

## **PROCEDURES FOR IMPLEMENTING RESIDENCY POLICY**

### **A. Verification of Residence**

#### **1. General Statement**

Students enrolling in the Edmond Public Schools will be required to provide two verifiable proofs of residency.

The parent ("Parent" as used throughout this document, refers to the parent, guardian, or person having legal custody) will be asked to provide a current utility billing and a lease agreement, contract on a home, warranty deed statement, ad valorem tax statement, or mortgage statement. The school will accept current gas, electric, or water and sewer billing. Telephone and television cable billings will not be accepted. If a utility billing is not available, the school will accept a statement from the utility company that services have been established. The letter must be on letterhead and signed by an appropriate official.

#### **2. Students moving within or out of the Edmond District**

Parents moving from one Edmond school attendance area to another must establish their new residence within forty-five (45) school days of membership in the new attendance area school in order to enroll initially as a resident of the new school on a non-transfer basis. A student may be required to return to the previous school if the residence within the new attendance area has not been established within this timeframe.

It is the parent's responsibility to timely inform a child's school if the child's legal address changes from the school's/district's attendance area during a school year. If the student has been legally enrolled in an Edmond school for the current year, enrollment may continue through the current school year, but basic residency requirements must be met for the following school year.

#### **3. Students New to the Edmond District**

Parents seeking to enroll a child in the Edmond School District from another school district and are in the process of completing construction/closing on their residence within the District at the time of fall enrollment must establish their residence within forty-five (45) school days of membership in the school in order to enroll as residents.

Proofs of an impending move must be provided upon enrollment. The submitted contract document must provide the following information/verification: (1) the residence is located within the School District, (2) the stated closing/occupancy date falls within forty-five school days of membership, and (3) terms of the

contract verify that earnest money is being held in escrow toward the purchase/lease of the residence.

A student may be required to forfeit enrollment in the Edmond School District if the family has not occupied the Edmond residence within forty-five (45) days of membership.

4. Re-Verification of Residency

Parents of students entering grades K-12 who will be continuing enrollment in the Edmond Public Schools for a “new” school year must re-verify their residency status each year prior to being accepted for admission.

A current utility billing will be required as proof of residency and a parent/guardian must complete the annual update on the EPS website verifying that: (1) his/her address is within the Edmond Public Schools attendance area, (2) the information provided is accurate, and (3) he/she is the legal parent, guardian, or person having legal custody of the child.

5. Residence Affidavit

Parents who cannot provide the necessary information to verify their address because they are residing with a friend or relative on a temporary or permanent basis will be required to complete a Residence Affidavit.

The residence affidavit, once verified by school officials, will allow the student to attend schools for thirty (30) calendar days at which time the parent/legal guardian must provide additional verifiable documentation that a permanent residence has been established within the Edmond School District or documentation that the temporary residence has been established as the student's permanent residence. If a new residence is established within the School District but in a different school area the student will be required to attend the school in their boundary area or apply for an intra-District transfer.

Residence Affidavits will be available at the school site. Both the homeowner/resident and the parent of the student are to present themselves in person at the school to complete the affidavit, and each must provide a valid driver's license. The homeowner/resident must provide two proofs of residence as required for all new students. The student's parent will be expected to provide a final utility statement from their previous residence and documentation that the residence has been sold or that the lease has expired.

A child will not be enrolled until all necessary documentation has been provided and verified. Building administrators will be responsible for initiating the thirty (30) day follow-up on all residence affidavits.

## 6. Legal Guardianship

The Edmond Public Schools will enroll students who hold legal residence within the District as specified in Policy #4105. Custody affidavit forms, and notarized affidavits obtained from the custodial parent giving care and custody to another individual will not be accepted except as otherwise outlined within this policy.

If a divorce has been granted, the decree will state which parent has legal custody. If the decree awards joint custody, and each parent contributes in "substantial degree" to the child's support while they have custody, then the residence in which the child resides on a regular basis determines the legal residency of the child for school attendance.

## 7. Homeless Students

In accordance with the McKinney Vento Homeless Assistance Act, homeless children shall have access to the same free and appropriate public education as provided to other children. The district shall make reasonable efforts to identify homeless children within the district, encourage their enrollment, and eliminate existing barriers to their education that may exist in district policies or practices. No child or youth shall be discriminated against due to homelessness.

The term "homeless children and youth" means individuals who lack a fixed, regular, and adequate nighttime residence and includes:

- a. Children and youth who are sharing the housing of other persons due to loss of housing, economic hardship, or a similar reason; are living in motels, hotels, trailer parks, or camping grounds due to the lack of alternative adequate accommodations; are living in emergency or transitional shelters; or are abandoned in hospitals;
- b. Children and youth who have a primary nighttime residence that is a public or private place not designed for or ordinarily used as a regular sleeping accommodation for human beings;
- c. Children and youth who are living in cars, parks, public spaces, abandoned buildings, substandard housing, bus or train stations, or similar settings; and
- d. Migratory children who qualify as homeless due to living in circumstances described above.

The district shall attempt to remove any barriers to school attendance by homeless children:

1. Enrollment requirements that may constitute a barrier to the education of a homeless child or youth shall be waived. If the district is unable to determine the student's grade level due to missing or incomplete records, the district shall

- administer tests or utilize other reasonable means to determine the appropriate grade level for the child.
2. Homeless children and youth will be immediately enrolled in school, with or without required documentation (including immunizations). School personnel will use their best efforts to assist the family in attaining required records at a later date, if necessary.
  3. Homeless children and youth have a right to determine which school they may attend from the following:
    - a. The school the student attended when permanently housed
    - b. The school in which the student was last enrolled
    - c. The school in the attendance area in which the student currently resides
  4. The district will provide to each homeless child such school services that are comparable to services offered to other students in the district that include Title I services, tutoring, after school programs, English proficiency programs, gifted and talented programs, school meal programs, and transportation services.

## 7. Foster Children

Edmond Public Schools will work in collaboration with all concerned adults, students, and the local Department of Human Services Office to ensure equitable access to a child in foster care as defined by the Every Student Succeeds Act (ESSA). Children in foster care will always be allowed to enroll in their school of residence as required under both federal and state law.

The DHS point-of-contact will identify children in foster care who need transportation assistance and contact EPS point of contact, the Educational Services Coordinator of federal programs.

Transportation for children in foster care will be provided by the foster family, DHS, or EPS utilizing the most cost effective means to do so (475(4)(A) of the Social Security Act).

If the child's school of origin is an EPS school and the child is placed in a foster home outside of EPS boundaries, the district point of contact will work with DHS and/or the foster family to determine if the school of origin remains the school of best interest for the child. This determination will primarily take the following into consideration:

- The wishes of the child;
- The wishes of the foster family (according to state law);
- The wishes of DHS;
- The distance and time required for travel;
- The safety of the child;

- Any applicable services available at the school of residence vs. the school of origin.

Additional costs for transportation (whether in-district or out-of-district) will be financed through one of the following methods as provided for under the ESSA and federal regulation (ESEA 1112(c)(5)(B)):

- DHS agrees to reimburse EPS for any additional cost;
- EPS agrees to pay for the additional cost;
- EPS and DHS agree to share the additional cost.

Additional costs are calculated by the district Transportation Office and take into account the availability of district transportation, the distance of the child's residence from the nearest applicable bus stop, and any related fuel and staffing costs necessary in order to provide transportation.

The time required in order for the district to arrange transportation varies depending upon a number of factors such as current demand, availability of staff and/or vehicles, and location of student. For this reason, if transportation is requested the foster family or DHS arrange for temporary transportation of the child(ren) for at least one week; however, the average time required is usually less than this.

While EPS believes that the school of best interest for a child is most often their school of origin, this is not always the case. Sometimes, the commute time and/or distance is so great that transporting the child would have a negative impact on the child's social and/or academic life. For this reason, EPS provides the following general guidance on what the district considers to be a reasonable commute distance and time.

- Commute distance: 20 miles
- Commute time (one way): 30 minutes (accounting for traffic)

It is recognized that both EPS and DHS will act with the best interests of children in mind; however, since both parties are approaching this issue from different perspectives, disputes will naturally sometimes occur. In the event of a dispute regarding the transportation of a child in foster care the following will be followed:

- The district will provide transportation until such time as the dispute is resolved  
ES ESEA1112(c)(5)(B)(i)
- The district policy regarding McKinney-Vento disputes will be followed (Policy 4004(IV)(c)).

## **B. Procedure for Addressing Residency Disputes**

1. If at any time an administrator of the District has a reasonable belief that the reported residence may not be the residence of the child for purposes of school attendance, the administrator shall notify the student's parent, guardian, or person

- having legal custody of the child that there is a question regarding the legal residency of the student.
2. The student's parent, guardian, or person having legal custody of the child shall be given an opportunity to submit information regarding the student's residency to the District's Residency Officer. All notices required by this policy shall be in writing. Additionally, reasonable alternative arrangements for documenting communications will be made for those persons who are visually impaired or otherwise unable to communicate in writing.
  3. Information or documentation to prove student residency in the District shall include but not be limited to proof of provisions of utilities, payments of ad valorem taxes, local agreements or contracts for purchasing/leasing housing, income tax returns, mortgages, contracts and any other source of proof which is not in conflict with statutory provisions relating to the residence of students.
  4. The appropriate residency officer (Director of Elementary Education or Associate Superintendent of Secondary Education) shall seek to resolve questions or disputes involving the residence of a student, with provisions for appeal to the District's Board of Education. The following procedures are to govern the process:
    - a. The student's parent, guardian, or person having legal custody of the child must notify the residency officer in writing of the review request within three (3) school days from the date of written denial of admittance or from the date of written notification that the student is considered not to be a resident of the District.
    - b. Upon receipt of a request for review, the residency officer shall allow the parent, guardian or person having legal custody to provide additional pertinent information in accordance with the District's criteria and statutory provisions regarding residency. This information must be submitted with the request for review.
    - c. The residency officer must render a decision and notify the student's parent, guardian, or person having legal custody of the child of the decision and reasoning therefore in writing within three (3) school days of the receipt of the request for review.
    - d. In the event the student's parent, guardian, or person having legal custody of the child disagrees with the residency officer's decision, such person shall notify the residency officer in writing within three (3) school days of his or her receipt of the residency officer's decision.
    - e. The residency officer will submit his/her findings and all documents reviewed to the Board of Education. The Board of Education of the District will review the decision and the documents submitted on behalf of the District and the student and will render a decision at the next Board meeting. The decision of the Board of Education shall be final.

5. Dispute Resolution Procedures: Miscellaneous Provisions

- a. Hearings involving more than one student where students are related or residing in the same household may, at the discretion of the Residency Officer and the Board of Education, be consolidated.
- b. In the event the residency dispute involves an 18-year old student all notices will be delivered to the student because at 18 the student ceases to be a minor.
- c. If already enrolled and attending school within the District, a student(s) involved in a residency dispute may remain in school until available appeals are exhausted if the appeal has been filed in a manner that complies with District policy and applicable regulations.
- d. The residency officer shall be in charge of maintaining the files related to a residency dispute, ensuring that the principals or others directly involved in such dispute forward their records of the dispute following their involvement, and otherwise keeping all communications involving the dispute intact.