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State Board of Education Revises Residency Rules

The State Board of Education today adopted changes in state regulations that clarify how to determine residency for public school students. The revised regulations are designed to strike a balance between the right of students to a free public education and the need of local school district to ensure that students attending school within their jurisdictions are entitled to do so.

"These much-needed rules respond to a well-documented need to clear up an area that has frequently been the subject of disputes between school boards and families," said Commissioner of Education Vito A. Gagliardi, Sr. "The new rules will give school districts and parents a better understanding of their roles and responsibilities. Ultimately, it is the students who will benefit from less disruption. In addition, 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 notices of enrollment or denial of admission
- Written notices of ineligibility
- Procedures for removal of enrolled students
- Assessment and calculation of tuition

In addition to the new regulations, the Department of Education will help districts and enrollment applicants understand their rights and responsibilities through distribution of model registration forms, sample notices of ineligibility and instructions for filing appeals with the Commissioner.