, or a Committee on Preschool Special Education, where applicable, may be turned away by the school or program to which the child is assigned and/or registered.
5. If a child is registered to attend a school based on eligibility (e.g., based on home address, sibling priority, or specialized program recommendation), the child must remain eligible at the time of enrollment in order to attend. If the child's eligibility status changes, the Office of Student Enrollment or the District 75 Placement Office will transfer the child and arrange for the child to be placed on register at a school for which the child is eligible.

G. General Policies and Procedures

1. School assignment and registration for any child eligible for grades K-12 who appear at a school, program, or Family Welcome Center seeking enrollment must be arranged by the next school day, if possible, and must be arranged within no later than 5 school days.

2. Children seeking admission to a District 1-32 high school, who have not participated in the high school admissions process, must appear at a Family Welcome Center to receive a school assignment and to register. No high school (except District 75 programs, District 79 programs, and transfer schools) may register children.

3. By law, children may not be required or asked to present documentation of immigration status nor can they be denied admission, registration, or enrollment 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.

4. Children in the care of social welfare agencies, juvenile justice agencies, and correctional agencies are to be admitted into schools in the manner provided for in Sections III.D, VII.C, VII.E, and VII.F.

II. ADMISSIONS AND ENROLLMENT POLICIES³

A. Sibling Priorities

1. For purpose of school assignment and admissions priority, a verified sibling includes a half–sibling, a stepsibling, and/or a foster sibling who lives in the same household of the child seeking admission or enrollment to a school, and who

   a. is registered or enrolled in that school at the time of application submission, and will continue to be enrolled in that school in the following school year; or

³ Students in foster care and students in temporary housing shall remain in their school of origin and articulate to the zoned school or, if no zoned school exists, to an appropriate school, provided it is in the best interest of the child (see Sections VII.B and VII.C), even if the child moves outside of NYC to a foster care or temporary housing situation.
b. is enrolled in a District 75 program that is co-located in the same building as that school.

2. In the admissions processes for 3-K, pre-K, and elementary school programs, children with verified siblings are given sibling priority to schools and programs for which they meet the eligibility requirements, subject to available seats.

3. For the purpose of admissions priority to a 3-K program, a verified sibling includes a sibling enrolled in a pre-K program or Pre-K Center\(^4\).

4. Schools and programs maintain responsibility for verifying sibling status before admissions offers are made.

B. Admission Priorities to District 1-32 3-K Programs

1. Children must turn 3 by December 31\(^{st}\) of a school year in order to be eligible to attend a 3-K program in that school year.

2. Applicants are admitted to 3-K programs in zoned schools in accordance with the following admissions priority order, subject to available seats:
   a. Zoned applicants with a verified sibling;
   b. Zoned applicants without a verified sibling;
   c. In-district applicants with a verified sibling;
   d. Out-of-district applicants with a verified sibling;
   e. In-district applicants;
   f. Out-of-district applicants.

3. Applicants are admitted to 3-K programs in non-zoned schools in accordance with the following admissions priority order, subject to available seats:
   a. In-district applicants with a verified sibling;
   b. Out-of-district applicants with a verified sibling;
   c. In-district applicants;
   d. Out-of-district applicants.

4. Applicants are admitted to 3-K programs in Pre-K Centers in accordance with the following admissions priority order, subject to available seats:
   a. In-district applicants with a verified sibling;
   b. Out-of-district applicants with verified siblings;
   c. In-district applicants;

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\(^4\) Pre-K Centers are district-operated programs overseen and run by the DOE that provide pre-K, and, in some cases, 3-K.
d. Out-of-district applicants.

5. For individual 3-K programs, additional priorities may be added to the admissions priority structure to achieve greater diversity in the student body. Those priorities must be pre-approved by the Division of Early Childhood Education, the Office of Student Enrollment, and the Office of the General Counsel. Families will receive notice of any additional priorities prior to the admissions process.

C. Admission Priorities to District 1-32 Pre-K Programs

1. Children must turn 4 by December 31st of a school year in order to be eligible to attend a pre-K program in that school year.

2. Applicants are admitted to pre-K programs in zoned schools in accordance with the following admissions priority order, subject to available seats:
   a. Applicants currently attending that school’s 3-K program;
   b. Zoned applicants with a verified sibling;
   c. Zoned applicants without a verified sibling;
   d. In-district applicants with a verified sibling;
   e. Out-of-district applicants with a verified sibling;
   f. In-district applicants;
   g. Out-of-district applicants.

3. Applicants are admitted to pre-K programs in non-zoned schools in accordance with the following admissions priority order, subject to available seats:
   a. Applicants currently attending that school’s 3-K program;
   b. In-district applicants with a verified sibling;
   c. Out-of-district applicants with a verified sibling;
   d. In-district applicants;
   e. Out-of-district applicants.

4. Applicants are admitted to pre-K programs in Pre-K Centers in accordance with the following admissions priority order, subject to available seats:
   a. Applicants currently attending that school’s 3-K program;
   b. In-district applicants;
   c. Out-of-district applicants.

5. If there are more applicants currently attending the school’s 3-K program than there are available seats in the school’s pre-K program, the applicants currently enrolled in that school’s 3-K will receive offers to that school’s pre-K
program based on the admissions priorities in the order outlined above (Section II.C.2-4).

6. For individual pre-K programs, additional priorities may be added to the admissions priority structure to achieve greater diversity in the student body. Those priorities must be pre-approved by the Division of Early Childhood Education, the Office of Student Enrollment, and the Office of the General Counsel. Families will receive notice of any additional priorities prior to the admissions process.

D. Admission Priorities to Kindergarten in District 1-32 Schools

1. Zoned schools are obligated to serve all children 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 applicants with a verified sibling;
   b. Zoned applicants without a verified sibling.
      If the Office of Student Enrollment deems appropriate based on space, historical trends, and 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 admission of non-zoned applicants out of this priority order; for example, for applicants who cannot be accommodated at their zoned school, or for specialized programs, such as dual language programs.
   c. In-district applicants with a verified sibling;
   d. Out-of-district applicants with a verified sibling;
   e. In-district applicants currently attending that school’s pre-K program;
   f. Out-of-district applicants currently attending that school’s pre-K program;
   g. In-district applicants;
   h. Out-of-district applicants.

2. Applicants must be admitted to non-zoned schools in the following order of priority:
   a. In-district applicants with a verified sibling;
   b. Out-of-district applicants with a verified sibling;
   c. In-district applicants currently attending that school’s pre-K program;
   d. Out-of-district applicants currently attending that school’s pre-K program;
   e. In-district applicants;
f. Out-of-district applicants.

3. For some schools, additional priorities may be added to the admissions priority structure to achieve greater diversity in the student body. Those priorities must be pre-approved by the Office of Student Enrollment and the Office of the General Counsel. Families will receive notice of any additional priorities prior to the admissions process.

E. Registration and Enrollment in District 1-32 Elementary Schools

1. Children are entitled to attend their zoned school subject to available seats.

2. Children in the elementary school grades without a zoned school are entitled to a seat in a school in the district to which their address is assigned for elementary school.

3. If elementary school-aged children arrive after the conclusion of the admissions process for kindergarten:
   a. Children with a zoned school may either register directly at their zoned school or visit a Family Welcome Center to determine other available school options. If the relevant grade of the child’s zoned school has been capped for enrollment, the child will receive an alternative school assignment as set forth in Section II.I.
   b. Children without a zoned school should visit a Family Welcome Center to receive a school assignment.

4. Children seeking to register at a non-zoned school or at a school for which they are not zoned may only receive school placement and register at that school in accordance with the policies set forth in this regulation or as otherwise determined by the Office of Student Enrollment.

F. Admission, Registration, and Enrollment to District 1-32 Middle Schools

1. Admissions Priority for Middle School
   a. Children in 5th grade are eligible to apply to middle schools in the district to which they are zoned for middle school and the district where they attend elementary school ("district of attendance"), if different. Children who apply to a school within their district of attendance have the same level of admissions priority as other applicants whose home address is zoned to that district.
   b. Children with a zoned middle school have an admissions priority to attend that school if they rank it on their middle school application.

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5 The policies in Section II.D govern admission to elementary schools other than admission into 3-K and pre-K, which is governed by the policies set forth in Sections II.B and II.C above.
c. Fifth grade children attending a K-8 or a K-12 school maintain an admissions priority for that school in the middle school admissions process if they rank that K-8 or K-12 school on their middle school application.

d. During the middle school admissions process, available seats (determined by the Office of Student Enrollment) will be available as follows:

i. At zoned schools: Seats will be available for non-zoned children only after all of the zoned children have received offers through the admissions process. Zoned children who have applied will receive placement before non-zoned children on appeal as space is available.

ii. At K-8 or K-12 schools: Seats will be available for non-continuing children only after all of the continuing children have received an offer through the admissions process. Continuing children who have applied will be accommodated before non-continuing children on appeal as space is available.

e. If a child in 5th grade currently enrolled in a DOE school is not matched to a school ranked on their application, they will be assigned a school in the district where they are zoned for middle school.

f. Children who do not apply in the middle school admissions process (including appeals) to their zoned school or their continuing K-8 or K-12 school do not have a guaranteed right to enroll in that school for middle school. However, the Office of Student Enrollment will consider that school for any future requests to transfer to a different middle school. All children requesting to transfer to a different middle school must visit the Family Welcome Center to obtain a placement.

2. Children who did not participate in the middle school admissions process may register as follows:

a. Children in 5th grade enrolled in a DOE school at the time of the admissions process will be assigned to a middle school.

b. Children with a zoned school may either register directly at their zoned school or visit a Family Welcome Center to determine other available school options. If the relevant grade of the child’s zoned school has been capped for enrollment on that grade, the child will receive an alternative school assignment as set forth in Section II.I.

c. Children without a zoned school should visit a Family Welcome Center to receive a school assignment.
d. Children seeking to register in a non-zoned school or to a school for which they are not zoned may only receive school assignment and register in accordance with the policies set forth in this regulation, or as otherwise determined by the Office of Student Enrollment.

G. Policies for Zoned Schools

1. Children zoned for a school have priority for admissions and enrollment in those schools’ zoned programs in accordance with the policies outlined in this regulation and must be accommodated before assignments are made to non-zoned children.

2. Non-zoned children may receive school assignment 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.

3. Zoned programs are required to register zoned children and must accept these children in accordance with the policies set forth in this regulation and subject to available seats. The determination of whether there are available seats is made by the Borough Office in consultation with the Office of Student Enrollment, the Office of Space Planning, the Office of District Planning, and the Superintendent (See Section II.I).

H. Rezoning Policies

1. Depending on the timing of the approval of a rezoning plan, a child’s zoned school may change during the application period for an admissions process. In such cases, the child’s zoned entitlement would be to the zoned school in effect at the time of enrollment.

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

I. Capping Policies

1. A zoned school has a responsibility to serve all children who live within its zone, space permitting, in accordance with policies outlined in this regulation.

2. Zoned schools cannot close enrollment or “cap” a grade to achieve or maintain reduced class size in any grade.

3. A single grade of a school will be “capped” when that school submits a request and the Borough Office investigates and determines that it is necessary to cap that grade to prevent additional enrollment in consultation with the Office of District Planning, the Office of Student Enrollment, and the Superintendent. If

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6 Capping policies apply to grades Kindergarten through 8th grade.
the Borough Office determines that it is necessary to cap the grade, they will approve the capping request and identify a school to which additional zoned students will be assigned (“overflow school”).

4. In cases where a zoned school’s grade has been capped by the Borough Office as outlined in Section II.I.3, those zoned children are entitled to an alternative school assignment within the district of residence.
   a. Such children will receive admissions and enrollment priority at the overflow school ahead of any non-zoned children.
   b. Any child assigned to attend an overflow school due to the Borough Office approving their zoned school’s request to cap on that child’s grade must either accept the overflow school assignment or find another alternative to the assigned school.

5. Children whose zoned school was approved for a grade cap by the Borough Office, and have therefore received a school assignment to the overflow school, may remain on the waitlist for their zoned school until a deadline established by the Office of Student Enrollment. The following procedures will apply to those children:
   a. Such children will have priority for any available seats in the next school year at their zoned school, and seats will be offered to these children in waitlist order.
   b. These children may decline a return to their zoned school and remain at the overflow school. If they decline, they will relinquish their place on the waitlist for their zoned school. If the child later requests to transfer to the zoned school, the transfer will only be granted if all other reassigned zoned children from the waitlist have been invited back to register and there continues to be an available seat. If a child who declines an offer to return to their zoned school was eligible for transportation to the overflow school as a result of the capping plan, such child will no longer be entitled to transportation unless otherwise required or eligible based on guidelines established by the Office of Pupil Transportation.
   c. Consistent with Section II.F.1.a, children are eligible to apply through the middle school admissions process to schools in their district of attendance as well as the district where their address is zoned for middle school.

6. It is the primary obligation of a zoned school to serve its zoned children. If a zoned school is unable to accommodate all of its zoned children and is approved for a capping plan, non-mandatory programs at the school may be reduced or eliminated.
J. Articulation Policies\textsuperscript{7,8}

1. There are multiple entry points in DOE schools which are facilitated by the elementary, middle and high school admissions processes, both for District 1-32 and District 75. There is an entry point for each grade band. For example, at a school that serves grades K-5, the entry point would be kindergarten. When a child moves to a different grade band, it is referred to as “articulation.”

2. Articulation in District 1-32 K–8 and 6–12 schools

A school that is structured as a K-8 or a 6-12 school must have multiple entry points. Therefore, when a child is admitted to a school that is structured as a K–8 or 6–12 school, that child is entitled to and has priority for admission to the next grade band. Such children may, at the same time, apply to any other school or program for which they are eligible. Children have a priority to attend their zoned K-8 school for 6th grade if they are not already in attendance.

3. Articulation to District 1-32 Middle Schools

Children who were matched to a school as the result of the middle school admissions process and subsequently discharged from the NYC school district have a right to be enrolled in the school to which they were matched at any time during the school year for which they were matched, provided that when they return to register at that school, they reside within NYC and have not completed the academic year at another school.

4. Articulation to District 1-32 High Schools

a. Children 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 that admissions cycle, if they apply to that school in the high school admissions process.

b. Children who were matched to a school as the result of the high school admissions process and subsequently discharged from the NYC school district have a right to be enrolled in the school to which they were matched at any time during the school year for which they were matched, provided that when they return to register at that school

\textsuperscript{7} Students in foster care and students in temporary housing shall remain in their school of origin and articulate to the zoned school or, if no zoned school exists, to an appropriate school, provided it is in the best interest of the child (see Sections VII.B and VII.C), even if the child moves outside of NYC to a foster care or temporary housing situation.

\textsuperscript{8} This policy applies to all schools including, but not limited to, Gifted & Talented programs, specialized high schools, transfer schools, and schools for newcomers, English Language Learners, and multilingual learners.
they reside within NYC and have not completed the academic year at another school. This includes children returning from incarceration.

5. Children returning to the NYC school district after completing the academic school year in a non-NYC school district will be directed to the Family Welcome Center, or for children recommended for a District 75 program, the District 75 Placement Office, to receive a school assignment for admission in the following school year. Such children do not have the guaranteed right to return to the school to which they were matched prior to their discharge from the NYC school district, though the school to which the student was matched will be considered. The Office of Student Enrollment will make the final determination about placement for children enrolled in District 1-32 schools, and the District 75 Placement Office will make the final determination about placement for children enrolled in District 75 programs.

III. **READMISSION**

Upon return to the NYC school district, a child may visit a Family Welcome Center or, for District 75 programs, contact the District 75 Placement Office, to discuss available school options.

A child returning to the NYC school district within the academic year of discharge from a DOE school has the right, but not the obligation, to return to their prior school. All such placements are contingent upon the DOE school’s available seats.

For any question regarding a child’s right to return, the Office of Student Enrollment, or the District 75 Placement Office for a child recommended for a District 75 program, will make the final determination.

A. Elementary and/or Middle School Children

1. A child has the right to return to their previous school if they continue to be eligible based on their previous admissions priority status, and there are available seats.

2. If the child is returning to their zoned school, and it is now capped for the child’s grade, the child will be directed to the designated overflow school in accordance with Section II.I.

3. Children returning to the NYC school district after completing the academic year elsewhere can enroll directly at their zoned school, if applicable and seats are available, or visit a Family Welcome Center for other placement options.

B. Children Previously Enrolled in Gifted & Talented Programs Returning within the Academic Year of Discharge

1. **District Programs**

   a. Children returning to the same district of residence may return to the same Gifted & Talented program, provided that a seat is available.
b. Children may request placement at a different district Gifted & Talented program within the district of residence if a seat at the child’s prior Gifted & Talented program is not available.

- c. Children returning to a different district of residence may request placement in a district Gifted & Talented program within the new district of residence, if a seat is available.

2. Citywide Programs

- a. Children returning to the NYC school district may return to the same citywide Gifted & Talented program, if a seat is available.

- b. If a seat at the child’s prior Gifted & Talented program is not available, the child may request placement in another Gifted & Talented program.

C. High School Children

1. A child who has been discharged from the NYC school district has the right to return to their previous high school (including but not limited to the specialized high schools, transfer schools and schools for newcomers, English Language Learners, and multilingual learners) until the conclusion of the academic year in which they were discharged, provided the child has not completed the academic year at another school.9

2. Children returning to the NYC school district after completing the academic school year at another school will be directed to the Family Welcome Center, or for children recommended for a District 75 program, the District 75 Placement Office, to receive a school assignment for admission in the following school year. Such children do not have a guaranteed right to return to the school they attended prior to their discharge from the NYC school district, though the school that the child previously attended will be considered. The Office of Student Enrollment or the District 75 Placement Office (whichever is appropriate) will make final readmission determination.

D. Children Returning from a Court-Ordered Setting, Custodial Facility or Treatment Program

1. Children who were enrolled in a DOE school at the time of discharge to a court-ordered setting, custodial facility or treatment program have the right to return to the school in which they were enrolled if they return within one calendar year from the date of discharge.

2. Some of these children may benefit from a different school placement upon their return to the NYC school district. The Office of Student Enrollment, or for children recommended for a District 75 program, the District 75 Placement Office

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9 A child discharged without a diploma may return to school until the end of the school year in which they turn 21.
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Office, may consult with the Borough Office point person or District 79, whichever is appropriate, to determine whether to register or refer the child to a different school that has available seats.

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 must be approved by the Office of Student Enrollment with the exception of:

1. Involuntary transfers\(^{10}\) and voluntary transfers following superintendent suspensions, which are handled by the Borough Director of Suspensions in accordance with Chancellor’s Regulation A-450 and A-443, respectively;

2. Transfers of children seeking to attend their zoned schools (when seats are available), in which case the receiving principal must admit the child;

3. Authorized transfers of English Language Learners (ELLs) by the Division of Multilingual Learners (DMLs), the Borough Office Director of MLs, and Superintendents into a school that has a Dual Language or Transitional Bilingual Education program, which families can initiate either through their current school or the Family Welcome Center\(^{11}\);

4. Transfers of children due to a new specialized program need, such as bilingual special education, specialized programs for children with Autism Spectrum Disorder (ASD), or a program for children with an Intellectual Disability;

5. Authorized transfers by the Special Education Office due to the documented inability of the child’s current school to provide the appropriate special education program as recommended on the IEP;

6. Transfers mandated by an Impartial Hearing Order; and

7. 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 to the Family Welcome Center for children enrolled in District 1-32 schools; or the District 75 Placement Office, for children enrolled in District 75 programs. In all cases, the Office of Student Enrollment or the District 75 Placement Office, whichever is appropriate, will either deny or approve the transfer request and will determine the school to which a child will transfer.

\(^{10}\) In accordance with Chancellor’s Regulation A-450, children with IEPs cannot be involuntarily transferred.

\(^{11}\) All ELL transfers must still be approved by DMLs, the Borough Office, and the Superintendent, regardless of how the transfer is initiated.
1. **District Gifted & Talented Transfers based on Changes in District of Residence** (children in grades K-5 only): A parent whose child is enrolled in a district Gifted & Talented program and who moves may request a transfer for their child to a district Gifted & Talented program in the new district of residence.

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

3. **Sibling Transfers** (children in grades K-5 only): A parent may request a sibling transfer when the parent’s children, who are verified siblings as set forth in Section II.A.1, attend different schools.

4. **Medical Transfers/Reasonable Accommodations**: A parent may request a transfer for a child to address a need for a reasonable accommodation for a disability, which may include, for example, a medical condition or disability that prevents the child from physically accessing the school. A parent may also request a transfer for a child when the parent has a disability that prevents the parent from physically accessing the school. The parent must provide documentation signed by an appropriate healthcare or rehabilitation professional on the medical provider’s letterhead, stating the nature of the condition for which an accommodation is requested, and the reason why the transfer is recommended. The Office of Student Enrollment may consult the Office of School Health and/or New York City Department of Health and Mental Hygiene on transfer decisions. With parental consent, appropriate staff may contact the medical provider to gain further information. For children enrolled in District 75 programs, the District 75 Placement Office will transfer children to an appropriate school using the available and any additional documentation provided by the IEP, the family, or medical provider.

5. **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 children are victims of a violent criminal offense on school property pursuant to Every Student Succeeds Act (ESSA) or (b) in situations (including complaints of harassment, intimidation and bullying) in which it is determined that a child’s continued presence in the school is unsafe for the child. ESSA Safety Transfer requests will be coordinated by the Borough Director of Suspensions.

With respect to non-ESSA safety transfers, the determination as to whether or not to grant a safety transfer must be made by the Family Welcome Center Executive Director or Director, or for children enrolled in District 75 programs, the District 75 Office, within 1 week of receipt of the required documentation from the principal/designee. The procedures are as follows:
a. Safety transfer requests can be made in one of two ways:
   i. Families can submit their safety transfer request to their current school, which remits the request to the Family Welcome Center; for children enrolled in District 75 programs, the school should submit such request to the District 75 Office.
   ii. Families can request a safety transfer by visiting the Family Welcome Center and submitting documentation, such as a written statement by the child or parent, or other documentation supporting the transfer request. Families of children enrolled in District 75 programs should submit this documentation to the District 75 Office.

b. For a safety transfer to be considered, a school must send the following documents to the Family Welcome Center, or for children enrolled in District 75 programs, the District 75 Office:
   i. Safety Transfer Intake Form;
   ii. Safety Transfer Summary of Investigation Form; and
   iii. School Occurrence Report or other school documentation.

   If the family has submitted a police report, docket number, or court documentation to the school, then the school should send that documentation as well. However, this is not required to process or approve a safety transfer.

c. 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 or for children enrolled in District 75 programs, the District 75 Office.

d. Based on the nature of the safety transfer materials, the Family Welcome Center Executive Director or Director, or the District 75 Office, may consult with the Borough Office Director for Student Services and the Borough Safety Director who serves as the designee of the Chief Executive Officer for the Office of Safety and Youth Development.

e. If it is determined that transferring the child will address the safety issue (regardless of where the incident took place), the Family Welcome Center Executive Director or Director or the District 75 Office will approve the safety transfer and provide a new placement to the child. In all cases, the review and determination should take no more than 5 business days.
f. If the child or family is requesting a safety transfer for incident(s) that took place around but not on school grounds or for which the school has no occurrence reports, but the family believes that the child’s continued presence in the school is unsafe for the child, the Family Welcome Center Executive Director or Director or the District 75 Office may work with the family to submit a different type of transfer request, such as a Guidance Transfer (see Section IV.B.9) or Other Transfer (see Section IV.C), and arrange the transfer. This situation may include allegations of incidents of bullying or harassment of which the school has no record.

6. **Sports Transfers** (high school children 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 no longer offers 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 Public School Choice is only eligible to be transferred to a school on the child’s Public School Choice application;
   d. In those cases outlined in subparagraphs b and c above, a student athlete is not guaranteed a spot on the official PSAL team in the particular sport at the new school and 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).

7. **Travel Hardship Transfers** (high school children 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 public transit transfers).
8. **Guidance Transfers**

a. A guidance transfer may only be requested by a parent or a child who is an emancipated minor, 18 years of age or older, or an unaccompanied youth as defined in Section VII.A. Any other individual requesting a guidance transfer on a child’s behalf must provide the express written consent of the parent, emancipated minor, unaccompanied youth, or student 18 years of age or older for such individual to seek such transfer. Such written consent must be provided to the Family Welcome Center or District 75 Placement Office, which shall contact the parent, emancipated minor, unaccompanied youth, or student 18 years of age or older to confirm consent.

b. A parent or a child who is an emancipated minor, 18 years of age or older, or an unaccompanied youth may request a guidance transfer if the child is not progressing or achieving academically or socially and an alternative placement would address these concerns.

c. Depending on the nature of the reason for the guidance transfer request, the Office of Student Enrollment or District 75 Placement Office may consult the Superintendent, the Borough Office Director of Student Services or Guidance and Climate Manager, the Borough Safety Director, the Borough Office Health Director, or other subject matter expert who may provide insight and context relative to the reason for request.

d. When the transfer request is based on academic performance or chronic attendance issues, the Office of Student Enrollment or District 75 Placement Office may request approval from the Superintendent. The Office of Student Enrollment, District 75 Placement Office, and/or the Superintendent may reach out to the principal to obtain evidence or documentation regarding the transfer.

e. This guidance transfer process is to be utilized only when parents initiate a voluntary request. If a principal seeks to initiate the transfer of a child because they have failed to adjust in school, the procedures set forth in Chancellor’s Regulation A-450 regarding involuntary transfers shall apply and the principal must follow the process set forth therein.

f. If a child is requesting a transfer due to bullying or harassment, but neither the family nor the school can produce the documentation required for a safety transfer, or the alleged incidents did not happen on school grounds, the Office of Student Enrollment or District 75 Placement Office may process the transfer as a Guidance Transfer or Other Transfer if appropriate.
C. **Other Transfers:** Other transfers, including those not due to a documented hardship, may be considered on a case-by-case basis by the Office of Student Enrollment, or for children recommended for a District 75 program, the District 75 Placement Office. In all cases, the Office of Student Enrollment, or District 75 Placement Office, will either deny or approve the transfer request and will determine the school to which a child will transfer. No particular school placement is guaranteed; new school assignments are based on seat availability and eligibility, if applicable.

V. **ADMISSIONS AND ENROLLMENT POLICIES FOR STUDENTS WITH DISABILITIES**

All policies regarding admissions and enrollment for children without disabilities also apply to children with disabilities, including the policies governing child participation in admissions processes, readmission, and enrollment.

A. **Children with IEPs will be transferred and placed in accordance with following policies:**

1. When there is a change in program on the IEP, students with disabilities are expected and entitled to remain in their current District 1-32 school unless the changes require a District 75 placement or placement in a non-public school.

2. When there is a change in IEP program recommendation from a District 75 placement to a District 1-32 placement, the District 75 Placement Office will request a District 1-32 school placement from the Office of Student Enrollment and provide the school placement to the child.

3. **Specialized Programs in a District 1-32 School**
   a. For specialized programs, including those for children with Autism Spectrum Disorder (ASD) and children with intellectual disabilities (ACES), the child is entitled to remain at their current school until the central specialized program team identifies a new placement in that program. At that time, the child will be transferred.
   b. When there is a change in IEP program recommendation to a Bilingual Special Education (BSE) program, the central specialized programs team may identify a BSE placement for the student.
   c. If at any time, until the terminal grade, a child’s IEP no longer reflects the specialized program need, the child is expected and entitled to remain at the school until the terminal grade. Children retain the right to transfer to their zoned school, space permitting.

B. **Children with IEPs who are new or returning to the NYC school district, should follow the readmission and enrollment policies outlined in this regulation. The following additional procedures apply to children with out-of-state IEPs:**

1. The Committee on Special Education (CSE), Family Welcome Center, or school will develop a Comparable Services Plan (CSP) to provide the child with services comparable to those described in the non-DOE IEP.
2. The school will immediately implement the CSP. Within 30 days a new IEP must be developed by the child’s school or, when appropriate, the CSE.

VI. DETERMINATION & VERIFICATION OF RESIDENCY

A. A child may have only one legal residence for the purposes of registration, enrollment, and admission.

B. A child’s residence is determined as follows:\(^\text{12}\)

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 child depends upon a factual determination of the care, custody, and control of the child.

3. For a child whose parents live apart, the child’s residence is presumed to be that of the parent who provides custodial care. If parents have been awarded joint custody, the child’s residence is that of the parent who has primary physical custody.

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

C. Proof of address must be provided when enrolling a child in school.\(^\text{13}\) A telephone bill, credit card bill or medical insurance card is not acceptable proof of address. Proof of address 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 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

\(^\text{12}\) Students in foster care and students in temporary housing may continue to attend school in NYC if the student resided in NYC and was enrolled in a DOE school at the time of foster care placement or relocating outside of NYC to a temporary housing situation (see Sections VII.B and VII.C).

\(^\text{13}\) For students in temporary housing, this investigation and requirement of address documentation is subject to the requirements of the McKinney-Vento Act.
federal Office of Refugee Resettlement, the NYC Human Resources Administration, or the NYC 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 child 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). 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 the apartment or 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 resides at this address. Students in temporary housing, including those who are doubled up, and students in foster care are not required to produce any of these affidavits in order to register and enroll.

2. 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 register the child on a provisional basis. The parent will be given a Provisional Registration Notice indicating that the child 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 child is registered is responsible for initiating an address verification investigation in accordance with procedures below regarding “Falsification and Investigation of Residency”. The child may not be turned away and is entitled to enroll and attend class while the investigation is pending.

3. For students in temporary housing, including those who are doubled-up, and students in foster care, the Primary Leaseholder/Tenant is not required to submit an Affidavit of Residency.

D. Falsification and Investigation of Residency

If there is a question about a child’s address or there is suspicion that a falsified address was used to register the child, the school must initiate an address verification investigation within 30 days of discovery of the problem.

1. If it is determined that the child resides at an address that renders the child ineligible to attend the current school, the principal must provide the Borough Office point person with the results of the investigation. The Borough Office point person will review the results, and if they deem appropriate, will recommend a transfer to the Borough Office Director of Student Services, or designee. In addition, the Borough Office point person will determine the actual address at which the child resides. The Borough Office Director of Student Services, or designee, must review the documentation of the investigation and determine whether it is sufficient to warrant a transfer. The Borough Office Director of Student Services or designee must then inform the Family Welcome Center Executive Director or Director of the approval to transfer the child.

2. If the child is to be transferred, the principal must provide the parent with written notice stating the following:
   a. the findings of the investigation;
b. the child is not entitled to attend the current school and will be transferred to the appropriate school;

c. the name, number and location of the new school placement for which the child is eligible, and the date the child will be placed on register there; and

d. the right to appeal the results of the investigation to the Borough Office Director of Student Services or designee that supports the school within 5 days of the notification letter.

3. The child will be transferred pending a ruling on the appeal unless the Borough Office Director of Student Services or designee, in consultation with the principal and the Family Welcome Center Executive Director or Director, determines that it is not appropriate. The ruling on appeal should be issued within 10 school days.

4. In order to determine an appropriate school to which the child will be transferred, the parent will be required to submit verifiable proof of address.

   a. If the child’s actual zoned school has been verified through the address investigation process, the principal of the current or offered school will direct the family to that zoned school by listing it in the written notice (see paragraph D.2, above).

   b. If the child does not have a zoned school or is eligible to attend high school, the Family Welcome Center Executive Director or Director will determine the new school. For transfers to a school in another borough, the Family Welcome Center Executive Director or Director for the receiving borough will determine the new school, and place the child on register if appropriate.

   c. If it is determined that the child does not reside in NYC, the child 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 for the time the child has been in attendance, and the child will be discharged as a non-resident at the end of the semester during which the determination is made. Additionally, the child forfeits any right to submit an application to remain enrolled in the NYC school district as a non-resident.

5. Students in temporary housing and students in foster care are not required to submit proof of address in order to enroll in school; however, they are still subject to an address investigation should there be a question about the child’s address or a suspicion that the address was falsified. Upon verification of the child’s temporary address by conducting a home visit, the child may continue to attend school without providing additional documentation of residence.
VII. SPECIAL SITUATIONS

A. Child Appearing without a Guardian

1. Unaccompanied Youth and Emancipated Minor
   a. For the purposes of this regulation, unaccompanied youth as defined in Chancellor’s Regulation A-780 have the same rights as children in temporary housing (see Section VII.C below). These children are not required to appear with a parent or to provide documentation in order to register, enroll, or transfer.
   b. Emancipated minor means a child (16-17 years old) who is married or is living apart from their parent, not receiving financial support from their parent, and not in need or receipt of foster care. These children are not required to appear with a parent in order to register, enroll, or transfer.
      i. An emancipated minor may be asked to sign an Affidavit of Emancipation (see Attachment No. 5) or provide a marriage certificate.
      ii. Proof of residence may be shown by a rent receipt in the child’s name or a statement from the person furnishing housing.
   c. An unaccompanied youth or emancipated minor is not required to appear with an adult in order to register in, enroll in, or transfer schools. The Family Welcome Center, District 75 office, or school officials, where applicable, must consider the age and circumstances of the child to determine whether ACS should be notified.

2. Missing Child and Runaway Youth
   a. Missing child means a child who has been taken from a parent who has rightful custody.
   b. Runaway youth means an individual who is less than 18 years of age and who absents themselves from home or a place of legal residence without the permission of a parent.
   c. If there is suspicion that a child who is being registered in school may be a missing child or runaway youth the principal must register the child and immediately contact the local police precinct.

3. All children not currently on register at a DOE school who appear without a parent should be registered, even if it cannot be immediately determined why the child is appearing without a parent.

B. Students in Temporary Housing

1. Definitions:
a. A student in temporary housing is one who lacks a fixed, regular, and adequate nighttime residence. This includes children who are:

- sharing the housing of others due to loss of housing, economic hardship, or a similar reason (sometimes referred to as “doubled up”), or living in a motel, hotel, trailer park, or camping ground due to the lack of alternative adequate accommodations; or
- living in an emergency or transitional shelter, including a subsidized publicly or privately operated shelter designed to provide temporary living accommodations (including commercial hotels, congregate shelters, residential programs for victims of domestic violence, and transitional housing for the mentally ill); or
- abandoned in a hospital; or
- living in a public or private place not designed for or ordinarily used as a regular sleeping accommodation; or
- living in cars, parks, public spaces, abandoned buildings, substandard housing, bus or train stations or similar settings.

b. School of origin means the school the child attended when permanently housed or the school in which the child was last enrolled, including a preschool program.

2. A student in temporary housing may either remain in the school of origin or may transfer to a new school which the child is eligible to attend based on their temporary housing location and for which the child meets entrance criteria, where applicable, depending on which is in the child’s best interest. High school students in temporary housing are not required to demonstrate a travel hardship before transferring to another school. If the child elects to attend the new school based on the new residence, that school shall immediately register and enroll the child, even if the records normally required for registration and enrollment are not available or produced. See Chancellor’s Regulation A-780 for further information on the rights of homeless children.

3. It is presumptively in the best interests of the child to keep the child in the school of origin, except in cases where the parent requests enrollment in a different school. Several factors should be considered in making the best interest determination, including: the impact of mobility on achievement, education, health and safety, and priority to the parent’s, or unaccompanied youth’s choice.

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14 Travel hardship transfers are only applicable at the high school level.
a. If there is a dispute or disagreement as to whether the child should remain in the school of origin or transfer to a new school which the child is eligible to attend based on entrance criteria and seat availability, the child shall either remain in the school of origin or be immediately enrolled in the school in which enrollment is sought, pending final resolution of the dispute. If the requested school does not have seat availability and/or is capped, the child will be enrolled in the designated overflow school or another school nearby.

4. The address of a child living in a domestic violence residence is to be kept confidential and cannot be shared with any office or agency.

5. The lack of a permanent address does not constitute a legitimate basis for denying a child admission, registration, and enrollment to school. Students in temporary housing are entitled to immediately enroll and attend a DOE school even if they cannot present documents normally required for registration and enrollment, in accordance with Title VII of the McKinney-Vento Homeless Assistance Act (42 U.S.C. §11431) and Chancellor’s Regulation A-780.

6. Students in temporary housing participating in admissions processes for articulating grades (3-K, pre-K, Kindergarten, 6th grade and 9th grade):
   a. Are to be afforded equal admissions priority as permanently-housed children living in the same area; and
   b. Retain the same level of geographic admissions priority to the school or program even if their temporary housing situation is at an address that would otherwise render them ineligible to apply or be placed at that school, even if they move to a temporary housing situation outside of NYC.

C. Students in Foster Care

1. Definitions:
   a. “Foster care” means 24-hour substitute care for children placed away from their birth or adoptive parents and for whom the child welfare agency has placement and care responsibility. This includes, but is not limited to, placements in foster family homes, foster homes of relatives, group homes, emergency shelters, residential facilities, child care institutions, and pre-adoptive homes.
   b. School of origin means the school the child attended at the time of placement in foster care or the school in which the child was last enrolled, including a preschool program. If a child’s foster care placement changes, the school of origin would then be considered the school in which the child is enrolled at the time of placement change.

2. Students in foster care who change foster care placements are entitled to remain in the school of origin, even if they move to another school zone,
A child who is receiving or will receive home or hospital instruction must remain on register ("affiliated") with their current or assigned school in ATS throughout the duration of the home or hospital instruction. Such children cannot be discharged during the duration of the home or hospital instruction, even if the child remains in home or hospital instruction past the end of the academic or calendar year.

2. A child who resides in NYC and is receiving or will receive home or hospital instruction who has not yet attended a DOE school, or who is returning to the NYC school district after being previously discharged, must be affiliated with their zoned or assigned school in ATS.

3. A child returning from a non-DOE hospital or in-patient setting has the right to return to their prior school unless the family requests a transfer to a new
school, provided that the child is not recommended for District 75, in which case the District 75 Placement Office will make the determination with respect to a transfer.

E. Children Returning from Custody

1. Children who return to the NYC school district from the care of custodial facilities, including custodial agencies of the State or City, or private agencies, are entitled to expeditious and appropriate educational placement. Custodial agencies include group homes, psychiatric centers, developmental centers, custodial facilities, court-ordered settings and residential treatment centers, such as those under the auspices of the New York State Office of Children and Family Services ACS, or the NYC Department of Corrections. Children are not required to provide release letters from the custodial agency before applying to, registering, or enrolling in school. These children do not need to physically appear with their parent for registration at that school.

2. 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 child’s change in status with relevant school records, including the IEP, to the Office of Student Enrollment or to the District 75 Office.

3. Children who have been discharged from the NYC school district and are returning from a custodial facility within or outside of NYC have the right to return to the DOE school they attended prior to discharge if they return within one calendar year from the date of discharge from the previous DOE school, in accordance with policies referenced in this document. The Office of Student Enrollment, in consultation with the child and parent and the Borough Office point person, may determine that the prior school is not appropriate and may therefore identify a different placement; similarly, for children enrolled in District 75 programs, the District 75 Placement Office may consult the child and parent, determine that the prior school is not appropriate, and may identify a different placement.

4. Children are not required to provide release letters from the custodial agency before applying to, registering, or enrolling in school.

F. Children Returning from Suspensions

1. Children who are suspended have the right to return to the school from which they are suspended unless the child has voluntarily transferred to another school or has been involuntarily transferred in accordance with Chancellor’s Regulation A-450. Children in 5th grade and children in 8th grade who have been suspended who have been assigned 6th grade or 9th grade seats for the next fall, respectively, have rights to those seats in the next school year upon fulfillment of the 5th or 8th grade promotional requirements.
2. Schools may not deny admission to a transferred or articulating child based on their former suspended status.

VIII. LIST NOTICE

List notice is the technical process by which children are moved by the DOE from one school’s register to another, in accordance with the policies listed below:

A. The only circumstance in which a school can list notice a child is if the school has a terminal grade prior to grade 5 and the school list notices the child in the terminal grade to the child’s zoned school for the following school year. If the child does not have a zoned school or if the family would like to explore other options, they can visit a Family Welcome Center.

B. Any school who list notices a child for any other reason than the above will be in violation of this regulation.

1. In accordance with Section I.E.3, children who are registered and enrolled in a particular school have the right to remain until the terminal grade, even if they move to a different zone or district within NYC, and cannot be list-noticed to their new zoned school. Such children can only be transferred following the procedures outlined in Section I.E.4.

2. Children improperly list-noticed to a different school by their current school will be placed on register back at the prior school or at the school where they have an admissions offer by the Office of Student Enrollment, or for children enrolled in District 75 programs, the District 75 Placement Office.

C. Children are moved from one school to another by the Office of Student Enrollment by list notice only for the following reasons:

1. placement of children onto the register of the school to which they received an offer through the admissions process;

2. placement of children who move or return to the NYC school district after the end of the school year but prior to the start of the next school year and receive a school assignment;

3. school closings, openings, or reorganizations.

IX. WAIVER

This Regulation or any portion thereof may be waived by the Chancellor or designee if it is determined to be in the best interests of the NYC school district.
X. **INQUIRIES**

Inquiries pertaining to enrollment, admission and transfer requirements should be addressed to: The Office of Student Enrollment

Telephone: 718-935-2009
Fax: 212-374-5568

Inquiries pertaining to attendance guidelines and regulations should be addressed to: Office of Safety and Youth Development – Mandated Responsibilities

Telephone: 718-374-6095
Fax: 212-374-5751

Inquiries pertaining to District 75 admissions and transfers should be directed to District 75.

Telephone: 212-802-1500
Fax: 212-802-1678

Inquiries pertaining to District 79 admissions and transfers should be directed to District 79.

Telephone: 917-521-3639
Fax: 917-521-3649
# NON-PARENT CUSTODIAN AFFIDAVIT

**Date:** _____________________

## STUDENT INFORMATION

<table>
<thead>
<tr>
<th>LAST NAME</th>
<th>FIRST NAME</th>
<th>MIDDLE NAME</th>
<th>STUDENT ID #</th>
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<tr>
<th>DATE OF BIRTH</th>
<th>AGE</th>
<th>HOME ADDRESS (house number and street)</th>
<th>APT #</th>
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<th>BOROUGH</th>
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## NON–PARENT CUSTODIAN INFORMATION

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<th>LAST NAME</th>
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<th>RELATIONSHIP TO STUDENT</th>
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<th>HOME ADDRESS (house number and street)</th>
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<tr>
<th>HOME PHONE NUMBER</th>
<th>WORK PHONE NUMBER</th>
<th>CELL PHONE NUMBER</th>
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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 INFORMATION

<table>
<thead>
<tr>
<th>LAST NAME</th>
<th>FIRST NAME</th>
<th>RELATIONSHIP TO STUDENT</th>
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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 they are residing with me at the location noted above AND

I declare the parent, as defined by Chancellor’s Regulation A-101, 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
# PARENT AFFIDAVIT

**Date:**   

## STUDENT INFORMATION

<table>
<thead>
<tr>
<th>LAST NAME</th>
<th>FIRST NAME</th>
<th>MIDDLE NAME</th>
<th>STUDENT ID #</th>
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<th>AGE</th>
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<th>BOROUGH</th>
<th>STATE</th>
<th>ZIP CODE</th>
<th>HOME PHONE NUMBER</th>
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## PARENT INFORMATION

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<th>RELATIONSHIP TO STUDENT</th>
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<th>WORK PHONE NUMBER</th>
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**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:**

<table>
<thead>
<tr>
<th>LAST NAME</th>
<th>FIRST NAME</th>
<th>RELATIONSHIP TO STUDENT</th>
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<th>HOME ADDRESS (house number and street)</th>
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<tr>
<th>HOME PHONE NUMBER</th>
<th>WORK PHONE NUMBER</th>
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**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 of this child, as defined by Chancellor’s Regulation A-101, and that I have relinquished custody/control over the child and am no longer financially supporting them. 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 them.

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 Signature:  

STATE OF NEW YORK  

)  

SS:  

COUNTY OF  

)  

Sworn to before me this _______ day of ______________________, ________ year

__________________________________________

Notary Public
## 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. Doubled-up families do not need to submit this form.

### Section A: STUDENT INFORMATION – Please print clearly in ink

<table>
<thead>
<tr>
<th>STUDENT'S LAST NAME</th>
<th>STUDENT'S FIRST NAME</th>
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<table>
<thead>
<tr>
<th>DATE OF BIRTH (MM/DD/YY)</th>
<th>OSIS #/STUDENT'S ID # (if available)</th>
<th>TELEPHONE #</th>
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<table>
<thead>
<tr>
<th>STUDENT’S CURRENT ADDRESS (House #, Street, Apt. #, City, State and Zip Code)</th>
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### Section B: PARENT INFORMATION – Please print clearly in ink

<table>
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<tr>
<th>PARENT/GUARDIAN’S LAST NAME</th>
<th>PARENT/GUARDIAN’S FIRST NAME</th>
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<tr>
<th>PARENT/GUARDIAN’S CURRENT ADDRESS (House #, Street, Apt. #, City, State and Zip Code)</th>
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<tr>
<th>HOME PHONE</th>
<th>WORK PHONE</th>
<th>CELL PHONE</th>
<th>EMAIL ADDRESS</th>
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### Section C: PRIMARY RESIDENT/TENANT INFORMATION – Please print clearly in ink

<table>
<thead>
<tr>
<th>PRIMARY RESIDENT/TENANT’S LAST NAME</th>
<th>PRIMARY RESIDENT/TENANT’S FIRST NAME</th>
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<table>
<thead>
<tr>
<th>PRIMARY RESIDENT/TENANT’S CURRENT ADDRESS (House #, Street, Apt. #, City, State and Zip Code)</th>
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<tr>
<th>RELATIONSHIP TO PARENT</th>
<th>ANTICIPATED DURATION OF STAY</th>
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</table>
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 to my 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
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

6/29/09
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                      )
COUNTY OF ___________________) SS:

Sworn to before me this __________ day of ____________________, _____________ Year

________________________________________
Notary Public

6/29/09
**HOUSING 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. The district cannot disclose housing status information without parental consent.

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### Student Name

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<tr>
<th>Last</th>
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<th>Middle</th>
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<tr>
<th>OSIS #</th>
<th>Date of Birth (MM/DD/YY)</th>
<th>School</th>
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</table>

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

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<thead>
<tr>
<th>Check (V)</th>
<th>Housing Questionnaire Choice</th>
<th>ATS Code</th>
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<tbody>
<tr>
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<td><strong>Doubled Up</strong></td>
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<td></td>
<td>With another family or other person because of loss of housing or as a result of economic hardship</td>
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<tr>
<td></td>
<td><strong>Shelter</strong></td>
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<td></td>
<td>Emergency or transitional shelter</td>
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<tr>
<td></td>
<td><strong>Hotel/Motel</strong></td>
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<tr>
<td></td>
<td>Living in what is NOT an emergency or transitional shelter and involves payment</td>
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<td></td>
<td><strong>Other Temporary Living Situation</strong></td>
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<tr>
<td></td>
<td>Trailer park, campground, car, park, public places, abandoned building, street, or any other inadequate living space</td>
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<tr>
<td></td>
<td><strong>Permanent Housing</strong></td>
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<tr>
<td></td>
<td>Student who is living in a fixed, regular, and adequate housing situation</td>
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</table>

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

<table>
<thead>
<tr>
<th>Unaccompanied Youth</th>
<th>Enter “Y” if applicable</th>
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<tbody>
<tr>
<td>Youth who is not in the physical custody of a parent or guardian</td>
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</tbody>
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Parent/Guardian (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”.

Revised 12/2016
# MCKINNEY-VENTO HOMELESS ASSISTANCE ACT

Students in Temporary Housing – Guide for Parents & Youth

<table>
<thead>
<tr>
<th>TOPIC</th>
<th>IMPORTANT INFORMATION</th>
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</table>
| 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, or abandoned in a hospital.  
• 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, provided there are available seats.  
• 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) Regional Manager who serves as the STH liaison and manages programs and services designed to help children who are homeless pursue their education. The STH Regional Manager supervises a team of Family Assistants. Contact information for the Regional Managers can be found here.  
• Each school has an STH School-Based Liaison who works directly at the school to support STH.  
• Some schools have a STH Community Coordinator who supports STH.  
• 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 with school enrollment, obtaining immunizations, school records, and arranging transportation to and from school.  
School staff should not hesitate to contact their School-Based Liaison or Community Coordinator, or their Regional Manager, for individual questions, to arrange training, or to assist unaccompanied youth.  |
| School Selection: | • Schools must allow parents to choose the child’s school when their child is homeless.  
The parent 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, provided the child meets eligibility requirements and seats are available.  |
| School Enrollment: (Applies only if your child is not currently enrolled or you want to change school) | • Elementary & Middle School – if you have a zoned school, you can enroll directly at the school anytime during the school year. If you do not have a zoned school or if you would like to explore other school options for your child, visit a Family Welcome Center.  
• High School – all high school students must register at the Family Welcome Center.  
• 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 Regional Manager for assistance.  |
| Enrollment Disputes: | • If a dispute arises over the assigned school, the student should remain in the school of origin or transfer to the newly-assigned school, your child must be provisionally registered at the school and in which they are seeking enrollment, pending resolution of the dispute.  
The parent 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, onsite STH School-Based Liaison, or STH Regional Manager 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 are eligible for public transportation assistance (MetroCard) to accompany the child.  
• Students in grades 7-12 are eligible for a student MetroCard.  |

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

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THIRD PARTY STATEMENT OF RESIDENCY

Section A: STUDENT INFORMATION – Please print clearly in ink

<table>
<thead>
<tr>
<th>STUDENT’S LAST NAME</th>
<th>STUDENT’S FIRST NAME</th>
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<table>
<thead>
<tr>
<th>DATE OF BIRTH (MM/DD/YY)</th>
<th>OSIS#/STUDENT’S ID # (if available)</th>
<th>TELEPHONE #</th>
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<table>
<thead>
<tr>
<th>STUDENT’S CURRENT ADDRESS (House #, Street, Apt. #, City, State and Zip Code)</th>
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Section B: PARENT INFORMATION – Please print clearly in ink

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<th>PARENT’S LAST NAME</th>
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<thead>
<tr>
<th>PARENT’S CURRENT ADDRESS (House #, Street, Apt. #, City, State and Zip Code)</th>
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<tr>
<th>HOME PHONE</th>
<th>WORK PHONE</th>
<th>CELL PHONE</th>
<th>EMAIL ADDRESS</th>
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Section C: THIRD PARTY INFORMATION – Please print clearly in ink

<table>
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<th>LAST NAME</th>
<th>FIRST NAME</th>
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<th>ADDRESS (House #, Street, Apt. #, City, State and Zip Code)</th>
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<tr>
<th>CONTACT NUMBER</th>
<th>EMAIL ADDRESS</th>
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<tr>
<th>RELATIONSHIP TO PARENT/FAMILY</th>
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<tr>
<th>WHAT IS THE BASIS FOR YOUR FIRST HAND KNOWLEDGE OF THE ABOVE NAMED PARENT AND STUDENT'S HOME ADDRESS?</th>
</tr>
</thead>
</table>
To be completed by the Third Party:

I, ________________________, have firsthand knowledge that

________________________________________________________

and

(Insert parent name) (Insert child(ren) 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 DOE 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:

I hereby affirm that I reside at the address stated above. I also understand that the DOE has the right to conduct an Attendance Investigation to verify the residence of the parties named in this affidavit, including a visit to the 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 DOE has the right to transfer students for whom falsified documentation was provided at the time of registration.

Parent Signature: ___________________________________________ Date: _____________________