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State Board of Education Advances School Residency Rules

The State Board of Education today approved at pre-adoption level changes in state regulations that clarify how to determine residency for public school students. The revised regulations are intended to strike a balance between the right of students to a free public education and the need of local school districts to ensure that persons attending school within their jurisdictions are entitled to do so.

The regulations, approved at third discussion level, will now move to a proposal level. The public process of reviewing the regulations will likely conclude in November 2001, when the state board will consider them at adoption level.

"These much-needed rules will go a long way to clear up the confusion and many disputes that arise each year between school boards and families," said Commissioner of Education Vito A. Gagliardi. "When we put these regulations into effect, districts and parents will have a better understanding of their roles and responsibilities. Students are bound to benefit from rules that minimize disruption, and school boards and families will be spared the expense and bad feelings that result from litigation."

The proposed rules address six basic areas:

- Standards for determining eligibility
- Acceptable proofs of eligibility
- Procedures for initial assessment when students apply for enrollment; and for prompt enrollment or notice of denial of admission
- Written notices of ineligibility
- Procedures for removal of enrolled students
- Assessment and calculation of tuition

In addition to the proposed regulations, the Commissioner will assist school districts and enrollment applicants in understanding their rights and responsibilities through distribution of model registration forms, sample notices of ineligibility and instructions for filing appeals with the Commissioner.

The proposed rules will be heard on first proposal level in July. The rules will be subject to public review and discussion before they are considered at adoption level.