




STATE OF CONNECTICUT

STATE BOARD OF EDUCATION



TO: Superintendents of Schools

FROM: Dr. Miguel A. Cardona, Commissioner of Education 

DATE: July 31, 2020

SUBJECT: Residency Verification of Students Attending Interdistrict Choice Programs

The purpose of this communication is to define Connecticut State Department of Education (CSDE) expectations regarding residency verification and confirmation for students enrolled in interdistrict choice programs. In issuing this guidance, we aim to establish enrollment verification processes that afford students and families equitable access to all available educational opportunities, while acknowledging that districts and operators have the right and responsibility to take reasonable measures to confirm students' district of residence. While this guidance is not limited to the present public health emergency brought on by the COVID-19 pandemic, we ask that districts and operators be especially patient with students and families during this unprecedented time, and understand that it may not be feasible for families to provide certain documentation in support of residency in a timely fashion.

In the context of school choice, a student's residency status is relevant because districts are legally obligated to provide certain financial supports and/or transportation services for resident students who attend choice programs. As such, it is important that districts/operators have reasonable measures in place to verify student residency. At the same time, districts must take care to ensure that the measures used to verify residency are appropriately targeted to verifying a student's residence and are not unnecessarily complex or burdensome, which could have the effect of discouraging students from enrolling in certain programs or could be viewed as inequitable. The CSDE previously issued guidance on residency verification, most recently in December 2019, which is available at the following link: <https://portal.ct.gov/-/media/SDE/Digest/2019-20/Enrollment-GuidanceAugust-2017.pdf?la=en>.

The CSDE expects districts and program operators to adopt a two-part framework for determining residency for students enrolled in school choice programs. This framework requires that students establish residency within a district at the initial time of enrolling in a school choice program ("Residency Verification"), and that they are asked to confirm residency status through a residency confirmation process each year thereafter ("Residency Confirmation"). As is outlined more fully in the enclosed guidance, the initial step of Residency Verification calls for the district/operator to verify residency through a request for documentation that is limited in scope and reasonably necessary to determining a student's residency. This process should be in conformance with a district's local policy on this subject – to the extent that policy is aligned to the CSDE's previously issued enrollment guidance (referenced above).

Once a student is enrolled in a choice program, the student would provide "Residency Confirmation" in subsequent years, in which the operator would ask the student to confirm the residency previously identified by the student and verified by the district/operator upon entry to the school/program. Residency Confirmation is intended to parallel the procedures that districts

employ with other resident students enrolled in the district. For purposes of Residency Confirmation, it is expected that operators would ask enrolled students/families simply to confirm that they continue to live at the address on file, and that families would not be asked to produce additional documentation to verify residency.¹ This two-part framework ensures that districts/operators have the opportunity to fully and completely verify a student's residency at the time of initial enrollment in a school choice program and also to confirm residency status in subsequent years. In addition, this approach minimizes the burden on families to provide extensive and unnecessary documentation year after year in order to fulfill requirements that are not required of resident students who are not enrolled in a choice program.

We hope this guidance is helpful as districts and operators work with families interested in choice programming during this difficult time. Please direct any questions to the Office of Strategic Planning and Partnerships at SDE.StrategicPlanning@ct.gov or 860-713-6465.

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¹ In rare circumstances, the district/operator may become aware of information that calls a student's stated residency into question (*e.g.*, the student requests a bus stop that is in another town or is far from the student's stated place of residence). In these instances, it may be appropriate for the district to solicit information from the family to verify the student's residency consistent with initial Residency Verification procedures.

Guidance for Connecticut School Districts and Interdistrict School Choice Programs:

Residency Verification and Confirmation Guidance in Interdistrict Choice Programs

This document is intended to provide boards of education, interdistrict magnet school operators, and other school choice operators with guidance regarding the verification of student residency status. The focus of this guidance is on the specific types of documentation required to establish residency and the processes CSDE expects districts and operators to employ for both new and returning students in school choice programs. As is detailed more fully below, the CSDE expects districts and operators to work cooperatively in establishing/verifying residency through a two-part framework to ensure accurate residency designation of participating students and minimize the burden on families. This approach consists of a residency verification process at the time of a student's initial enrollment in a choice program, and a residency confirmation process for returning students. The sections below outline the CSDE's expectations in these areas.

What is the legal basis for residency verification?

In the school choice context, school districts are legally obligated to provide financial support and/or transportation services as required by statute for resident students who participate in school choice programs. Determining a student's residency status should be limited solely to the review of the specific information necessary to confirm the student's status as a resident student in the district in question. While districts and operators may collect additional data about their students (e.g. demographic information, place of birth, primary language, etc.), information unrelated to residency status has no bearing on whether a school district is financially obligated to support a student's enrollment in the school choice program.

What are the school district's obligations if a resident student wishes to attend a school choice program?

A student's school district of residence is responsible for paying the tuition, if any, for resident students attending certain school choice programs as required by statute. In addition, if applicable, the student's district of residence must organize and hold the planning and placement team meeting for special education students and/or pay for special education and Section 504 costs to the extent those costs exceed per pupil amounts prescribed in the Connecticut General Statutes. Finally, school districts must provide resident students with transportation to school choice programs located within the boundaries of the school district and to certain choice programs, including Connecticut technical high schools and regional agricultural science and technology education centers, in accordance with the terms of Connecticut General Statutes.

What information is required to establish residency for purposes of students' participation in a school choice program and the resulting obligation on the district for certain statutory financial supports and/or transportation services?

The CSDE previously issued guidance on residency verification, most recently in December 2019, which is available at the following link: <https://portal.ct.gov/-/media/SDE/Digest/2019-20/Enrollment-GuidanceAugust-2017.pdf?la=en>. This document is intended to apply to residency determinations both for students who attend schools within the district as well as those who attend school choice programs. As indicated in that guidance, because residency can be demonstrated in a variety of ways, there is no single specific document that is required to establish residency. Districts and operators should not overburden families by asking for more than two types of documentation for purposes of establishing residency. Examples of documents that may be used for these purposes include the following:

- A current apartment or home lease agreement, a mortgage document, property tax record, rent receipt, homeowners insurance.
- A current utility bill (electric, gas, water), cable, home or cell phone bill, insurance correspondence.
- Current proof of government benefits (disability, Medicare, Supplemental Assistance Nutrition Program, SNAP) or other government correspondence showing an address.
- A current Connecticut driver's license, automobile registration, automobile insurance.

If documents such as these cannot be provided because the parent and student live with someone else, an Affidavit of Residence from a parent, guardian or from the person with whom the child resides, signed before a notary or commissioner of the superior court, may be used. In all cases, districts and operators should avoid asking for documents pertaining to citizenship or immigration status. These documents are not relevant to determining a child's residency status within a school district, and asking for them could discourage parents of undocumented children from enrolling their children in school.

While this guidance is not limited to the present public health emergency brought on by the COVID-19 pandemic, districts and operators should be especially patient with students and families during this unprecedented time, and understand that it may not be feasible for families to provide certain documentation in support of residency in a timely fashion.²

² The CSDE recently issued guidance concerning registration during the public health crisis, which can be found at <https://portal.ct.gov/-/media/SDE/Digest/2019-20/Recommendations-for-a-Supportive-and-Inclusive-Registration-System.pdf>.

How does the residency process differ for new versus returning students attending school choice programs?

The process used to review a student's residency status will vary depending on whether the student is either (1) enrolling in the school choice program for the first time, or (2) a returning school choice program student. Students enrolling in a choice program for the first time will provide **Residency Verification** at the time of registration. Ideally, this process requires families to provide the school choice program operator with documentation sufficient to establish residency in the town in which the student resides. Once an operator has verified the student's residency status as part of registration, the operator should send documentation in support of the student's residency to the student's district of residence. In limited circumstances, a district may also require residency verification directly through the home district but such verification should be administered through an on-line process in a manner consistent with this guidance.

Districts and operators may rely on their own local policies in articulating the information necessary to establish residency – provided those policies are consistent with this guidance and the CSDE's prior guidance on this subject. In confirming students' residency status, districts should apply the same standards in determining residency for students whether the students will attend one of the district's schools or an out-of-district school choice program.

Operators, and districts if applicable, should complete residency verification for each school year on or before August 30th, or within three weeks of enrollment for registrations after August 30th. Students who already have established residency within a district – whether they attend in-district schools or school choice programs – should not be required to re-establish residency each year as if they were doing so for the first time. To that end, students returning to school choice programs should undergo the **Residency Confirmation** process. This process is somewhat different from the Residency Verification process because districts/operators already will have verified students' residency. In Residency Confirmation, it is expected that operators would ask students to confirm that they continue to live at the address previously provided and verified by the district/operator upon initial enrollment. The operator should then forward this information to the student's district of residence by October 31 of each school year. Unless special circumstances are present,³ students providing Residency Confirmation should not be required to supply documentation in support of their residency status. In all cases, in an effort to reduce the burden on families, a student's district of residence and the choice program operator of the school the student attends should cooperate in the sharing of information regarding a student's residency status.

What happens if a family does not provide the school choice program operator with residency verification as requested?

In the rare circumstance in which a family fails to provide residency verification materials at registration, the claimed district of residence will be unable to confirm whether the student is

³ For example, if the district/operator has specific reason to believe that the student does not reside at the address previously provided and verified, it may be appropriate to solicit from the family the underlying documentation in support of the stated place of residence.

actually a resident and therefore whether it is required to provide financial support for the student's enrollment in the choice program. Registration should not proceed without the residency verification. The claimed district of residence first should notify the family that it lacks documentation to support the student's residency in the district and identify the school district in which it claims the student resides. At that time, the family would either (1) provide residency verification materials to the claimed district of residence; or (2) identify a different district of residence and provide residency verification materials to the new district, which would be financially responsible for the student's enrollment in the choice program.

In the event a family persistently fails to provide documentation to support a student's residency, the student may not register for the choice school and the claimed district of residence may decline to provide financial support for the student's enrollment in the choice program because this obligation applies only in the case of resident students.⁴ In such instances, the claimed district of residence should notify the family that it disputes the student's residency claim and identify the school district in which it claims the student resides. In these circumstances, the family of the student may initiate with that board of education the school accommodations hearing process pursuant to Connecticut General Statutes Section 10-186 for purposes of adjudicating the student's residency status. Following the hearing, registration may proceed and the district would be financially obligated to support the student's enrollment in the choice program if it is determined that the student is a resident in the district in question.

If a school choice operator becomes aware of a change in residence of an enrolled student, the operator should notify the family that they must provide residency verification of the new home district and register in that town. The same process described in the preceding paragraphs would apply if the family persistently refuses to provide residency documentation consistent with this guidance to verify residency in the home district. In accordance with Section 10-186 of the Connecticut General Statutes, the student may continue his or her enrollment until the residency challenge is completed. In such cases, the claimed resident district will remain financially responsible for the student unless and until the residency challenge determines that the claimed district is not the resident district.

What is the process for local and regional boards of education to review the residency status of students enrolled in school choice programs?

Each year, boards of education should review the October Public School Information System R2 report: Students Received by Other Public School Districts report, in the data exception application to confirm resident students attending interdistrict choice programs. Districts should compare students listed on the tuition bill from operators with the Public School Information System R2 report. Districts should collect current residency document(s) from operator and

⁴ Children and youth who are considered homeless under the Federal McKinney-Vento Homeless Assistance Act, 42 U.S.C. §§ 11301 et seq., are exempt from residency verification requirements. These students may enroll in the choice school even if their families cannot produce the documents that would otherwise be required to prove residency at registration.

resolve any disputes regarding a student's residency with interdistrict magnet school(s) prior to the January 1 freeze of the October Public School Information System collection, subject to exceptions where a continue dispute exists. If a district identifies certain exceptions, those exceptions should be communicated to the CSDE's Performance Office and the district should collaborate with the school choice program to resolve the dispute in a timely fashion.