



DISTRICT OF COLUMBIA

OFFICE OF THE STATE SUPERINTENDENT OF

EDUCATION

Policy Updates from the Office of Enrollment and Residency

Introduction

OSSE's Office of Enrollment and Residency (OER) is responsible for several interrelated District-wide policy functions: the annual enrollment audit, non-residency tip intake, residency investigations, and tuition administration for non-resident students. In the past, OSSE policy (beyond the regulations themselves) relating to these functions have primarily been communicated via trainings and case-specific guidance for LEAs.

In 2018, OER reviewed several key internal policies which are consolidated here for the first time, to provide additional specificity and clarity beyond what is currently in regulation. Before the start of the 2019-20 school year, OER plans to expand this document to include a more comprehensive set of non-regulatory policies (which may also include updates to the policies offered herein) and will update this OER handbook on a bi-annual basis.

Should you have any questions pertaining to the contents of this document, or recommendations for future topics for inclusion, please contact OSSE.Residency@dc.gov.



I. Policy for Paying Non-Resident Tuition

This section includes OSSE's policy regarding the assessment and collection of non-resident tuition.

Regulatory Authority

Pursuant to 5-A DCMR § 5007, all non-resident students enrolling in District of Columbia Public Schools (DCPS) and District of Columbia Public Charter Schools (DCPCS) (collectively, public schools in the District) must pay tuition to cover the cost of their attendance. Tuition payment provisions are further articulated in 5-A DCMR § 5013. Tuition rates are based on the UPSFF, pursuant to 5-A DCMR § 5014.

Policy

Non-resident families enter into agreements with OSSE which articulate the terms and conditions of the payment plan. When a non-resident student is identified, OSSE will:

1. Contact the family to explain the tuition agreement process and validate key information;
2. Calculate non-resident tuition, (based on UPSFF);
3. Issue a tuition assessment letter along with a tuition agreement to the parent(s) or guardian(s) of the student;
4. Record the terms of the tuition agreement in OSSE's Tuition Payment Application; and
5. Begin collecting tuition payments, which are made to the District Treasurer and accrue to OSSE's Residency Verification Fund.

Tuition Payment Options

In most cases, when a family self-identifies to OSSE or their school as non-residents, families will select the terms of their tuition payment plan from among the options listed in the table below.

| Option | Periodicity | # of Payments | Initial Payment | Other Due Dates | Final Payment |
|--------|-------------|---------------|--|--|--|
| 1 | One-time | 1 | Within 10 days of execution | N/A | Within 10 days of execution of the agreement |
| 2 | Monthly | 9 | August 3, or within 5 days of execution of the agreement | First of each month from September through April | April 1 st |
| 3 | Quarterly | 4 | August 3, or within 5 days of execution of the agreement | First of November, February, and April | April 1 st |



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Note that these options are offered to families who voluntarily identify themselves as non-residents, *but OSSE retains the right to offer differentiated terms to those who are determined to be non-residents as a result of an investigation or administrative review process.*

Delinquent Payments and Final Deadline

Families will receive notification from OSSE when their accounts are 30, 60 and 90 days overdue. If at any point during the school year, an account is more than 90 days past due, *the student may be excluded from school per OSSE's exclusion policy* (included as Section II of this document).

Further, pursuant to 5A DCMR 5007.3 the full total of non-resident tuition must be paid by July 15th at the end of the current school year to ensure that the student can re-enroll without re-application. If the tuition is not paid in full by July 15th, the student will be excluded and ineligible for re-enrollment as a non-resident without reapplication for the following school year.

Note that delinquent accounts may also be referred to an outside collection agency and may be subject to additional costs and administrative fees.

Online Payment System

Tuition collection is administered via OSSE's Citibank online payment system at the following link: <https://secure.directbiller.com/pbills/payer/welcomeDirect.do>

Questions & Assistance

If a family needs assistance is submitting a payment online, please refer them to OSSE, Office of Enrollment and Residency: OSSE.Residency@dc.gov.



II. Policy for Excluding Students for Non-Compliance with District Residency Requirements

This section describes the policy for the exclusion of students enrolled in public schools in the District where there is either a final determination of non-residency or a failure to adhere to the terms and conditions of a non-resident tuition agreement.

Regulatory Authority

OSSE is responsible the enforcement of tuition payment requirements pursuant to 5-A DCMR § 5007 and 5-A DCMR § 5013 et seq.

Policy

A student who is currently identified as a non-resident student or a student who is determined to be a non-resident student by a final agency decision, *may not remain enrolled in the school without re-application* if:

1. Payments for a current non-resident student, in accordance with a properly executed non-resident tuition agreement with OSSE, *are delinquent for a period of 90 days or more*, pursuant to 5-A DCMR § 5013;
2. A final administrative determination of non-residency has been made and the determination includes findings that initial enrollment was based on false or fraudulent information, pursuant to 5-A DCMR § 5007.3

LEA/School Responsibility

If either condition from the Policy section above is present, OSSE will notify the Head of School, Registrar, and any other designated enrollment official via email. Upon receiving such notification from OSSE, the school must take the following actions *within 10 business days*:

1. Inform parent, guardian, other primary caregiver or adult student that they will be excluded due to non-compliance.
2. Update the student's records to reflect his or her residency, tuition and enrollment status; such records may include the LEA Student Information System, the Special Education Data Systems, the relevant Student Information System (SIS), the My School DC application system, and any and all other appropriate data or school information systems utilized by the District public school;
3. Notify OSSE's Office of Enrollment and Residency (OER) if the student voluntarily withdraws from the school;
4. Ensure that the student is un-enrolled within 10 days of receiving notice from OSSE; and



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5. Ensure that any withdrawal of a non-resident student comports with the requirements of the student's Individual Education Program (IEP) and the Individuals with Disabilities Education Act (IDEA) (20 USC §§ 1400 *et seq.*) and other applicable federal and District laws and regulations.

Re-enrollment after Exclusion

For all non-residents, whether self-identified or identified through an investigation final agency decision, re-enrollment once excluded is only permitted when the following steps are taken in order:

1. The student has either paid their outstanding balance in full or, in limited circumstances, entered into a payment agreement for the outstanding balance;
2. The student has called the My School DC hotline and reapplied through the My School DC Common Lottery (or other school application process where applicable) and there are no District residents on the waiting list for that school in the grade level sought as of August 1 preceding the school year sought;;
3. The school and LEA have agreed to make a waitlist offer to the non-resident student.
4. The student has a tuition agreement in place¹ for the relevant school year.

Additional Remedies

Please be advised that withdrawal of the student does not prevent OSSE and the District of Columbia government from pursuing any and all legal remedies to include: (a) assessment and collection of retroactive non-resident tuition; (b) referral of the facts and circumstances of any case to the Office of the Attorney General (OAG) for collection of retroactive tuition; and/or (c) referral of the facts and circumstances of any case to Office of the Inspector General (OIG) for appropriate investigation of school officials who have or are believed to have engaged in fraudulent conduct against the District in connection with residency verification.

Questions & Assistance

For questions and assistance on this subject please contact the Office of Enrollment and Residency: OSSE.Residency@dc.gov.

¹ Exceptions may be made to allow for re-enrollment before the fully executed agreement is in place in very limited circumstances where there is either delay on OSSE's part in issuing the tuition agreement such that the parent could not execute the agreement before the start of school.



III. Policy for Retention of Residency Documentation

This section articulates OSSE's requirements for retention of the residency verification documentation submitted annually by families and students to establish District of Columbia ("District") residency for purposes of enrolling in the District public school system on a tuition-free basis.

Regulatory Authority

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 5-A DCMR § 5000, *et seq.*

Policy

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 Local Education Agency (LEA) on behalf of the school for a period of *no less 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 may not destroy *any* student record(s) still in its possession if:

1. there is an outstanding request by OSSE or other relevant District agency to inspect and review such record(s);
2. there is an open or ongoing investigation into a student's residency status; or
3. there is pending legal action involving compliance with the requirements of DC Code 38-301 et seq., DC Code 2-381 et seq., 5-A 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.

Electronic Records

If a school prefers to maintain electronic records instead of or in addition to paper records, the records retention timeframe of no less 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,



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easily retrievable and kept in a format that is widely accessible and does not require a specialized computer program for access (i.e. 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.

Additional Recommended Practices

In addition to the requirements above, OSSE encourages LEAs and schools to maintain electronic records of the DC Residency Verification (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 paper DCRV Form,
2. The specific types of documents submitted to support residency (from among the lists of acceptable documents per 5-A DCMR section 5004.2),
3. Notes on the documents submitted,
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, OAG, or OIG.

Questions & Assistance

For questions and assistance on this subject please contact the Office of Enrollment and Residency: OSSE.Residency@dc.gov.



IV. Policy for Monitoring of Local Education Agencies/Public Schools for Compliance with Residency Laws and Regulations

This section details OSSE's monitoring approach for all Local Education Agencies (LEAs) and public schools to ensure that all students enrolling in District of Columbia Public Schools (DCPS) and District of Columbia Public Charter Schools (DCPCS) (collectively, public schools in the District) are District residents or tuition paying non-resident students.

Regulatory Authority

Pursuant to 5-A DCMR § 5006, all LEAs and public schools in the District shall fully cooperate with OSSE and other authorized representatives of the District of Columbia Government, including the Office of the Attorney General and the Office of the Inspector 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. Access must be given to:

- (a) facilities;
- (b) staff;
- (c) student records; and
- (d) any other information related to the verification of a student's District residency.

In addition to onsite review, OSSE staff must also be given access to photocopy or take custody of any records or information deemed relevant for the purposes of the monitoring visit.

Policy

OSSE is authorized to engage in regular monitoring of all LEAs and Public schools in the District pursuant to 5-A DCMR § 5006. Public schools in the District may receive scheduled and unscheduled monitoring visits outside of the annual enrollment audit and verification. OSSE's protocols for monitoring include:

1. *On-site inspection.* On-site inspection will include the steps listed below, and will typically occur over the course of a single day. In some circumstances however monitoring may span several days, in which case the steps b and c below will occur at the end of the on-site inspection period.
 - a. Introductory conversation with LEA or school staff to explain the purposes of the monitoring visit.
 - b. Review of any relevant records and documentation.
 - c. Close-out meeting after OSSE has completed the review of all relevant records and documentation. During the close-out meeting, OSSE will:



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- i. Review the preliminary finding(s) with school staff or request for additional documentation;
 - ii. Provide the school with an opportunity to respond to preliminary findings;
 - iii. Obtain signed acknowledgement of the of the findings; and
 - iv. Schedule follow-up discussion to review corrective action status as needed within 30 business days.
2. *Monitoring Results:* Within 10 business days of the closeout meeting, the school and LEA will receive written monitoring results that will in some cases also include a corrective action plan. Schools will be given specific deadlines to comply with the components of a corrective action plan. If the school or LEA disagrees with any findings or requirements in the corrective action plan, the school or LEA may submit in writing to OSSE's Director of Enrollment and Residency a request for review or reconsideration within 10 business days from the date on OSSE's monitoring results letter.

Questions & Assistance

For questions and assistance on this subject please contact the Office of Enrollment and Residency: OSSE.Residency@dc.gov.