

POLICY

2016
Students

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SUBJECT: ATTENDANCE – AGE AND RESIDENCY

Ages of Attendance/Compulsory Attendance Age

Kindergarten

Students who are legal residents of the School District and who reside with parents or guardians within the School District at the time of the opening day of school must be five (5) years or more of age on December 1st in order to register for kindergarten.

A child who transfers into the School District at any time during the school year may be considered for admission to kindergarten by the Superintendent provided:

- a) The parents were not legal residents of the School District on the opening day of school, and
- b) The child has been registered and enrolled in kindergarten in the district in which his/her parents were legal residents.

Foster children who have been admitted into another school district's kindergarten program and return to Vestal may be admitted into the Vestal kindergarten program.

Other Grades

Admission of children to other grades shall involve a consideration of both chronological age and the readiness of the children to do the work of those grades.

According to Education Law, a student who becomes six (6) years of age on or before the first of December in any school year shall be required to attend full-time instruction from the first day that the District schools are in session in September of such school year, and a student who becomes six (6) years of age after the first of December in any school year shall be required to attend full-time instruction from the first day of session in the following September. Except as otherwise provided in Education Law Section 3205(3), a student shall be required to remain in attendance until the last day of session in the school year in which the student becomes sixteen (16) years of age.

All persons dwelling within the District who are between the ages of five (5) years and twenty-one (21) years and who have not received a high school diploma shall be entitled to enroll in the District.

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Students

SUBJECT: ATTENDANCE – AGE AND RESIDENCY (Cont'd.)

Determination of Student Residency

The residence of children dwelling within the District boundaries shall be established in a manner consistent with State Law and the Regulations of the Commissioner. The Board of Education or its designee shall determine whether a child is entitled to attend a District school. Any adverse residency decision by a school official, other than the Board or its designee, shall include written notice to the parent/person in parental relation of the procedures for obtaining review of the decision within the District.

Regulations will be developed to implement the terms of this policy.

Homeless Children

The parent/person in parental relation to a homeless child; or the homeless child, together with the homeless liaison designated by the School District in the case of an unaccompanied youth ; or the director of a residential program for runaway and homeless youth established pursuant to Executive Law Article 19-H, in consultation with the homeless child, where such homeless child is living in such program, may designate either the school district of current location, the school district of origin, or a school district participating in a regional placement plan as the district the homeless child shall attend.

Children of Activated Reserve Military Personnel

Students temporarily residing outside the boundaries of the District, due to relocation necessitated by the call to active military duty of the student's parent or person in parental relation, will be allowed to attend the public school that they attended prior to the relocation. However, the District is not required to provide transportation between a temporary residence located outside the District and the school the child attends.

Emancipated Minors

A determination of whether a student is to be designated as an emancipated minor in the Vestal Central School District will be based on evidence that the student is no longer under custody, control and support of his/her parents/persons in parental relation. To establish emancipation, a minor may submit documentation of his/her means of support, proof of residency and an explanation of the circumstances surrounding the student's emancipation, including a description of the student's relationship with his/her parents/persons in parental relation. These statements are renewable each school year.

(Continued)

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Students

SUBJECT: ATTENDANCE – AGE AND RESIDENCY (Cont'd.)**Proof of Age**

A student's birth certificate or other satisfactory evidence of age shall be presented at the initial registration. The child shall be entered under his/her legal name.

McKinney-Vento Homeless Education Assistance Act, Section 722, as reauthorized by the No Child
Left Behind Act of 2001
Education Law Sections 2045, 3202, 3205, 3209 and 3212(4)
8 New York Code of Rules and Regulations (NYCRR) Sections 100.2(x) and (y)

NOTE: Refer also to Policy #7131 – Education of Homeless Children and Youth
7.1-5 Post-Secondary Attendance 7/2280
Adopted 8/23/11
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