

Student Residency Verification

State Board of Education
Public Meeting
Wednesday, February 18, 2009



Background

- Annual residency verification is mandated by the *DC Municipal Regulations, Chapter 50* and is a factor in school funding.
- District residency is monitored and verified at the local school level using specific documents in accordance with annual Residency Verification Guidelines issued by the Office of the State Superintendent of Education and through the DC Code.
- DC Public Schools, the DC Public Charter School Board, and the public charter schools are responsible for administering and enforcing the rules.
- “Only residents of the District of Columbia are eligible to receive a free public education in the District.”

-DC Residency Verification Guidelines

Background continued

- *The State Education Establishment Act of 2000* gave the SEO responsibility for promulgating rules governing residency verification.
- The SEO convened a group of stakeholders who met once a week for three months. They developed three principals which shaped their approach to the tasks before them:
 - The rules must be clearly and simply stated so that the school personnel (usually clerical or administrative support staff) would be able to implement them easily without confusion,
 - The rules must facilitate, rather than hinder, keeping eligible students in school, and
 - That the most reliable evidence of District of Columbia residency is proof of payment of personal income tax or proof of the receipt of ‘income assistance’ from the District Government.
- The authority for residency verification transferred to the OSSE and the SBOE as a result of the *Public Education reform Amendment Act of 2007*.

Proposed changes to DCMR Title V, Chapter 50

Existing Regulations

Establishment of Residency

- The residency status shall be established by October 5th of each year and re-established annually.
- The annual verification process shall not begin prior to **July 1 of each year.**
- DCPS and public charter schools shall establish policies and procedures to carry out residency verification requirements.
- Documentation shall be provided to prove residency in accordance with: **Title 38 of the District of Columbia Code §§ 38-308 through 38 310**

Proposed Regulations

Establishment or Verification of Residency

- The residency status shall be established by October 5th of each year.
- The annual verification process shall not begin prior to April **1 of each year.**
- DCPS and public charter schools shall establish policies and procedures to carry out residency verification requirements. The residency status of students in private placements will also be verified annually following these guidelines.
- A student shall be permitted to attend and remain enrolled in a school while his or her residency verification is pending.
- Documentation shall be provided to prove residency in accordance with: **Title 38 of the District of Columbia Code §§ 38-308 through 38 310**

District of Columbia Official Code, Title 38

The District of Columbia Official Code determines which documentation can be submitted for proof of residency. Only legislation approved by the Council of the District of Columbia can alter the Official Code.

§ 38-309. Documentation to be submitted at the attending school in order to establish residency

(b) One of the following items shall establish District residency for the purposes of this chapter:

- (1) 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;
- (2) A pay stub issued less 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;
- (3) Current official documentation of financial assistance received by the person seeking to enroll the student, from the District 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;
- (4) Confirmation, based upon completion and submission of a tax information authorization waiver form, by the District Office of Finance and Revenue of payment of District income taxes by the person seeking to enroll the student;
- (5) Current official military housing orders showing residency in the District of the person seeking to enroll the student; or
- (6) A currently valid court order indicating that the student is a ward of the District.

District of Columbia Official Code, Title 38 (continued)

(c) Providing 2 of the following items shall also suffice as proof of residency in the District:

- (1) A current motor vehicle registration in the name of the person seeking to enroll the student and evidencing District residency;
- (2) 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 2 months immediately preceding consideration of residency for payment of rent on a District residency in which the student actually residency;
- (3) 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; and
- (4) Utility bills (excluding telephone bills) and paid receipts or cancelled checks (from a period within the 2 months immediately preceding consideration of residency) in the name of the person seeking to enroll the student that show a District residency address.

(d) If the person seeking to enroll the student is unable to produce documents complying with this section, the principal, or the principal's designated employee, at his or her option and with the agreement of the person seeking to enroll the student, may conduct a home visit to determine residency. Use of the home visit as a residency verification measure requires a sworn affidavit by the principal of the school or the principal's designee attesting that residency of the student was confirmed by a home visit, by the principal or the principal's designee, made within 45 days of enrollment. A residency verification home visit form must be completed by the principal or the principal's designee. Residency verification home visit forms shall be issued by the State Education Office, and shall be available at all DCPS Schools, public charter schools, the DCPS student residency office, the District Board of Education's Public Charter School Office, the Public Charter School Board, and the State Education Office.

Next Steps

- The proposed regulation was published on February 13, 2009.
- Public comments can be submitted to the OSSE until March 16, 2009 to Kristin Yochum at Kristin.Yochum@dc.gov.
- A public hearing will be held to allow for additional public comment on March 4, 2009.
- The OSSE will present a proposed regulation to the SBOE for approval on March 18, 2009 at the Board's public meeting.