



District of Columbia  
Office of the State Superintendent of Education

# Office of Enrollment and Residency Handbook

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# 1. OVERVIEW

## 1.1. About this document

### Purpose

As the District of Columbia’s state education agency, the Office of the State Superintendent of Education (OSSE) works to ensure that all District students and families have equitable access to education options. This requires a robust system of compliance and enforcement to ensure that public schools in the District, including DC Public Schools (DCPS) and public charter schools, are available, first and foremost, to bona fide residents of the District. Verifying residency is an important requirement to protect District taxpayers and resources. To achieve this goal, OSSE engages in review of residency documentation during the annual enrollment audit of all public schools, both DCPS and public charter schools, as well as publicly funded pre-kindergarten programs in community-based organizations.

Student residency verifications and investigations are conducted in accordance with the following laws and regulations:

- District of Columbia Nonresident Tuition Act, effective Sept. 8, 1960 (74 Stat. 854; D.C. Official Code § 38-301 *et seq.*); and
- Chapter 50 in Title 5-A of the District of Columbia Municipal Regulations (5A DCMR § 5000 *et seq.*).

Residency verification in the District begins at the school. It is the responsibility of each school and local education agency (LEA) to collect accurate documentation to verify residency of students at the time of enrollment. The purpose of this handbook is to provide primarily LEAs and schools, but also families, with additional guidance during the residency verification process and address many questions that arise during the residency investigation process. It also includes an overview of all functions within the OSSE Office of Enrollment and Residency (OER). However, this handbook is not legal advice and should not be used as a substitute for legal advice by an attorney. Please contact OER for specific guidance if the issue you are attempting to address is not explicitly discussed in this handbook.

### Document history and updates

This document was originally published in March 2020, and is updated every year as needed, but specific sections may be updated throughout the year via electronic “OER Policy Bulletins” which are provided directly to LEAs and published on OSSE’s [website](#).

## 1.2. Office of Enrollment and Residency (OER) Overview

OER carries out a broad set of responsibilities, including establishing the guidance on residency verification for LEAs, conducting an annual enrollment audit, and enforcing residency regulations through tip intake and investigations. OER is also responsible for issuing and managing tuition agreements and collecting payments for eligible non-resident students and for enforcing the District’s exclusion policy for students deemed ineligible to attend public schools tuition-free.

### Program Components

OER is mainly comprised of four program components:

*(a)* Residency Verification

This includes providing guidance and training to local education agencies (LEAs) and schools on issues pertaining to establishing and verifying residency for the purposes of attending public schools in the District of Columbia tuition-free; developing and disseminating the District of Columbia's official residency verification forms; and monitoring LEAs/schools compliance with all applicable residency verification laws and rules.

*(b)* Enrollment Audit

Each year, OER plans, conducts and provides to the DC Council a written report on the District of Columbia's annual enrollment audit. The enrollment audit takes place each year between October and December, and school year-specific handbooks are disseminated to OSSE's external partners on an annual basis each summer and are available on the [OSSE website](#), under Data and Reports.

*(c)* Residency Investigations

OER investigates issues of non-residency and makes findings. Investigators primarily receive cases through OSSE's phone hotline or website, uncovered during the enrollment audit fieldwork examinations, or communicated from the Office of the Attorney General. Non-residents found to be attending a public school in DC without a tuition agreement in place may be excluded from school, may owe tuition based on the educational services received as a non-resident, and can be referred to other DC agencies for further investigation.

*(d)* Non-Resident Tuition Agreements & Collections

OER is responsible for executing and managing tuition agreements for non-resident adults, or parents/guardians or caregivers of minor, non-resident students choosing to attend a public school in DC. This unit also manages the receipt of tuition payments as a result of executed agreements or judgments from non-residency investigation cases. All funds collected through tuition or payment agreements are deposited into the Student Residency Verification Fund, per DC Official Code § 38-312.02, to support OSSE's residency verification and investigation efforts. Schools that enroll non-resident students are not provided the tuition or Uniform Per Student Funding Formula (UPSFF) funds for that non-resident student.

## 2. RESIDENCY VERIFICATION

The LEA is ultimately responsible for verifying the residency of the enrolling students. OSSE's role is to promulgate regulations and official forms required to be used in residency verification by LEAs and provide guidance and support to schools and LEAs in conducting the verification. The residency of each student enrolled in a District public school must be verified by the current LEA of enrollment, not earlier than the date results of the District's Common Lottery system are released and not later than Oct. 5<sup>1</sup>, or 10 days of initial enrollment, whichever is later, for the school year that begins on or after July 1 of each year. This section provides schools with guidance on verification requirements.

District regulations (5A DCMR § 5001.5) provide a definition of residency for the purposes of school enrollment that requires the following:

- (a) the person enrolling the student is the adult student, parent, legal guardian, custodian or otherwise legally proven Other Primary Caregiver;
- (b) the person has established a physical presence in the District of Columbia; and
- (c) the person has submitted valid and proper documentation in accordance with further subsections of the residency rules. See [Valid Supporting Residency Documentation](#) for more information about proving District residency.

All three of these conditions must be met to be considered a resident of the District of Columbia for the purposes of attending a DC Public School or public charter school tuition-free. For students under the age of 18 and not emancipated, the presumed residence is of the parent, guardian, custodian, or Other Primary Caregiver.

The following section details policies around residency requirements including eligibility, documentation, changes in residency status, records retention, and monitoring. If you have questions about these policies, please email [osse.residency@dc.gov](mailto:osse.residency@dc.gov).

### 2.1. Authority to Enroll a Student

Only DC residents are eligible to enroll and receive a tuition-free education in the District of Columbia. Enrollment of the student in a District public school must be conducted by an individual that has the authority to enroll the student and can prove DC residency. The individual authorized to enroll the student is required to complete the residency verification process. Individuals who have the authority to enroll the student are described below.

#### (a) Parent

A parent is defined as a natural parent, stepparent, domestic partner, or parent by adoption who has custody or control of a student, including joint custody. A bona fide District resident parent is eligible to enroll a student, subject to the following circumstances described below. If birth parents are separated, formally or informally:

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<sup>1</sup> This date is subject to change in years where it falls on a weekend or government holiday.

*(a) Parents do not maintain same residence; no formal custodial agreement*

In the event the student's parents do not maintain the same residency and do not have a formal custodial agreement entered in to by a court of competent jurisdiction, the student shall be considered a resident, if one of the parents has established bona fide residency in the District.

*(b) Parents do not maintain same residence with formal custodial agreement*

In the event the student's parents do not maintain the same residency but do have a formal custodial agreement entered in to by a court of competent jurisdiction awarding physical custody and legal custody to one or both parents, the student shall be considered a resident, if:

- *Joint physical<sup>2</sup> and legal<sup>3</sup> custody*  
The student's parents share joint physical custody and joint legal custody of the student and at least one parent has established bona fide residency in the District;
- *Joint physical custody – one parent has sole legal custody*  
The student's parents share joint physical custody even if only one parent is awarded sole legal custody and the parent awarded sole legal custody has not established bona fide residency in the District, but the parent not awarded legal custody has established bona fide residency in the District;
- *Sole physical and legal custody*  
The parent awarded sole physical custody and sole legal custody has established bona fide residency in the District; or
- *Joint legal custody – one parent has sole physical custody*  
The student's parents share joint legal custody even if only one parent is awarded sole physical custody and the parent awarded sole physical custody has not established bona fide residency in the District, but the parent not awarded physical custody has established bona fide residency in the District.

*(c) Stepparent*

For the purposes of residency, students *under the custody or control of a stepparent* can use the residency of the stepparent for the purposes of enrolling in a District public school. The stepparent must submit valid documentation of residency and best practice for the LEA should be to verify custody and control of the student.

*(d) Incarcerated Parent*

A student is still eligible to enroll as a DC resident so long as one parent, even though incarcerated, is a DC resident. This is regardless of the location of the facility where the parent is incarcerated, so long as the parent still has custody in one of the four forms described above. If an LEA has a student in this situation, please contact OSSE for additional guidance by emailing [osse.residency@dc.gov](mailto:osse.residency@dc.gov).

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<sup>2</sup> Physical custody -- A determination by a court of competent jurisdiction of a child's living arrangements including where the child resides and any visitation schedule.

<sup>3</sup> Legal custody -- A determination by a court of competent jurisdiction that a parent has legal responsibility for a child, which includes the right to make decisions regarding a child's health, education, and general welfare.

*(e) Domestic Partner*

For the purposes of residency, students under the custody or control of a domestic partner can use the residency of the domestic partner for the purposes of enrolling in a District public school, if the domestic partnership is registered with the District. The domestic partner must submit valid documentation of residency.

**(b) Guardian**

This is a person who has been *appointed legal guardian* of a student by a court of competent jurisdiction. A guardian who is a bona fide District resident is eligible to enroll a student.

**(c) Custodian**

This is a person *to whom physical custody has been granted* by a court of competent jurisdiction. A custodian who is a bona fide District resident is eligible to enroll a student.

**(d) Adult Student**

In the case of adult students, the student may enroll themselves if they are a bona fide District resident. If an adult student is residing with a parent, the adult student may establish residency using the parent's address, and verify residence with the sworn statement and valid supporting residency documentation. Spouses are not eligible to enroll an adult student.

If a student is under 18 at the time of enrollment but turns 18 during the school year, they remain a District resident per the bona fide District resident eligible to enroll the student. If the student turns 18 prior to enrollment or re-enrollment, the LEA shall treat the student as an adult student for all enrollment and residency requirements.

**(e) Minor Student who is emancipated**

In the case of minor students, a parent, guardian, custodian, or Other Primary Caregiver must enroll the student, unless emancipated from parental control by marriage, operation of statute, or the order of a court of competent jurisdiction.

**(f) Other Primary Caregiver**

In the event the enrolling minor student is under the care of someone other than the student's parent, court appointed custodian or guardian, an Other Primary Caregiver (OPC) who is a bona fide resident may have authority to enroll the student.

In order for an OPC to enroll a student, ALL of the following must be met:

- 1) Documentation, described below, must be submitted to prove OPC status;
- 2) The enrolling student must reside with the OPC;
- 3) The OPC must verify DC residency;
- 4) The OPC provides **care or control** of the student;
- 5) The OPC provides **substantial support** for the student; AND
- 6) The student's parents, guardians or custodian either:
  - Abandoned the child; OR
  - Are unable to provide **care and control** and substantial **support** due to adverse consequence such as serious family hardship.

## **OPC terms defined**

### *Care or control*

A parent, custodian, guardian, other primary caregiver, or person with whom a child is residing is exercising primary responsibility to provide the child with guidance, maintenance, and physical care as follows:

### *Guidance*

The OPC participates in the responsibility of the student's development daily. This can include the following:

- Attending school conferences;
- Disciplining the student;
- Participating in decisions concerning the student's well-being; and
- Involvement in the student's extracurricular activities.

### *Maintenance*

The OPC provides food, clothing, and shelter for the student.

### *Physical care*

The OPC provides continuous care for the student by performing tasks required in the student's daily life. These can include the following:

- Bathing;
- Feeding;
- Dressing;
- Assuring medical attention will be received by the student;
- Preparing meals;
- Supervising the student's activities; and
- Assisting with other physical needs.

### *Serious Family Hardship*

Serious family hardship is defined as death, incarceration, serious illness, abuse or neglect by parent, active military assignment, drug addiction or loss of habitability of a parent, guardian, or custodian.

### *Support*

The OPC exercises primary responsibility to provide the student with financial resources for the student's livelihood.

### *Documentation Required*

As part of meeting all the requirements described above, the OPC must also provide the following to the enrolling school:

- Signed Other Primary Caregiver form, with valid documentation of OPC status, such as the following:
  - Previous school records indicating that the student is in the care of the caregiver; OR
  - Immunization or medical records indicating that the student is in the care of the caregiver; OR
  - Proof that the caregiver receives public or medical benefits on behalf of the student; OR

- A signed statement, sworn under penalty of perjury, that he or she is the primary caregiver for the student. See [Sworn Statement](#) for more information; OR
- An attestation from a legal, medical or social service professional attesting to the caregiver’s status relevant to the student.

If the enrolling person does not provide guidance, maintenance, physical care, and support for the student, and they cannot provide documentation of OPC status, then they do not qualify as an OPC and are not eligible to enroll the student.

#### *Power of Attorney*

Power of attorney alone is not sufficient evidence that the person attempting to enroll the student is eligible to enroll the student. The individual who is referenced in the power of attorney document must be able to complete the requirements of an OPC and submit documentation that supports OPC status, as well.

#### *Exceptions*

In very limited exceptional circumstances, OSSE may determine that a child is a resident *upon the written request of an LEA or person seeking to enroll a student*, if OSSE finds:

- (1) That the care or control and the substantial support are supplied by the person or persons with whom a child is residing, and the parent, guardian or custodian of such child is unable to supply such care or control and substantial support; or
- (2) That such child is self-supporting.

*Please contact OSSE for additional guidance by emailing [osse.residency@dc.gov](mailto:osse.residency@dc.gov).*

#### **(g) Non-resident Student**

An LEA may enroll a non-resident student after a determination is made by the LEA that space is available at the school because no qualified District resident is seeking admittance during the same period of time for the same grade at the relevant school location. Enrollment is contingent on the completion of a tuition agreement, initial tuition payment, and timely subsequent payments. Non-resident students must be identified in the school Student Information System and do not complete the DC Residency Verification form (DCRV). For more information about requirements for enrolling a non-resident student, see [Enrollment of Non-resident Students](#).

## **2.2. Timeline for Proving Residency**

The residency of each student enrolled in a District public school shall be verified by the current LEA of enrollment, not earlier than the date results of the District’s Common Lottery system are released and not later than Oct 5., or 10 calendar days of initial enrollment, whichever is later, for the school year that begins on or after July 1 of each year. An LEA may require students to submit residency verification prior to OSSE’s Oct. 5 deadline, but not later than OSSE’s Oct. 5 deadline, unless the student has enrolled in the school after Oct. 5, in which case the student shall submit residency verification within 10 days of initial enrollment.

### (a) Student Asset Transfer and Proving Residency

In the event an LEA acquires new students through an asset transfer or acquisition of an LEA, the students transferring must be treated as newly enrolling students. The acquiring LEA shall collect new residency verification forms and shall not use, for the purposes of residency verification, residency verification forms and supporting documents collected by the forfeiting LEA. The acquiring LEA must still comply with all document retention requirements.

## 2.3. Residency Verification Forms

The DC Residency Verification (DCRV) form and additional required forms are provided by OSSE in March for the following school year. The form is updated each year, with the most recent version available on the [OER LEA website](#). The forms are downloadable in PDF format in seven languages. All District residents enrolling in a District public school must complete the DCRV form. The completed form is a requirement for completing residency verification, along with the supporting documents below. The DCRV must be completed:

- Each time the student enrolls at a LEA; and
- When the enrolling person has a change of residence, even if they relocate within the District.

In addition to the DCRV, certain student situations may require additional forms to be completed. The full list of forms and uses are below.

### (a) District of Columbia Residency Verification form (DCRV)

This form is required for all DC resident students and is used to verify that the enrolling person is in fact a bona fide District resident and eligible to enroll in a public school or public charter school in DC. This form is required for newly enrolling students, re-enrolling students, and students who relocate within the District during the school year. In cases where the enrolling person has a change of residence within the District, they must notify the school/LEA within three business days of such change. School officials enrolling their own student should not sign the DCRV as the school official but have an alternative school official complete the form on behalf of the school.

### (b) Additional Required Forms:

#### *(1) Other Primary Caregiver form*

This form is used when the enrolling student is under the care of an Other Primary Caregiver. School officials collect this form if the enrolling person is not the parent, legal guardian, or court appointed custodian of the student. See [Other Primary Caregiver](#) in this document for a complete definition of the role and required supporting documents that must accompany this form.

#### *(2) Attestation of Other Primary Caregiver form*

This form is to be completed by a legal, medical, or social service professional attesting to the status of a person as an Other Primary Caregiver to a minor student. This form is a supporting document for proving OPC status.

#### *(3) Sworn Statement form*

This form is completed by the person enrolling the student, or by the parent of an adult student or minor parent, in cases when a sworn statement is needed to complete residency verification.

For example, use this form in cases where a minor parent is enrolling their student but currently living at home and not able to provide valid documentation to prove DC residency. This form can also be used as a supporting document for proving OPC status. Example form completion scenarios:

Scenario	DCRV completed by	Sworn Statement completed by	Supporting residency document submitted in the name of:
<b>Minor parent enrolling minor student, residing with adult parent</b>	Minor parent	Adult parent	Adult parent
<b>Adult student residing with adult parent</b>	Adult student	Adult parent	Adult parent
<b>Other Primary Caregiver (OPC)</b>	OPC	OPC	OPC

*(4) Home Visitation form*

This form is used both to provide consent and record a home visitation. The person receiving the home visit must consent to the home visit and the school official must complete this form at the conclusion of the visit.

**(c) Completion and collection of residency verification forms**

The following outlines requirements for the distribution and collection of the DCRV and additional required forms between the enrolling person and LEA staff.

*Format of the DCRV and additional required forms*

Traditionally, the DCRV and additional required forms have been printed by the LEA and the enrolling person is provided a physical copy to complete and submit in person. This practice remains acceptable for collecting the DCRV and additional required forms.

An LEA may convert the DCRV and additional required forms into an electronic format – fillable PDF, online school enrollment system – but the DCRV and additional required forms shall meet the following requirements:

- (1) The content and substance of the residency verification forms shall not be altered, redacted, or expanded on in any way;
- (2) Completed residency verification forms shall be exportable in the same format as provided by OSSE;
- (3) Completed residency verification forms shall easily available to comply with the five-day requirement to submit the forms for investigation purposes;
- (4) Completed residency verification forms shall be printed and signed in person, or be in compliance with OSSE’s electronic signature guidance;
- (5) Completed residency verification forms shall be provided in the required format for OSSE’s annual enrollment audit; and
- (6) Completed electronic residency verification forms shall be maintained in accordance with all records retention policies.

Minor alterations to the forms, such as the addition of quadrant or apartment number box, may be acceptable. LEAs shall first seek approval by OER staff before implementing any alterations. Email [osse.enrollmentaudit@dc.gov](mailto:osse.enrollmentaudit@dc.gov) if you have any questions.

### *Signing the Residency Verification Forms*

When completing the DCRV or the additional required forms, a physical signature, or “wet ink” signature, is acceptable for both the enrolling person and the school official. If the document is completed using a physical signature by the enrolling person, the document shall be completed in ink, submitted in person to the LEA, and shall not be submitted electronically, including through email, school enrollment systems, or other electronic means.

Pursuant to DC Code § 28–4906, a record or signature may not be denied legal effect or enforceability solely because it is in electronic form. To support this requirement, the following section outlines OSSE’s requirements for the collection of residency documents with electronic signatures.

### *Electronic signature guidance*

A signature in electronic form is a digital signature. Accordingly, completion of the DCRV and the additional required forms through e-signatures, shall incorporate a *digital* signature. A digital signature, in conjunction with a digital certificate, uses a private key to sign and encrypt the document and a public key to de-encrypt and authenticate the signature. A digital signature offers the highest level of authenticity, security, and integrity and requires specialized technology to implement. These technologies protect the verifier (LEA/OSSE) against an individual (enrolling person) or entity (LEA) being able to deny having performed a particular action related to an electronic signature. Essential, required elements include:

- (1) Evidence of the origin of the signature;
- (2) Evidence of the record being sent;
- (3) Evidence of receipt;
- (4) A timestamp; and
- (5) Long-term storage of evidence.

It is the LEA’s responsibility to ensure all required elements are met when utilizing electronic signature. It is also the responsibility to ensure the electronic signatures are legible and placed appropriately on signature lines in the DCRV and additional required forms.

*Common* electronic signatures are **not** considered a signature in electronic form and therefore are not sufficient for completing residency verification forms and shall not be accepted by the LEA. Common electronic signatures do not employ a specific technology to increase security, authenticity, or evidentiary value of a signature. Common signatures may include:

- (1) digitized image of a handwritten signature;
- (2) a password or personal identification number;
- (3) a mark or symbol indicating an intent to sign; or
- (4) a symbol (typically “/s/”) affixed to a digital document that demonstrates that the paper copy sent to the addressee was signed with a conventional “wet ink” signature.

### *Updates to the DCRV or the additional required forms*

In the event the DCRV or the additional required forms are filled out incorrectly by the enrolling person, the required edit to correct the residency verification form may require the enrolling person to complete a new form rather than correct an already completed form. The LEA shall not change the content of the DCRV or the additional required forms that are completed and attested to by the enrolling person.

## 2.4. Valid Supporting Residency Documentation

In addition to completing the DCRV form, DC residents must have supporting documentation of residency. Residency verification is conducted by the school/LEA, annually, and can be completed in a few different ways. In all cases, the enrolling person must be the one with valid supporting documentation. Only select documents are acceptable and some will need to be submitted with additional documents. Pursuant to 5A DCMR § 5002.5, even if documentation is completed using the following guidance below, if a school/LEA reasonably concludes that additional information is needed to verify the student's residency, further documentation can be requested from the enrolling person.

The following outlines the regulations regarding valid supporting residency documentation and OSSE's detailed policy guidance to support interpretation. If the documentation provided by the person enrolling the student does not meet the standards set forth below, ask the person to provide other acceptable documentation.

*ONE of the following items is accepted to establish District residency:*

### (a) Pay stub

**Regulatory Requirement:** Must be issued fewer than 45 days prior to consideration of residency in the name of the person seeking to enroll the student that shows his or her District residency and evidence of the withholding of District income tax.

**Additional Interpretative Guidance:** The 45-day window must be immediately preceding the school official's review of residency documentation and date of school official signature on the DCRV. The document must contain the name of the enrolling person, show their current DC home address, and match the information as identified on the DCRV. It must also show a withholding amount greater than zero of DC personal income tax for both the current tax year and the current pay period. The paystub must identify DC as the only state tax deduction. No other state can be identified on the pay stub. If the name and address are on a separated, perforated portion of the paystub, the paystub is still acceptable so long as the details regarding the person enrolling the student match the name and address on the DCRV and the name and address of the employer are clearly provided. The contents of the document may be redacted, but the name, address, pay period, and state income tax withheld for both the current tax year and current pay period must all be visible. Annuity payments and retirement benefit checks are acceptable if they meet all other requirements outlined above.

## **(b) Documentation of financial assistance from the DC Government**

**Regulatory Requirement:** Current official documentation of financial assistance received by the student or person seeking to enroll the student from the DC Government including, but not limited to, Temporary Assistance for Needy Families (TANF), Medicaid, the State Child Health Insurance Program (SCHIP), Supplemental Security Income (SSI), housing assistance, or other governmental programs.

**Additional Interpretative Guidance:** The document must be issued to the enrolling person within the past 12 months and be current (not expired) at the time of the school official's review of residency documentation and date of school official signature on the DCRV. The document must have the same name and address of the enrolling person as identified on the DCRV. Documentation can also include a snapshot received from the enrolling person or the payment of benefits. While some documents may not include a signature of the official, the agency's title or letterhead should be present on the document. Some documents are considered recertification letters, and these should not be considered if the period for recertification has passed. For example, if the family is enrolling for the 2020-21 school year, a letter recertifying for 2019 would not be valid. For confirmation that the program is a financial assistance program through the DC Government, contact OSSE at [osse.enrollmentaudit@dc.gov](mailto:osse.enrollmentaudit@dc.gov).

Federal financial assistance programs, except SSI, do not qualify as valid supporting documentation unless facilitated by a DC Government agency such as the Department of Human Services (DHS) or DC Housing Authority (DCHA). The following are programs that currently qualify as of the publication of this handbook:

- Temporary Assistance for Needy Families (TANF)
- Supplemental Security Income (SSI)
- Housing assistance programs if facilitated by the DC Housing Authority
- State Child Health Insurance Program (SCHIP)
- Medicaid
- Supplemental Nutrition Assistance Program (SNAP)
- DC energy assistance programs

District of Columbia Housing Authority (DCHA) benefit documents are acceptable, even when showing \$0 as some recipients can receive a fully subsidized benefit. DCHA checks are also acceptable.

Approvals to participate in a program do not count as valid documentation. However, a recertification of benefits document is acceptable, so long as it includes the items listed above.

### *(1) Unemployment Insurance Benefits*

OSSE has identified Unemployment Insurance (UI) benefits distributed by the DC government as a valid supporting residency document for persons enrolling in a DC public school or public charter school. Because UI benefits are based on the location of employment and not where the recipient physically resides, use of UI benefits for residency verification must meet the following requirements to demonstrate DC residency:

- The enrolling person must submit a Monetary Determination Letter issued by the District of Columbia Department of Employment Services;

- The Monetary Determination Letter must have the name and address of the enrolling person as listed on the District of Columbia Residency Verification Form (DCRV);
- The enrolling person must submit a paystub dated within 60 days preceding the Mail Date on the Monetary Determination Letter;
- The Monetary Determination Letter must list the enrolling person as eligible for benefits;
- The benefit receipt must be current at the time of review;
- The paystub must contain the same name and address of the enrolling person as listed on the DCRV;
- The paystub must show a withholding amount greater than zero of DC personal income tax for both the current tax year and the current pay period; and
- The paystub must identify DC as the only state tax deduction – no other state identified on the paystub.

#### (c) Certified copy of Form D-40

**Regulatory Requirement:** Proof of payment of District personal income tax, in the name of the person seeking to enroll the student, for the tax period closest in time to the consideration of District residency.

**Additional Interpretative Guidance:** Certified by the DC Office of Tax and Revenue, with the name of the enrolling person as evidence of payment of DC taxes for the current or most recent tax year. The document should be a D-40 and bear the DC Office of Tax and Revenue stamp. The document does not have to identify taxes withheld but the enrolling person cannot identify themselves as a partial-year resident. The document must have the same name and address as provided on the DCRV. The contents of the document may be redacted but the name, address, residency status, state income tax paid, and DC taxable income must all be visible.

#### (d) Military housing orders

**Regulatory Requirement:** Current official military housing orders showing residency in the District of the person seeking to enroll the student.

**Additional Interpretative Guidance:** In addition to military housing orders, any official correspondence from a branch of the military that shows residency in the District which must be on military letterhead and include the name of the enrolling person, and their residency or home address in DC. Letters that only state that the person enrolling the student is stationed in DC or reference an intent but not the actual DC residence where the enrolling person will reside are not valid. Only active military personnel, not retired, are eligible to use this form of documentation. Defense Enrollment Eligibility Reporting System (DEERS) applications are not valid housing orders or official correspondence. The DC address provided in the documentation must be the same address identified on the DCRV. The document must be current (not expired) at the time of the school official's review of residency documentation and date of school official signature on the DCRV.

#### (e) Embassy letter

**Regulatory Requirement:** A dated statement, signed by an appropriate embassy official and including the official embassy seal, issued within the 12-month period before the date of the statement, stating the name of the person seeking to enroll the student and stating that the person (i) currently lives on embassy property in the District of Columbia' or (ii) will reside on that embassy property, and that the embassy will confirm this during the relevant school year.

**Additional Interpretative Guidance:** The document must bear the embassy seal, be signed by an embassy official, include name of the enrolling person, and the address of the enrolling person. The document must be issued within the past 12 months and be current (not expired) at the time of the school official’s review of residency documentation and date of school official signature on the DCRV. The document must indicate that the enrolling person currently reside, or will reside, on embassy property in the District of Columbia confirmed by the embassy during the relevant school year. Confirmation from the embassy can include payment of the DC property by the embassy. The address provided in the documentation must be the same address identified on the DCRV.

**(f) Ward of the state order**

**Regulatory Requirement:** A currently valid court order indicating that the student is a ward of the District.

**Additional Interpretative Guidance:** In addition to a valid court order, a formal correspondence from the DC Child and Family Services Agency (CFSA) is also accepted. The formal correspondence must state that the student is a ward of CFSA and includes the social worker name and contact information. The letter must be signed by the social worker or other authorized representative.

*TWO of the following items are accepted to establish District residency:*

**(g) Unexpired DC motor vehicle registration**

**Regulatory Requirement:** The registration is in the name of the person seeking to enroll the student with evidence of District residency.

**Additional Interpretative Guidance:** The registration must show the name of the enrolling person and their current DC home address as identified on the DCRV. The registration must be current (not expired) at the time of the school official’s review of residency documentation and date of school official signature on the DCRV. Out-of-District registration with a DC address is not allowed. Temporary DC motor vehicle registrations are accepted. However, LEAs must request the official DC motor vehicle registration be provided by the enrolling person within 30 days of expiration date. If that follow-up deadline is before the enrollment audit, the actual registration should be included in the student’s supporting documentation. A reciprocity permit is not a valid motor vehicle registration. A digital registration card is not valid.

**(h) Unexpired lease or rental agreement with proof of payment of rent**

**Regulatory Requirement:** A valid unexpired lease or rental agreement in the name of the person seeking to enroll the student, and paid receipts or canceled checks for a period within two months immediately preceding consideration of residency for payment of rent on a District residence in which the student actually resides.

**Additional Interpretative Guidance:** The lease must be in the name of the enrolling person showing their current DC home address as identified on the DCRV. The lease must contain the start date of the lease, the monthly rent amount, and the name of the property owner or leasing agency. The lease must be signed by the enrolling person, as well as the property owner. The student does not have to be listed on the lease. The lease must be current (not expired) at the time of the school official’s review of residency documentation and date of school official signature on the DCRV. If the

lease has expired but contains a current month to month clause in the lease or in addition to the lease, that is acceptable. Addendums to the lease are only valid when accompanied by the original lease. If the lease has expired, then a letter showing continuance of the lease is acceptable in addition to the lease. The letter must contain the following:

- Date, within two months immediately preceding consideration of residency;
- Enrolling person's name;
- Enrolling person's address (as identified on the DCRV);
- Confirmation that the enrolling person currently resides at the address;
- Name of property owner or leasing agency agent; and
- Signature of property owner or leasing agency agent.

The separate proof of payment can include a payment receipt printout (including electronic payments), money order receipt, or a copy of a cashed check. The proof of payment must have the enrolling person's name, date and must match the amount as stated on the lease.

For proof of payment amounts that do not match the amount stipulated on the lease, the LEA may accept a signed letter from the property owner or leasing agency, as identified on the lease, explaining the reason for a proof of payment not matching the listed monthly rental amount. The letter must contain the following:

- Date;
- Enrolling person's name;
- Enrolling person's address (as identified on the DCRV);
- Confirmation that the enrolling person resides at the address;
- Reason for the different proof of payment amount;
- Name of property owner or leasing agency agent; and
- Signature of property owner or leasing agency agent.

**(i) Unexpired DC motor vehicle operator's permit or official government issued non-driver identification**

**Regulatory Requirement:** A valid unexpired District motor vehicle operator's permit or other official non-driver identification in the name of the person seeking to enroll the student.

**Additional Interpretative Guidance:** The license/ID must be in the name of the enrolling person showing their current DC home address as identified on the DCRV. The license/ID must be current (not expired) at the time of the school official's review of residency documentation and date of school official signature on the DCRV. Temporary DC license or IDs are accepted. However, LEAs must request the official license/ID be provided by the enrolling person within 30 days of the issue date. If that follow-up deadline is before the enrollment audit, the actual license or ID should be included in the student's supporting documentation. If the school is cautious about accepting this form of documentation, the school can verify the temporary license and official license on the [DC DMV Driver License Verification website](#). DC One Card and DC Government Employee badges are not acceptable.

**(j) Utility bill with proof of payment**

**Regulatory Requirement:** Must include paid receipts or cancelled checks from a period within the two months immediately preceding consideration of residency in the name of the person seeking to enroll the student that show a District residence address.

**Additional Interpretative Guidance:** Only gas, electric and water bills are acceptable. A telephone, cable, internet, mobile phone, or credit card bill are not a valid utility bill. Separate proof of payment of a bill is required from a period within the two months immediately preceding the school official's review of residency documentation and date of school official signature on the DCRV. The documentation must list the name of the enrolling person and their current DC home address as identified on the DCRV. A separate proof of payment is required and can include, but is not limited to, receipt of payment printout (including electronic payments), money order, or cashed check. Amount credited on the bill is also acceptable. A government agency letter subsidizing payment for utility is acceptable proof of payment.

If the enrolling person cannot provide a separate receipt showing proof of payment or there is an applied credit on the bill, a consecutive utility bill can be used as proof of payment. The consecutive utility bill acts as a receipt to the first utility bill provided.

If the enrolling person submits two utility bills, even of different types, this does not satisfy the two-document requirement for supporting residency documents. Another non-utility bill document must be submitted in order to establish residency.

### *Additional methods for verifying DC residency*

#### **(k) Verifying residency through OSSE**

LEAs can use OSSE tools for verification of residency for certain students. Student residency confirmed through this process are referred to as OSSE Residency Verified or OSSE RV. OSSE RV status is viewed in the [OSSE Subsidy Residency Qlik application](#) and can be used in lieu of supporting documentation. Confirmation as OSSE RV does not remove the requirement to complete a DCRV and additional residency forms.

While many students may qualify for OSSE RV, new students to the LEA may not be visible to the LEA in the [OSSE Subsidy Residency Qlik application](#) because OSSE is unable to connect new students to an LEA if they are not yet [Stage 4](#) enrolled. If a student is not confirmed as OSSE RV in the [OSSE Subsidy Residency Qlik application](#), the enrolling person must use a different method for residency verification.

#### *(1) OTR Residency Verification – requires parent log in and consent*

OSSE has partnered with the Office of Tax and Revenue (OTR) to assist with verifying residency as part of the annual enrollment process for public and public charter schools in DC. Persons enrolling a student should be directed to the following website to complete the Online Residency Validation Form:

[www.ossedctax.com](http://www.ossedctax.com)

Each of the following criteria must be met to use OSSE's Online Residency Validation Application:

- Enrolling person is a resident of the District of Columbia;
- Enrolling person's most recent District of Columbia Individual Income Tax Form (D-40) was completed and accepted by OTR at least 21 days prior to using the system;

- Enrolling person DID NOT submit an Extension of Time to File Income Tax Return (FR-127) to OTR for the most recent tax year;
- Student is listed on Schedule S of the enrolling person’s D-40 tax form; and
- Student is returning to the same school or LEA from the previous school year.

The OTR Residency Verification process will work for newly opening schools so long as the student was attending the LEA the previous school year

*(2) OSSE Data Sharing Residency Verification – does not require any parent action*

Some DC residents may have already established District residency with another DC Government Agency. Through interagency data-sharing agreements, OSSE is able to confirm District residency through these other DC Government agencies, removing the burden from LEAs to collect valid supporting residency documents. OSSE is not able to update or change data used for OSSE RV and is limited to what is supplied by the partner DC Government Agencies. Most persons enrolled in the SNAP, TANF, or Medicaid programs are included in OSSE RV through an intra-agency data agreement between OSSE and the DC Department of Human Services. Wards of the District of Columbia and students experiencing homelessness should be included through an intra-agency data agreement between OSSE and CFSA or The Community Partnership; or through LEA reporting in applicable applications on students experiencing homelessness.

**(l) Home visit to verify residency**

There may be extenuating circumstances that prevent a parent, guardian, custodian, OPC or adult student from producing approved residency verification documents. In such cases, the school should conduct a home visit pursuant to DC Code § 38-309(d), complete a copy of the [Home Visitation Form](#) to demonstrate due diligence in verifying a student’s District residency. For parent, guardian, and custodian, it is not a requirement that the student also reside at the DC residence, just that the enrolling person has the legal authority to enroll. For OPC, the student must also reside at the DC address where the OPC resides.

Enrolling persons who reside in non-permanent housing including, but not limited to, a hotel or Airbnb rental, and are not experiencing homelessness, can consent to a home visit to satisfy the documentation requirement for residency verification. Additionally, the LEA shall verify the enrolling person’s “intent to dwell for a continuous period of time” through the request of additional documentation to understand the reason for non-permanent housing, pursuant to 5A DCMR § 5002.5. The LEA shall determine if the housing choice was done for the sole purpose of enrolling in a District public school.

**(m) Alternative verification procedures**

If a person seeking to enroll a student cannot establish residency by providing the necessary documentation or through a home visit, District of Columbia Public Schools and the District of Columbia Public Charter School Board may establish procedures for proving residency in exceptional cases. These procedures must be in compliance with DC Code §38-311(b) and all other applicable laws. Finally, these procedures must be submitted to OSSE no later than 30 calendar days before the first day of school for approval. This option is used in a limited and case-by-case basis.

#### (n) Collection format of supporting residency documentation

Supporting residency documents that require the enrolling person to submit a document to the LEA may be collected in person or through electronic submission.

Documents collected by the LEA through an electronic submission may contain personally identifiable information (PII). It is the LEAs responsibility to ensure the privacy and protection of student information in compliance with all applicable federal and local laws. In addition, electronic submissions shall meet the following requirements:

- The documents shall be legible;
- The documents shall be exportable;
- The documents shall be provided in the required format for OSSE's annual enrollment audit;
- The documents shall be maintained in accordance with all records retention policies;
- The documents shall easily available to comply with the five-day requirement to submit for investigation purposes; and
- The documents shall not be altered, redacted, or expanded on in any way.

### 2.5. Residency Documentation Special Circumstances

In most cases, residency documentation is straightforward and enrolling persons will be able to complete the DCRV and the submit supporting residency documentation as described above. However, unique student situations may require an alternative residency documentation process. In all cases, a DCRV must be completed.

#### (a) Student experiencing homelessness

Pursuant to the McKinney-Vento (MKV) Homeless Assistance Act, schools may not require verification documents establishing proof of residency for students experiencing homelessness as a condition of enrollment. However, each student should have a DCRV on file denoting the student's homeless status. Additionally, each LEA is required to have an LEA Homeless Liaison responsible for identifying and ensuring that these students receive services entitled to them. The LEA must report the homeless status in the appropriate applications. For additional information, see [OSSE Homeless Education Program](#) on the OSSE website.

DC residents experiencing homelessness and temporarily housed in another jurisdiction should complete the residency verification forms with their current address but identify as a DC resident.

DC residents that were experiencing homelessness but now have permanent housing are only eligible to remain enrolled for the remainder of the academic year in which they transition to permanent housing.

#### (b) Ward of the District of Columbia

Wards of the District of Columbia, including foster children, can be enrolled by a CFSA official or by their assigned resource parent. However, there are different requirements depending on whether the ward resides in or outside the District.

##### *(1) Ward of the District of Columbia residing in the District*

Wards of the District of Columbia can be enrolled by a CFSA official or by their assigned resource parent. The CFSA official or resource parent may establish bona fide District residency by:

- Submitting valid supporting residency documentation, that is the name of the ward’s parent(s), custodian, guardian or other primary caregiver; or
- Allow for a home visit to occur; or
- A court order or formal correspondence from CFSA stating that the child/student is a ward of the District. For more information, see ward of the state order.

*(2) Ward of the District of Columbia residing outside the District*

Wards of the District of Columbia residing outside the District shall be enrolled by a CFSA official. The CFSA official shall complete all residency verification forms and submit a court order or formal correspondence from CFSA stating that the child/student is a ward of the District. For more information, see ward of the state order. The resource parent may submit the completed documents to the enrolling school as the appointed representative.

*(3) Wards of the District of Columbia adopted out of state.*

A ward of the District of Columbia that is placed in the permanent care and custody of a parent, guardian, or custodian who resides outside the District of Columbia shall be considered a resident of the District of Columbia for the purpose of school enrollment and shall be exempt from the requirement to pay tuition for the period of time until the student completes the educational program offered at the school the student currently attends. LEAs must obtain documentation of the permanent placement and confirm enrollment at the school in the previous school year. The LEA shall notify OER when enrolling a former ward of the District of Columbia.

**(c) Adult student – special circumstances**

In rare cases, adult students are residents of the District of Columbia under special circumstances due to their current employment or unique circumstance and may lack valid supporting documentation. The following details these exceptions.

*(1) Residing in parent home*

If the adult student is residing in the District residence of the adult student’s parent(s), they complete the DCRV and have the parent submit the Sworn Statement along with the valid supporting residency documentation for residency verification.

*(2) Au pair*

Au pairs who are residing in DC as part of an international job program can qualify for a tuition-free education provided that they complete the DCRV and submit the following for residency verification:

- 1) Current, unexpired United States Department of State J-1 Visa; or Au Pair Agency Placement Letter with the address where they will reside; AND
- 2) Driver license, passport, or other form of legal identification.

*(3) Job Corps participant*

Job Corps participants who are stationed in DC as part of the program can qualify for a tuition-free education provided that they complete the DCRV and submit the following for residency verification:

- 1) Current, unexpired Job Corps enrollment letter identifying participation the residential program and address where they will reside; AND

- 2) Driver license, passport, or other form of legal identification.

*(4) Clergy member*

Clergy members attending seminary school in DC can qualify for a tuition-free education provided that they complete the DCRV and submit the following for residency verification:

- 1) Current, unexpired Seminary School Letter confirming the adult student's address and role in this category; AND
- 2) Driver license, passport, or other form of legal identification.

If the adult student is still unable to produce documents complying with the above alternatives, the school may conduct a home visit to determine residency.

*(5) Adult students receiving services from the Department on Disability Services (DDS)*

The Department on Disability Services (DDS) serves District residents with an intellectual disability, and these services may involve placement in an out-of-state facility. These persons continue to be considered residents of the District of Columbia, even when residing outside the District. Adult students receiving services from DDS may establish bona fide District residency by:

- Submitting valid supporting residency documentation that is in the name of the adult student; or
- Allowing for a home visit to occur if physically residing in the District; or
- The LEA submits a Consent to Obtain or Release Record Information form to a DDS service coordinator and the DDS service coordinator provides a residency verification letter.

*(d) Minor parent enrolling a student*

A minor parent seeking to enroll a student may establish bona fide District residency by:

- Submitting valid supporting residency documentation that is in the name of the minor parent
- Allowing for a home visit to occur; or
- Submitting a signed statement, sworn under penalty perjury, that an individual is the parent, custodian, guardian, or other primary caregiver of the minor parent and the minor parent resides with him or her; and submitting valid supporting residency documentation that is in the name of the minor parent's parent(s), custodian, guardian or other primary caregiver;

*(e) Self-supporting minor student*

A self-supporting minor is only eligible to enroll if they are emancipated. A self-supporting minor student may establish bona fide District residency by:

- Submitting valid supporting residency documentation that is the name of the self-supporting student; or
- Allowing for a home visit to occur; and
- A court order or official documentation providing that the minor student has been emancipated from parental control by marriage, operation of statute, or by an order of a court of competent jurisdiction.

#### (f) Embassy student

A student living on embassy property shall establish bona fide District residency by:

- Submitting valid supporting residency documentation that is the name of the adult student or his or her parent(s), custodian, guardian or other primary caregiver;
- Allowing a home visit to occur; or
- A dated and signed statement by an embassy official (including the embassy seal), issued within 12 months prior to enrollment, stating the following:
  - Name of person seeking to enroll the student;
  - Certifying that the person seeking to enroll the student currently lives on embassy property in the District; or
  - Certifying that the person seeking to enroll the student will live on embassy property in the District and that the embassy will confirm such during the relevant school year.

#### (g) Undocumented immigrant children and unaccompanied youth

Undocumented immigrant students and unaccompanied youth have the right to attend school full-time so long as they meet the age and residency requirements established by District law. The US Supreme Court recognized that students who are undocumented immigrants cannot be denied a free public education if they are residents of a school district (Plyler v. Doe, 457 U.S. 202).

Undocumented students and their families may establish residency by:

- Submitting valid supporting residency documentation that is the name of the undocumented student's parent(s), custodian, guardian, or other primary caregiver;
- Allowing for a home visit to occur; or
- Submitting OSSE's McKinney-Vento Act documentation.

#### (h) Address Confidentiality Program (ACP) participants

The Address Confidentiality Act of 2018 (DC Law 22-118) protects participants' real addresses from public records minimizing abusers' ability to find their victim's location. By law, District agencies must accept an ACP participant's substitute address for any public record unless the agency has an exemption or other specialized need, as outlined in the law and rules and regulations. DC Government agencies cannot require that an ACP participant provide their actual address for any purpose which agencies request a residential, work, or school address.

ACP participants are provided a valid Authorization Card as evidence that the DC Office of Victim Services and Justice Grants (OVSJG) has certified that the applicant meets all the requirements to participate in the program, including District residency. LEAs shall request the card in lieu of valid supporting residency documents outlined in section 2.4(a)-(m) of the OER Handbook. Additional information and example Authorization Cards can be viewed on the OVSJG website, [ovsjg.dc.gov](https://ovsjg.dc.gov).

## 2.6. Changes in Residency Status

The enrolling person is required to notify the school of any change of residence within three school days of such a change. This includes changes of address within the District, or out of the District. This requirement is included in the DCRV and agreed to by the enrolling person. The following section details the policies for students when this residence change also changes their residency status.

### (a) If a resident student becomes a non-resident student

Upon change in residency status, the then resident student, now non-resident student, may no longer be eligible to attend a public or public charter school in DC. Pursuant to 5A DCMR § 5007.5, the following categories of non-resident students may be approved to attend a District public school even though the school is not otherwise open to non-resident students (subject to their payment of non-resident tuition and LEA approval) in order to provide for continuity of instruction:

- A student who is enrolled and attending the final grade<sup>4</sup> level of a school who becomes a non-resident student during that school year and is subject to payment of non-resident tuition; or
- A student who would have re-enrolled in the final grade level of a school in September, but who became a non-resident student during the school year or summer prior to that final grade year and subject to their payment of non-resident tuition; or
- A ward of the District who is no longer a ward because he or she was placed in the permanent care and custody of a parent, guardian, or custodian who resides outside the District. They shall be approved to attend the District public school they attended before being permanently placed, until the final grade of that school, and are not subject to the payment of non-resident tuition.

Continued enrollment in the first two categories above is subject to the completion of a tuition agreement, payment of non-resident tuition, and approval by the LEA. If the then resident, now non-resident does not fall into either of the three categories listed above, they are no longer eligible to remain enrolled in the District public school or public charter school without reapplication. For more information about non-residents, refer to [Non-resident Enrollment, Tuition, Agreements, and Collections](#).

### (b) If a non-resident student becomes a resident student

For information about non-resident students currently paying tuition, refer to the [Non-residents Transitioning to District Residents](#) section for next steps.

### (c) Persons experiencing homelessness placed in permanent housing outside the District

DC residents that were experiencing homelessness but now have permanent housing outside the District are only eligible to remain enrolled for the remainder of the academic year in which they transition to permanent housing. Further enrollment is subject to application as a non-resident, approval by the LEA, completion of a tuition agreement, and payment of non-resident tuition. For additional information, see [OSSE Homeless Education Program](#) on the OSSE website.

## 2.7. Residency Records Retention

LEAs must adhere to the following requirements for retention of the residency verification documentation submitted annually by families and students to establish District of Columbia residency for purposes of enrolling in public schools in the District on a tuition-free basis. Given the need to retrieve records for students who are or have been enrolled in the District public school system, minimum standards for record retention are necessary to further OSSE regulatory oversight under 5A DCMR § 5000 *et seq.*

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<sup>4</sup> The final grade of a school, also referred to as the terminal grade, is determined by the current reporting requirements of the campus.

Documents submitted to all public schools in the District for the purposes of establishing bona fide District residency shall be maintained by the school or the LEA on behalf of the school for a period of no fewer than 10 years after the student exits the school. The school shall maintain records of residency verification for each enrolled student in one central location at the school. The records shall be maintained in a confidential manner in compliance with federal and District of Columbia laws and regulations, but should be immediately available to OSSE, or other authorized District officials, upon request. In addition, regardless when the documentation was initially submitted, the LEA or school shall not destroy any student record(s) still in its possession if:

- There is an outstanding request by OSSE or other relevant District agency to inspect and review such record(s);
- There is an open or ongoing investigation into a student’s residency status; or
- There is pending legal action involving compliance with the requirements of DC Code § 38-301 *et seq.*, DC Code § 2-381 *et seq.*, 5A DCMR § 5006 *et seq.*, or any other matter in which students’ residency documentation is subject to a litigation hold, preservation order, or lawfully issued subpoena.

#### (a) Electronic records

If a school prefers to maintain electronic records instead of, or in addition to, paper records, the records retention timeframe of no fewer than 10 years is still applicable. A school shall ensure that the electronic copy is the entirety of the paper record, readable, organized and reproduced in a manner that allows for verification of authenticity. The electronic records must be confidential, easily retrievable and kept in a format that is widely accessible and does not require a specialized computer program for access (e.g., PDF, Microsoft Word). If the school wants to scan records and then dispose of the paper version, the school shall ensure that the paper version is destroyed in accordance with procedures established to maintain student privacy and the confidentiality of student records.

#### (b) Catalog of records

Schools are required to catalog, in a machine-readable format (e.g., Excel or CSV file), a log of the enrollment information for each student. A template file for this information is included in [Appendix A](#). This log must be supplied to OSSE upon request to assist in furtherance of casework and investigations.

#### (c) Additional recommended recordkeeping practices

In addition to the requirements above, OSSE encourages LEAs and schools to maintain electronic records of the DCRV form and the supporting documentation submitted. Schools may do this either by scanning documents (to the standards described above), and by electronically recording the data (e.g., in Excel or another spreadsheet or database application). Ideally, schools would store the following electronically:

- 1) Fields included on the DCRV form;
- 2) The specific types of documents submitted to support residency (from among the lists of acceptable documents per 5A DCMR § 5004.2);
- 3) Notes on the documents submitted; and
- 4) Scanned images of the documents of the DCRV and supporting documentation submitted.

Electronic storage of these data will not only allow schools to better understand the trends among their students, but in the future, may also lessen the burden of manual preparations for records transfer to external parties such as OSSE, Office of the Attorney General, or Office of the Inspector General.

## 2.8. OSSE's Role in the Residency Verification Process

Pursuant 5A DCMR § 5006, OSSE is authorized to engage in regular monitoring of all LEAs to include both DCPS and public charter schools. OSSE's protocols for monitoring include:

- Scheduled and unscheduled visits to public schools and LEAs in DC;
- Requests for residency verification documentation on a particular student(s) attending public schools in DC; and
- Requests for student cumulative records and/or other student files.

Public schools and LEAs in DC shall fully cooperate with OSSE and other authorized representatives of the DC Government, including the Office of the Attorney General, in providing access to the following in furtherance of ensuring compliance with the District's student residency laws for access to a free public education:

- Facilities;
- Staff;
- Student's educational records; and
- Any other information related to the verification of a student's District residency.

If you have any questions or concerns, please let us know by emailing [osse.enrollmentaudit@dc.gov](mailto:osse.enrollmentaudit@dc.gov).

## 3. ENROLLMENT PROCESS AND ENROLLMENT AUDIT

### 3.1 Enrollment Audit

Under DC Official Code § 38-1804.02, OSSE is required to annually collect enrollment counts for resident students, non-resident students, and students with disabilities, attending DCPS, District of Columbia public charter schools, students enrolled in the Pre-Kindergarten Enhancement and Expansion Program (PKEEP) at community-based organizations, and the number of students whose tuition or education in schools or programs is paid for with District funds, no later than Oct. 15 of each school year. OSSE is then required to conduct an audit to verify the accuracy of the enrollment counts, as well as to identify any material weaknesses in the enrollment systems, procedures, or methodology at the LEA level. OSSE will then report the results of the audit to the Mayor, the Council of the District of Columbia, and the appropriate congressional committees. The enrollment audit includes the following:

*General Audit:* An audit of general education enrollment (all students) which is mostly collected through LEA data feeds to OSSE, residency status through review of the DCRV and a sample of supporting documentation, and tuition payments assessed and collected for non-residents. The audit is conducted by an independent auditor and also includes an audit of non-public students and DC students enrolled in schools in surrounding jurisdictions.

*English Learners Audit:* An audit of English learners (ELs) enrolled in public schools. This data is used by teams outside OER but within OSSE to inform the delivery of education services to ELs.

*Special Education Child Count Verification (Child Count):* A verification of the status of students with individual education programs (IEPs). The Child Count is a federally mandated activity reported annually and serves as the official special education enrollment number for the District of Columbia.

*Community-Based Organization (CBO):* A verification of the enrollment of residents enrolled in grades pre-K 3 and pre-K 4. Upon completion of the enrollment audit, each CBO will receive funding for each enrolled student verified as a resident of the District.

Guidance on the annual enrollment audit is published in two separate handbooks:

- Student Enrollment Audit & Child Count Handbook – Guide for Local Education Agencies – School Year
- Student Enrollment Audit Handbook – Guide for Community Based Organizations (CBOs) Participating in the Pre-K Enhancement and Expansion Program – School Year

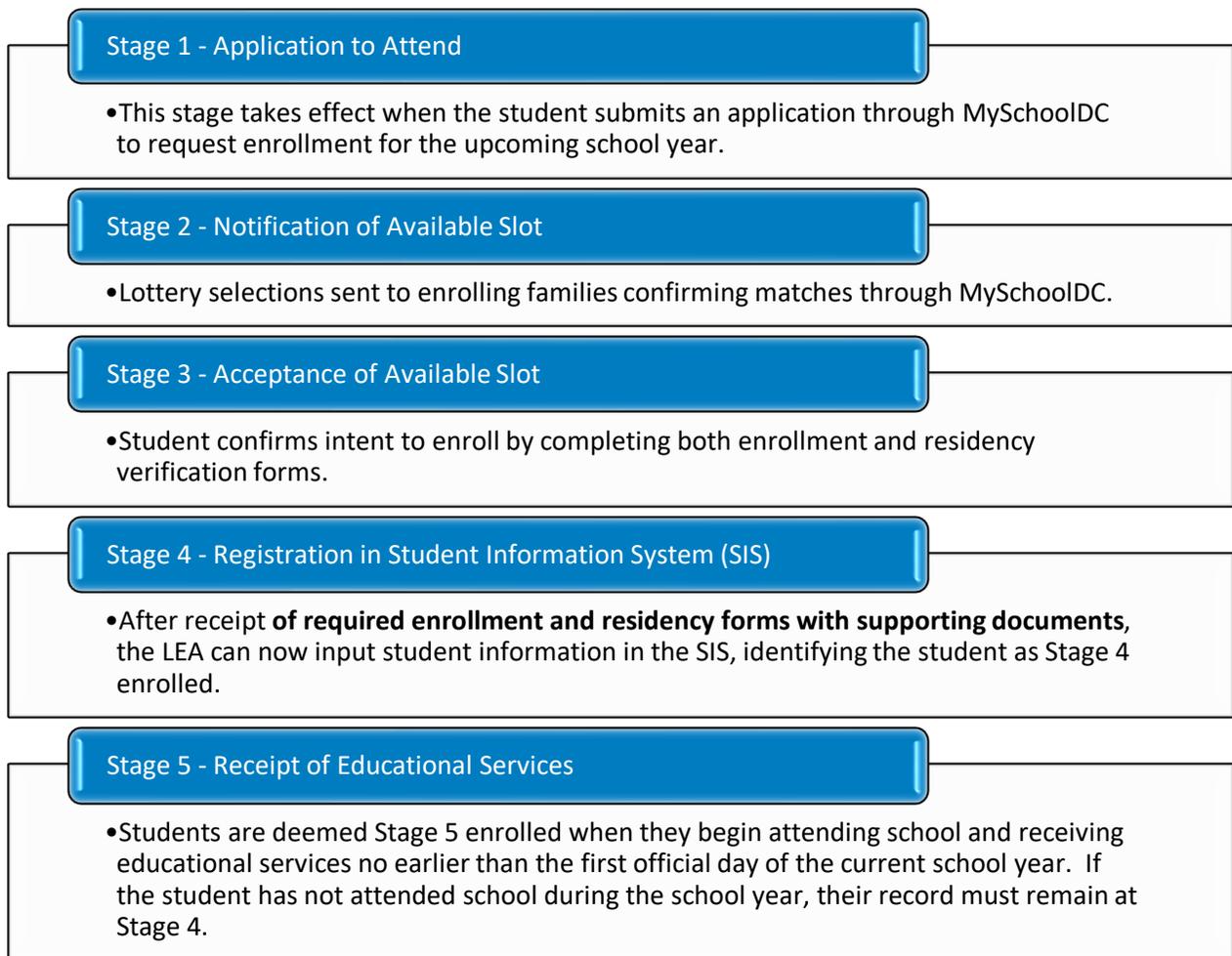
These handbooks can be found on the [OER LEA website](#). Questions about the enrollment audit can be emailed to [osse.enrollmentaudit@dc.gov](mailto:osse.enrollmentaudit@dc.gov).

### 3.2 Enrollment Process

Enrollment in every public and public charter school in DC happens in five stages, with each stage representing a different event in the enrollment process (see [OSSE Stages of Enrollment](#) graphic). The enrollment process is also the first opportunity to verify a student's residency status, which is done by

the school during initial enrollment - Stage 4. Verifying residency is a key responsibility of the school before they can permit a student to proceed to the final stage of enrollment - Stage 5, "Receipt of Educational Services." Only students in Stage 5 are included in the annual enrollment audit. As part of the enrollment process and residency verification, all students are required to have a [DCRV form](#) that was completed each year upon enrollment.

### OSSE Stages of Enrollment



### 3.3. Duplicative Enrollments

In most cases, students are not eligible to enroll and attend more than one LEA at a time. In the 2019-20 school year, OSSE implemented a year-round de-duplication policy and a [Duplicative Enrollment Application](#) to resolve duplicative enrollments. Details of the policy can be found on the [OER LEA website](#). It is the LEA's responsibility to review the duplicative enrollment policies and resolve duplicates within the Duplicative Enrollment Application.

## 4. RESIDENCY INVESTIGATIONS

OER is tasked with investigating all allegations of non-residency for the purposes of attending public school in the District tuition-free. It is important to clarify that OER investigations only determine residency status of a student. OER investigations do not result in determinations of fraudulent actions or criminal deception. Through the course of an investigation, potential evidence of fraud, or intent to defraud, may be discovered, but these cases are referred to the DC Office of the Attorney General for further action. The following section details the collection of tips, the investigation, notice of findings, and exclusions. Questions about the residency investigations can be sent to [osse.residency@dc.gov](mailto:osse.residency@dc.gov).

### 4.1. Authority to investigate

A student's residency in the District shall be maintained throughout enrollment in public schools in DC. The fact that a parent or caregiver of a student has provided satisfactory evidence of residency or other primary caregiver status pursuant to DC Official Code § 38-312 shall not prevent OSSE from establishing by information and other evidence that a student or the student's parent or primary caregiver is not in fact a DC resident or an Other Primary Caregiver.

Furthermore; pursuant to 5A DCMR § 5002.5, even if documentation is completed and compliant with the guidance provided under [Valid Supporting Residency Documentation](#), if a school/LEA reasonably concludes that additional information is needed to verify the student's residency, further documentation can be requested from the enrolling person. If additional documentation is requested but the enrolling person does not provide, contact OSSE at [osse.residency@dc.gov](mailto:osse.residency@dc.gov) for further guidance.

### 4.2. Suspicion of non-residency

Residency investigations can be initiated for many reasons, but in most instances, cases are opened as a result of a tip with sufficient information or as a follow-up from the annual enrollment audit. OSSE collects general tips on potential non-residents via a phone line or online system:

- Suspicion of Non-residency Hotline: (202) 719-6500
- Suspicion of Non-residency Online Form: [dc-osse-oer.i-sight.com/portal](https://dc-osse-oer.i-sight.com/portal)

For each tip received, OER investigators review the information provided and make a determination as to whether there is sufficient information to open an investigation. If the alleged non-resident student cannot be identified, the case typically will not move forward.

#### (a) Anonymous tips

Suspicion of non-residency tips can be made by any person via the methods described above and may be made anonymously. OSSE takes all reasonable measures to ensure any and all tips for suspicion of non-residency remain anonymous.

#### (b) School official tips

Many non-residency tips are submitted by school officials. When a school official is submitting a tip, they must include student records. The online tip form has sections specifically for LEAs to load these records securely. The submission of records accelerates the investigation and removes the burden from both OER and the LEA to collect and submit them at a later date. Furthermore, tips

submitted by school officials that do not include the required student documentation will not be investigated by OER because the tip does not have sufficient information to open an investigation.

### (c) Records request

School records are essential to each investigation. When an investigation has opened, OSSE will contact LEAs/schools to collect relevant student records, either in person or electronically. These records must be submitted within five business days. Failure to supply records may result in an escalation of the request to DCPS leadership or the PCSB. Records requested can include, but are not limited to, the following:

- All enrollment and residency verification documentation, including enrollment forms, any home visitation forms, and/or student contact forms for the relevant school year(s);
- Any documentation submitted to the school regarding legal guardianship, parentage, and/or custodial arrangements, including birth certificates and custody orders;
- Any other documents supporting residency or non-residency, such as copies of returned mail envelopes and/or completed returned mail forms; and
- McKinney-Vento forms.

## 4.3. Residency Investigations

While OSSE strives to resolve cases quickly and efficiently, certain steps in the investigation process can cause delays, such as collecting records from the LEA or family.

### (a) Electronic investigation and external document collection

OER investigators use multiple databases to determine the parties involved and collect documentation of physical presence in and outside the District. The investigator evaluates the evidence gathered and determines if any of the following four circumstances are true:

- The individual enrolling the student was not the parent or legal custodian;
- The documentation submitted was insufficient;
- The family lacked physical presence; or
- The documentation submitted was insufficient and the family lacked physical presence.

If none of these circumstances are true, the case can be closed, and the student determined to be a District resident. If one or more of these circumstances are true, then the investigation moves forward.

### (b) Interviews with relevant parties and requests for documentation

If any of the four circumstances above are met, investigators initiate a phone call with the parties involved with the case. The phone call allows the parties involved to offer explanations for the evidence of non-residency collected and provide additional documentation that would assist in overcoming any evidence supporting the four circumstance above.

### (c) Field investigations

When non-residency circumstances are not resolved during the interview phase, additional investigative work may be conducted in the field. Investigators may conduct stationary surveillance or request a home visit to the student's home.

(d) **Residency determination**

All cases result in a finding of either DC resident or non-resident based on the investigation.

*District Resident* - This determination is made for the school year(s) in question only. It does not stand in perpetuity.

*Non-resident* - This determination is permanent and may be reversed only through the submission of new evidence demonstrating residence in the District, or through the appeals process.

#### 4.4. Requests for Case Status Updates

OSSE does not provide case status updates until the case is closed. Once a case has been completed, OSSE makes the results of the investigation, upon request, available to the LEA, the person seeking to enroll the student, the District of Columbia Office of the Inspector General and the DC Office of the Attorney General.

Requests for information about cases under investigation by the DC Office of the Attorney General should be made with that agency.

#### 4.5. Finding of Non-Residency, Contested Residency Matters and Administrative Review

When an investigation is concluded and it is determined that the student was not a DC resident, OSSE issues a Notice of Finding of Non-residency to the family via mail and email.

(a) **Contested non-residency findings**

Individuals will have 10 business days to appeal a finding of non-residency in writing. The written appeal may be sent via email, in person, or mail.

*Email:* [osse.residency@dc.gov](mailto:osse.residency@dc.gov)

*Mail or in-person:* Office of Enrollment and Residency  
Office of the State Superintendent of Education  
1050 First St. NE, Third Floor  
Washington, DC 20002

Once the appeal has been submitted, the remaining steps and communications are coordinated through the Office of Administrative Hearings (OAH). They consist of:

*Mediation* – Mediation is an opportunity that allows both the family and OSSE to discuss the current finding and possible resolution with the guidance of a trained mediator in a confidential meeting. Parties can present additional evidence, decide to change their residency status, enter into settlement agreements, or proceed to a full evidentiary hearing.

**Hearing** – If a case cannot be settled in mediation, then an evidentiary hearing is held. In residency cases, students and families have the burden of proof. The party with the burden of proof is the party that actually has to prove its case to win. The party with the burden of proof generally goes first and has the responsibility to prove its side. That party will put on its entire case first—all the witnesses and document evidence.

If the judge determines that the student was a bona fide District resident for the period the investigation covers, OSSE will withdraw the finding of non-residency and take no further action. If the judge determines that the student is not a resident, the parties will enter into a settlement agreement for tuition. In some cases, a judge can determine that they were a non-resident for part of the period being investigated. In this case, the tuition amount would be reassessed accordingly, and the parties enter into a settlement agreement for the updated tuition amount.

In the event the hearing upholds OSSE’s finding of non-resident, the non-resident can submit an Appeal of Final Determination issued by OAH to the DC Superior Court.

#### **(b) Uncontested non-residency findings**

When a notice of finding of non-residency is sent to the family, the family has 10 business days to appeal the finding in writing. If an appeal is not timely filed, the notice of finding of non-residency is the agency’s final decision and the family is assessed for tuition owed. Notification is also sent to the LEA to exclude the student. In order for the non-resident student to return to the school, they must have paid any previously owed tuition for prior school years in full, reapply to the school as a non-resident, receive an offer of enrollment from the school after the school has considered any and all eligible DC residents first, enter into a tuition agreement, and make an initial tuition payment for that school year. Assessed tuition occurs even when the student has been withdrawn from the school prior to the notice being issued. For more information about tuition assessment, see [Non-resident Tuition Rates](#). Once non-resident tuition is assessed, the individual is given five business days to pay the total amount of non-resident tuition assessed, or in limited circumstances there may be an option to enter into a prior year’s tuition agreement. Outstanding debts are referred to the DC Office of the Chief Financial Officer’s Central Collections Unit.

### **4.6. Exclusion Based on Final Agency Decision of Non-residency**

A final agency decision of non-resident is reached either when a notice has been sent but no appeal is made, or when a finding of non-residency is upheld through an OAH decision. A final agency decision may result in the non-resident’s exclusion from attending a public or public charter school in DC. In the event a student must be excluded, OSSE will send formal notification to the LEA and the non-resident. The LEA is responsible for executing the exclusion in coordination with the school and must do the following:

1. Act on the earliest school day possible following the exclusion notice from OSSE;
2. Act before or after the school day. The student should not be removed from class during the school day;
3. Withdraw the student from their SIS; and
4. Update OSSE through email when the exclusion has been completed or if any issues arise.

In order for the non-resident student to return to the school, they must have paid their owed tuition in full, reapply to the school as a non-resident, receive an offer of enrollment from the school after the school has considered any and all eligible DC residents first, enter into a tuition agreement, and make an initial tuition payment.

**(a) Final agency decision and current residents**

In rare cases, a student who is determined to have been a non-resident may now reside in the District. If the then non-resident student, now resident student, is enrolled at a school of right (in-boundary school) they may remain enrolled. Payment of owed (pro-rated) tuition is still required but non-payment will not result in exclusion. Outstanding debt will be referred to the Office of the Chief Financial Officer's Central Collections Unit (OCFO/CCU) for further action.

If the then non-resident student, now resident student, is enrolled at a school that they do not have a right to (out-of-boundary, city-wide, public charter, selective), they will need to reapply, but as a resident student. If the student receives a new seat, payment of owed (pro-rated) tuition is still required but non-payment will not result in exclusion. Outstanding debt will be referred to the OCFO/CCU for further action.

#### **4.7. OSSE Authorized to Withhold Funds from LEA/School**

Pursuant to 5A DCMR § 5013.4, in the event a District public school has already received its UPSFF allocation for a student who is subsequently found to be a non-resident, the District may withhold a portion of the school's future/subsequent funding. The amount of funding that may be withheld shall be equal to the amount of funding distributed to the LEA/school for the particular student found to be a non-resident.

#### **4.8. OER Annual Non-resident Report**

OER produces an annual report on non-resident student reviews and findings that is submitted to the Mayor and DC Council. The report is due Aug. 30, each year. The report includes the following information, by LEA:

- The number of cases investigated due to suspected non-residency;
- The number of cases that were determined to be non-residents incorrectly enrolled as residents;
- Of these cases, the number that were assessed fines and/or tuition charges;
- The amount of fines and assessed tuition charges imposed; and
- The amount of fines and assessed tuition charges collected.

## 5. NON-RESIDENT ENROLLMENT, TUITION AGREEMENTS, & COLLECTIONS

OER is charged with the collection of non-resident tuition. Pursuant to 5A DCMR § 5007.1, a non-resident student enrolled in a District public school shall pay non-resident tuition in order to attend a DC public school or public charter school. OER manages the receipt of payments resulting from:

- 1) Families voluntarily entering into a tuition agreement; and
- 2) Families ordered to repay under court order or settlement agreement.

Questions about non-resident tuition can be emailed to [osse.residency@dc.gov](mailto:osse.residency@dc.gov).

### 5.1. Enrollment of Non-resident Students

An LEA may only enroll a new non-resident student after a determination is made by the LEA that space is available at the District public school and that no qualified District resident is seeking admission for the particular school year and for the particular grade at the LEA/school. Schools that enroll non-resident students are not provided the tuition or UPSFF funds for that non-resident student. In most cases, LEAs are not required to enroll non-resident students and do so at their own discretion, following all requirements below.

LEAs shall notify OSSE of their intent to enroll a non-resident student by emailing [osse.residency@dc.gov](mailto:osse.residency@dc.gov). LEAs must wait for confirmation from OSSE that a tuition agreement has been completed by the non-resident and an initial tuition payment has been made *before* providing educational services to the non-resident student (Stage 5 enrollment).

#### (a) If a resident student becomes a non-resident student

Upon change in residency status, the then resident student, now non-resident student, may no longer be eligible to attend a public or public charter school in DC. Pursuant to 5A DCMR § 5007.5, the following categories of non-resident students may be approved to attend a District public school even though the school is not otherwise open to non-resident students (subject to their payment non-resident tuition and LEA approval) in order to provide for continuity of instruction:

- A student who is enrolled and attending the final grade level of a school who becomes a non-resident student during that school year and is subject to payment of non-resident tuition; or
- A student who would have re-enrolled in the final grade level of a school in September, but who became a non-resident student during the school year or summer prior to that final grade year and subject to their payment of non-resident tuition; or
- A ward of the District who is no longer a ward because he or she was placed in the permanent care and custody of a parent, guardian, or custodian who resides outside the District. They shall be approved to attend the District public school they attended before being permanently placed, until the final grade of that school, and are not subject to the payment of non-resident tuition.

Continued enrollment is subject to the completion of a tuition agreement, payment of non-resident tuition, and approval by the LEA. If the then resident, now non-resident does not fall into either of

the three categories listed above, they are no longer eligible to remain enrolled in the District public school or public charter school without reapplication.

#### **(b) Re-enrollment of non-resident students**

Students approved to attend a District public school may remain until the final grade of that school without reapplying only if the:

- Current non-resident tuition has been paid in full by July 15 of each school year; and
- Current non-resident student's initial enrollment was in accordance with all applicable policies, regulations and laws and not based on false or fraudulent information. This means the student applied and enrolled as an identified non-resident student. Non-resident students who are determined through an investigation after having enrolled as a resident student are not to remain enrolled, or re-enroll without a new application to the school as a non-resident.

Once a non-resident student completes the final grade of a school they must reapply as a non-resident to continue to attend a DC public school or public charter school, even if the school they were attending feeds into another public school.

### **5.2. Non-Resident Tuition Rates**

OSSE is authorized to establish non-resident rates that:

- Reflect the amount necessary to cover ALL expenses incurred by the District public school; OR
- The amount paid by the District to fund the student's services received at a school or educational program funded by the District, including summer school services.

The non-resident rate determinations shall include the following:

- The applicable UPSFF amount for the school year which also includes services provided at summer school and all relevant additional weights. See the [OER LEA Website](#) for most recent UPSFF amounts.
- The per pupil facilities allowance for the respective public charter school or other OSSE approved funding allowances (if applicable); and
- Any other supplemental allocations determined by OSSE.

All rates may be appropriately pro-rated to reflect the portion of the school year the non-resident student was enrolled in a District public school.

OSSE reserves the right to establish non-resident tuition rate determinations that exceed the UPSFF allowances and weights in an amount necessary to cover all educational expenses described above.

### **5.3. Tuition Agreement Terms & Conditions**

The applicable Non-Resident Tuition Agreement outlines the terms and conditions in order to carry out OSSE's statutory and regulatory mandate to collect tuition from students residing outside of the District. The agreement contents and terms and conditions of the agreement are subject to change each year. Tuition may be paid accordingly:

*One-time Payment* – tuition payment must be made in one lump-sum before the non-resident student may attend school.

*Monthly Payment* – tuition payment must be made in monthly installments starting with an initial payment required before the non-resident student may attend school, and then additional payments on the first of the month.

OSSE only collects tuition payments electronically via an online [Citibank Portal](#).

**(a) Delinquency of payments**

A non-resident student may be considered delinquent in if they do not pay their monthly tuition amounts, or by not paying their tuition in full by the July 15 of the year the non-resident student has been in attendance.

Monthly tuition payments are due on the first of each month. After five days the payment is considered delinquent. Non-residents receive notifications at 30-day delinquency, 60-day delinquency, and 90-day delinquency. Pursuant to 5A DCMR § 5013, if the tuition payment of a current non-resident student is delinquent for a period of 90 days or more, OSSE may exclude the non-resident student from attending such public school based in DC on non-payment of tuition.

Even if a non-resident is fewer than 90-days delinquent, they are still required to pay their tuition in full by July 15 of the year the non-resident student has been in attendance in order to be eligible to re-enroll the following school year. If the non-resident does fail to pay their tuition in full by July 15, OSSE may exclude the non-resident student and require them to reapply to the school once payment has been made in full.

Outstanding non-resident tuition balances are referred to the DC Office of the Attorney General and the DC Office of the Chief Financial Officer’s Central Collection Unit (OCFO/CCU) for further action in accordance with 5A DCMR § 5013.7.

**(b) Non-residents transitioning to District residents**

Non-resident students who are in a tuition agreement but relocate to DC are eligible for a reassessment of their non-resident tuition. The reassessed tuition amount is based on a pro-rated daily rate for the time the student was a non-resident until the student’s District residency is verified by the school.

**(c) Non-residents withdraw enrollment**

Tuition paying non-resident students who withdraw their enrollment from the DC school they are attending are eligible for a reassessment of their non-resident tuition. The reassessed tuition amount is based on a pro-rated daily rate from the time the student was a non-resident until the student’s withdrawal forms are completed by the school.

**5.4. Exclusion for Non-payment of Tuition**

A non-resident student may be excluded from attending a public or public charter school in DC for non-payment of tuition by either failing to make monthly payments by 90 days or by failing to pay tuition in

full by July 15 of the year the non-resident student has been in attendance. Prior to excluding the student, OSSE sends a Final Notice of Payment directing the non-resident to make the required payment within five business days or the non-resident will be excluded. If the deadline passes without payment, OSSE will send formal notification to the LEA that an exclusion must occur. The LEA is responsible for executing the exclusion in coordination with the school and must do the following:

- Act on the earliest school day possible following the exclusion notice from OSSE;
- Act before or after the school day, the student should not be removed from class during the school day; and
- Withdraw the student from their SIS;
- Update OSSE through email when the exclusion has been completed or if any issues arise.

In order for the non-resident student to return to the school, they must pay their owed tuition in full, reapply to the school as a non-resident, receive an offer of enrollment from the school after the school has considered any and all eligible DC residents first, enter into a tuition agreement, and make an initial tuition payment.

## 6. MONITORING AND EVALUATION

Pursuant to 5A DCMR § 5006.1, OSSE may monitor a District public school to ensure proper verification of student residency. OER’s monitoring includes, but is not limited to, records retention compliance, electronic signature compliance, and authenticity of physical “wet ink” signature compliance. OER monitoring activities are specifically designed to ensure compliance with statute, regulation, and the OER policies. OER’s monitoring activities are not meant to be punitive, but rather to assist LEAs with compliance. Monitoring may include scheduled and unscheduled visits to the DC Public Schools, public charter schools, and LEA offices. OSSE may conduct monitoring visits or initiate compliance requests throughout the year to ensure LEAs are following all District statutes and regulations; and OER policies.

## 7. QUESTIONS

For further information or for questions about enrollment and residency, please email OER at [osse.residency@dc.gov](mailto:osse.residency@dc.gov).

## 8. APPENDIX A - CATALOG OF RECORDS

The following list are the suggested data elements each school should keep as part of their electronic records schedule. The information shall be kept in a machine-readable format (Excel, CSV., etc.).

- Student First Name
- Student Last Name
- Enrolling Parent 1 Name
- Enrolling Parent 1 Role
- Enrolling Parent 1 Cell Phone
- Enrolling Parent 1 Email
- Enrolling Parent Address
- Student Street Address
- Student Apt/Unit
- Student City
- Student State
- Student Zip Code
- Enrollment Form Date Signed
- DCRV Form Address
- DCRV Form Signed by
- DCRV Form Date Signed
- Residency Documents Submitted
- Registrars Notes on Acceptability