October 2010

To the Parents/Guardians of:

Re: Amnesty Period for Residency Fraud

Dear San Francisco Unified School District Parents and Guardians:

The District has identified a number of families who live outside San Francisco but enrolled their children in San Francisco schools by falsely claiming residency in the City. These families have been informed that their children's enrollment has been cancelled, and that they must reimburse the School District for any costs associated with investigating their false residency claims. In addition to the above consequences of residency fraud, families could face civil or criminal prosecution for making false statements regarding residency in the school application process.

This letter is directed to families that have committed residency fraud. Parents/Guardians who have never submitted false residency information to the District may disregard this letter.

We understand that parents falsely claiming San Francisco residency may have the best possible motives, namely, to obtain the best education for their children. However, by securing a spot through a false residency claim, parents committing address fraud are displacing San Francisco children whose parents have the same hopes for their children, and who, in many cases, have been turned away from their desired schools after having diligently followed the rules. In some cases, as many as 1,000 children can apply in a given year to fill 44 slots in a school, and each application follows countless hours spent on school tours and careful consideration by parents.

There is a procedure – interdistrict transfer – for those outside the City to obtain admission to a San Francisco school. However, interdistrict transfer is available only after students who live in the City are placed in the schools to which they have applied. It is not permissible for those who live outside of the City to "cut in line" for their preferred schools.

Any parent who made a false statement to secure a current space for their child is potentially liable for substantial civil and criminal penalties. However, it is our sincere hope that it will be unnecessary to prosecute any parents for making false statements in the school application process. To reduce the need to prosecute anyone for making such claims, we provide the following notice:

If you obtained enrollment for your child in a San Francisco school through a false residency claim, the District is now providing a one-time AMNESTY PERIOD (now until November 20, 2010) for you to declare your true residency. You must come to the Educational Placement Center and fill out a Change of Address form with proper verification of your true residence.

This letter applies to all students in your household who have listed the above address as their residence. You will need to update the address for each student in your household who has used a false address to establish residency.

If you come forward voluntarily with your true residence, you will be given the opportunity to either (1) withdraw your child immediately and enroll them in your district of residence or (2) complete the remainder of the semester in your child’s present SFUSD school. In either case, you will not be charged investigation reimbursement costs and will not be prosecuted for making false statements to the District prior to that date. If you reside outside of San Francisco and opt to finish the semester in SFUSD, you will need to complete an interdistrict permit request from your district of residence.

The Amnesty Period does not apply to those families who have already been contacted by the District regarding a finding of false residency.

If you obtained enrollment through a false claim of residency and you fail to come forward to inform the district of your true residence during this AMNESTY PERIOD ending on November 20, 2010, you will be subject to withdrawal without finishing the semester, investigative costs and civil or criminal prosecution.

Sincerely,

Carlos Garcia, Superintendent, San Francisco Unified School District
Frequently Asked Questions About Residency Fraud

What is considered to be “true residency’’?
A San Francisco resident is an individual who is a full time occupant of a dwelling located in San Francisco who, on any given day, is likely to be at their stated address when not in work or in school. A minor’s residence is presumed to be the legal residence of the parent(s) or guardian(s) who have physical custody of the minor. Temporary residence in San Francisco, solely for the purpose of attending a SFUSD school, shall not be considered residency.

How does the Amnesty Period work?
The Amnesty Period is a one-time opportunity for families committing residency fraud to come forward by filling out a Change of Address form at the EPC and bringing appropriate documents to verify residency. This needs to be completed by November 20, 2010.

If a family takes advantage of the Amnesty Period, the child(ren) will be allowed to finish up the Fall semester in their current school. If the residence is outside of the City, an interdistrict permit to continue in SFUSD will be approved by SFUSD until the end of the semester. Additionally, the District will not initiate an address investigation and will not pursue investigative costs and possible civil and criminal action.

At the end of the semester, the child(ren) who live in another city will be withdrawn from their current school and must apply for enrollment in their district of residence or re-apply with an interdistrict transfer for enrollment into another SFUSD school that is not over-subscribed.

I live outside of San Francisco, but I also own property in the City. Can I use my San Francisco address to enroll in school in SFUSD since I pay taxes in the City?
A person who owns property in San Francisco, but does not reside in San Francisco, is not considered a resident. Business addresses may not be used as residences.

What is residency fraud?
Parent(s)/Guardian(s) are committing residency fraud if they submit an address that is not their true residence in the application and enrollment process or in other documents submitted to the District.

What happens if the parents do not live together?
If the parents are separated and live at different addresses, the student must physically reside with the custodial parent at the reported San Francisco address for at least 50% of the time.

What happens if the District investigates and I am caught using a false address?
The student will be withdrawn from school and the parent must reimburse the District for investigative costs. In the past, these costs have ranged from $400 to $5000. The District may also pursue civil or criminal action against anyone making false claims.

If the child does not reside in the City, they must enroll into their district of residence. An interdistrict permit will not be approved for enrollment into SFUSD for one year after revocation of enrollment due to fraud.

What if I do not come forward during the Amnesty Period?
The District will continue to investigate residency fraud. If it is revealed that a child is enrolled using a false address (or any other false information provided to the District) the child(ren) will be withdrawn from school, the family will be responsible for all investigative costs, and the District may pursue civil and criminal action.

Can my child enroll into a SFUSD school if we live outside of San Francisco?
Any child may apply for an interdistrict permit request if they live outside of San Francisco. Non-residents do not participate in the regular enrollment process. Placement into schools will be granted only after all SF residents have been placed, usually in June or July, on a space-available basis.

However, with the exception of the Amnesty Period, if enrollment is revoked based on residency fraud or other false claims, an interdistrict permit to attend school in San Francisco will not be granted for one year after revocation.

If the District alleges that I may have used a false address, can I challenge the decision?
If the parent/guardian feels that the District’s decision to revoke enrollment was made in error, s/he may submit a letter and supporting evidence to the EPC within 7 days of notification to challenge the decision. The parent will receive a meeting with a representative from the EPC to discuss the challenge. The district will respond within a reasonable amount of time to notify the parent/guardian of whether the decision to revoke enrollment has been sustained or reversed. The student will remain enrolled in school until the decision to revoke enrollment is sustained or reversed. This decision shall be final. It is likely that a challenge will result in additional investigative costs and parents will be responsible for the additional costs if the revocation is upheld.