



When Good Parents Go to Jail:

The Criminalization of Address Sharing in Public Education
August 2023

by Tim DeRoche, *Available to All*,
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A nonpartisan
watchdog defending
equal access to
public schools

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Executive Summary

Access to public education is provided to K-12 students in every state across the country, backed by a constellation of state and federal laws. In fall 2021, nearly 50 million students were enrolled in public schools in the United States.¹ Although all of those students are equally entitled to a public education under the law, public schools do not provide a high-quality education equally.²

By and large, children attending public school in the traditional K-12 system enroll in a local public school tied to their family's address.³ This incentivizes families to “buy into” high-quality schools by purchasing or renting homes in more desirable districts (and the attendance zones or catchment areas within districts that assign specific addresses to specific schools). This tight link between district or zone boundaries and school assignment perpetuates the idea that public education is a scarce and commodified resource, one that homeowners can purchase by moving to specific neighborhoods.⁴ From this perspective, education is seen as a form of property owned by the district and selectively allocated by the district for the good of its residents; it is long-standing legal doctrine that the core of any property right is the right to exclude.⁵



Kelley Williams-Bolar spent nine days in jail for using her dad's address to allow her daughters to attend a safe, high-quality public school in Ohio.

In practice, exclusionary school assignment practices leave many students without ready access to a high-quality education. In a search for solutions, some families choose to enroll their child in school using an address that is not their own but is within a preferred school district or zone — a practice that has gone on for decades.

One common way to do this is by providing the address of a relative, friend, or colleague who lives in a desired school district or zone as their child's permanent home address when enrolling in a new school.⁶ This practice of “address sharing” (using an address that is not the family's actual residence) happens across the country, and families have long used this strategy to give their child better educational options.⁷ But over the past 20 years or so, many states have been cracking down on the practice — and some even use their criminal codes to do so. In at least 24 states, parents or guardians who use an address that is not their residence to enroll their children in school can be criminally prosecuted, resulting in steep fines and even jail sentences.⁸

Sixteen of those states use specific laws to target this practice, but we found evidence that at least eight additional states allow local governments and prosecutors to charge parents with more general crimes like larceny or perjury. General criminal statutes are on the books in every state and territory, which means that parents in almost any state risk criminal prosecution if they engage in this practice.⁹ As a result, active decriminalization of address sharing (prohibiting the use of criminal statutes to prosecute the behavior) in every state is the only way to fully eliminate the risk of prosecutions.

To be clear, there is nothing that requires states to assign students to schools using district boundaries or to use criminal or civil codes to enforce those boundaries. States have full discretion to not only decriminalize the practice of address sharing but to go further in addressing the underlying problem that has invited the practice of address sharing in the first place. They should take the proactive step of legalizing cross-boundary enrollment by making every school available to all, regardless of address, or prohibiting districts and schools from using residence information to make enrollment decisions in the first place.

Indeed, Connecticut became the first (and only) state to decriminalize address sharing in 2013 after the high-profile arrest of Tanya McDowell in a complex case that included charges for address sharing.¹⁰ At the time of her arrest, McDowell was a homeless mother who used her son's babysitter's address to enroll him in a Norwalk School District elementary school.¹¹ In addition to other charges included in her case, McDowell was ultimately charged with first-degree larceny, which is typically reserved for stealing or theft of goods. This led to a bipartisan effort by the Connecticut legislature to amend the state's larceny statutes to explicitly exclude issues related to school enrollment and address sharing.¹² Now, any parent who misrepresents their address will not be subject to criminal charges, although they can still be made to pay back “tuition.”¹³

While progress is likely to be incremental, this report recommends that states take one, two, or all three of these alternative approaches:

- 1. Decriminalize address sharing**, repealing any specific laws that criminalize address sharing and ensuring that prosecutors and local governments cannot use a state’s general criminal laws to prosecute parents who engage in address sharing.
- 2. Legalize cross-boundary enrollment** by limiting how schools or districts use residence information for enrollment purposes.
- 3. Expand open enrollment** by requiring policies that allow students to enroll in schools outside their residential district or zone boundary.

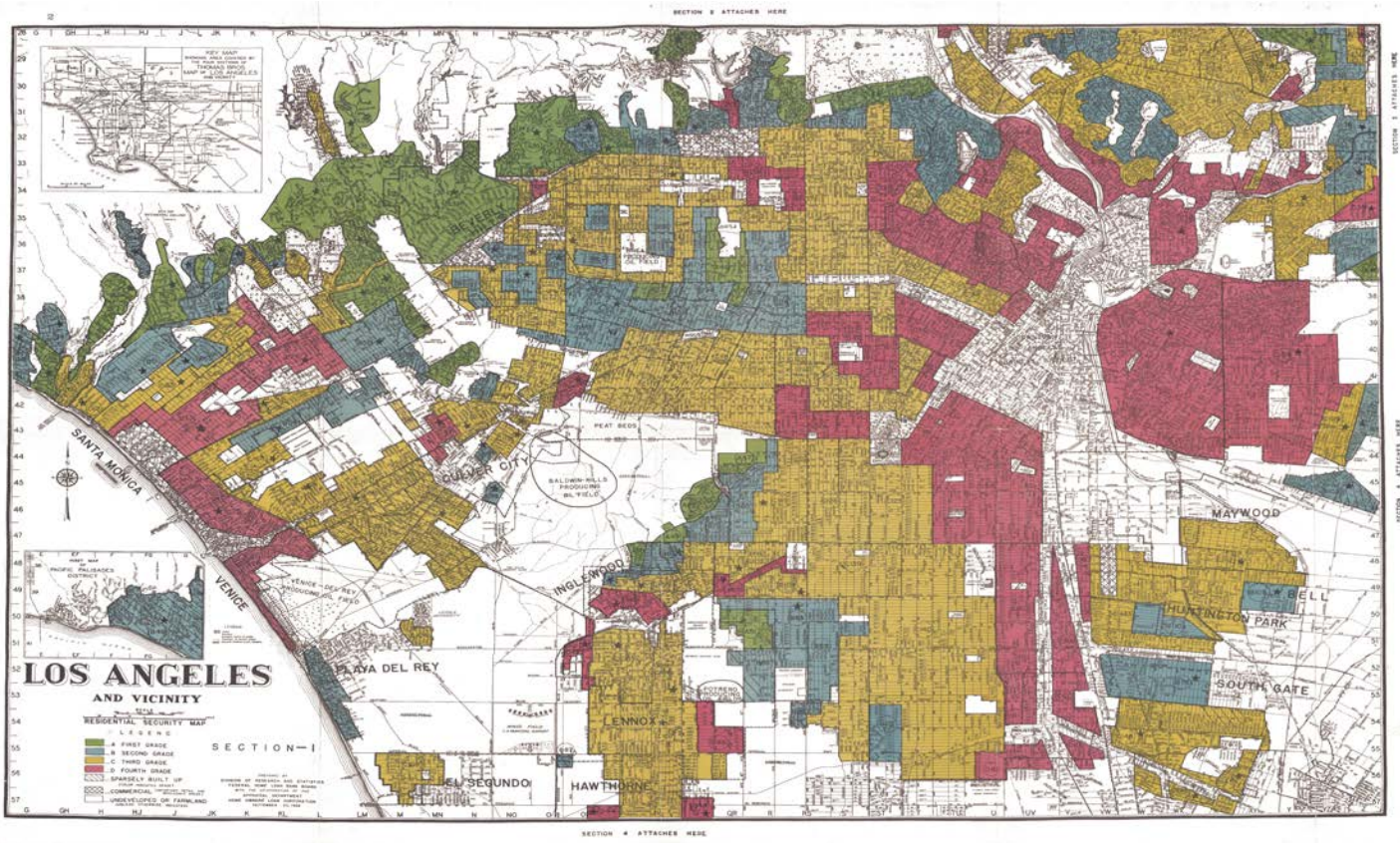


Figure 1. Our nation has a long history of using discriminatory maps that prevent low-income Americans, especially people of color, from accessing valuable government services. Above is a redlining map of Los Angeles produced by the Home Owners Loan Corporation during the New Deal Era.

Introduction

In 2009, a mother in Rochester, New York, was arrested on felony larceny charges for illegally enrolling her daughter in the neighboring Greece Central School District. She lived outside the school's zone and the district's boundaries, so she used her mother's address within the district to enroll her daughter in school. On the courthouse steps, the mother explained that she had engaged in address sharing to "get the best for my kids." Her daughter, who attended the hearing, said, "My mom only did what was right because she loved us."¹⁴ Ultimately, this mother chose to give custody of her children to her own mother so they could attend Greece Public Schools legally.¹⁵



Arizona mom Karrie was devastated to learn that the school district could legally tell her son Brayden that he couldn't come back for second grade because of his disability. Their new home was "just slightly outside" the boundaries of the school district.

Virtually every school district is defined by geographic boundaries that determine which students attend school in that district. In theory, the localization of educational governance allows for knowledgeable governance and the efficient administration of resources. It may also enhance a community's ability to exercise democratic leadership over its institutions, ensuring that the district is responsive to local priorities. Most school districts use subdivisions within the district, known as attendance zones, to assign students to specific schools. Families have come to rely on the predictability of knowing which school their child will attend based on a specific residential address, along with the convenience of using a school close to their home.¹⁶ (It's worth noting, however, that students are often assigned, for a variety of reasons, to a school that is not the nearest to their home.) District officials typically use attendance zones to plan the opening of new schools, create and manage transportation routes, and project enrollments for subsidized school meals, the hiring of teachers and school staff, and for other resource planning needs.¹⁷

However, public school districts are unique in that they are government entities that deny service to a portion of the public based on where someone lives. Other locally funded services, such as parks, libraries, and health clinics, do not use a person's address to admit some and turn others

away. And when there are rules in place to reasonably constrain the use of public services (e.g., requiring proof of residency to borrow a book from a town’s library), misrepresenting their address to use these services typically does not put someone in legal jeopardy, either criminal or civil. But the enforcement of school enrollment boundaries is increasingly treated as a crime targeted by prosecutors and is often accompanied by draconian penalties.

Depending on which side of the boundary line a family lives, the legacy of racial and socioeconomic segregation and school assignment lives on and has a real impact on the quality of education their children can access. An analysis of school boundary lines by the Urban Institute found over 2,000 examples of district boundary lines and attendance zones impacting almost 2,800 schools that were drawn in ways that “needlessly separates different populations of different racial and ethnic backgrounds across neighboring schools” and resulted in students being assigned to lower-performing schools when they theoretically had other options.¹⁸ In one example within the Akron Public Schools System in Ohio, a district-drawn attendance zone boundary separates two schools that are two miles apart, yet the many residents on the cusp of the boundary lines have been assigned to attend the school farthest from where they live.¹⁹ The difference isn’t just a matter of distance. One school has more experienced teachers, lower suspension rates per year, and better performance on state assessments than the other school.²⁰

Research has also shown that the attendance zones of many coveted public schools mirror the geographic patterns of the racist redlining maps of the early 20th century, denying enrollment to families who live in portions of the neighborhood with high concentrations of people of color, immigrants, and lower-income residents.²¹

The difference between district boundary lines and attendance zones

District boundary lines define the geographic reach of a school district — its jurisdiction — and they are developed through the political process. District boundaries are sometimes contiguous with the jurisdictional boundaries of towns, cities, or counties, but they can also be unique to the school district. Attendance zones, on the other hand, are administrative service areas within a district and drawn by the district to assign students to specific public schools.

District boundaries and attendance zones are legally distinct with implications for how violations are enforced. The most salient difference is that district boundaries have financial and accountability consequences, and many decisions about resource distribution center on the district as the unit receiving funds and reporting outcomes.

State laws that criminalize address sharing typically target families who violate district boundary lines with the justification that a district is financially harmed by a family from another district enrolling their child in a school that they do not have a right to attend. As a result, criminal or civil enforcement is not likely to be applied to families who violate attendance zones (the within-district subdivisions), as those families live within the district, and thus the entity of the district has not suffered financial harm.

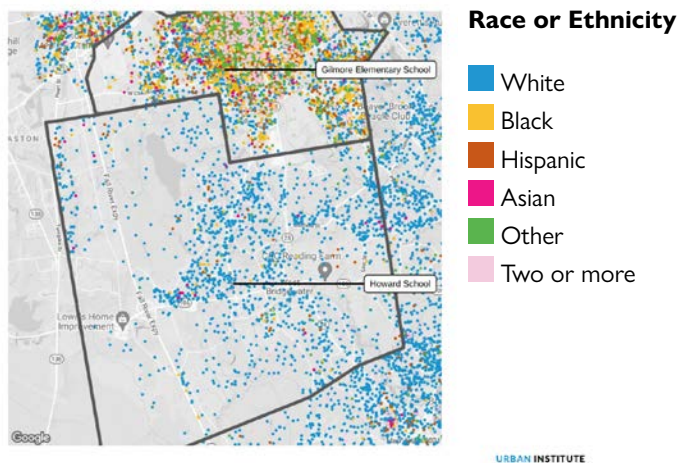


Figure 2. Gilmore Elementary (Brockton Public Schools) and Howard Elementary (West Bridgewater Public Schools) serve dramatically different populations—kept separated by the district boundary line.

Source: [Dividing Lines: Racially Unequal School Boundaries in US Public School Systems](#) Data from US Census Bureau and Precisely.

Notes: One dot corresponds to one person. Demographic data are based on 2010 census block data.

Drawing geographic boundaries in ways that exclude students from opportunity occurs within and across districts in a state. For example, two schools in the Boston suburbs on the border of two neighboring school districts have a 64-percentage-point gap in the percentage of low-income families that they serve, as well as significant gaps in academic achievement.²² However, that arbitrary line prevents residents from sending their children to the better-performing school — or even a school that’s physically closer to their home.²³ See Figure 2.

In cases where parents disregard those boundaries and enroll their children in schools outside their district, the consequences can be severe.

Punishing parents or guardians for address sharing appears to have its legal foundation in an understanding of property rights that assumes a school district to have an ownership right to each of the seats in its schools — along with the per-pupil revenue each of those seats generates — and it is therefore entitled to exclude any students who do not live within the district’s geographic boundaries. In this system, address sharing can be characterized as a form of theft from the district, causing unlawful financial harm.

Broadly speaking, the simplified justification for this assertion of a property right is that residents pay local property taxes to fund the local schools, and therefore the governing district owns the seats and can determine who is entitled to claim them. The reality of modern school finance complicates this claim: Districts do receive funding from local taxes, but they are also supported by state, federal, and other sources. In fact, local funding is often less than half of a district’s budget, undermining the claim that this fiscal arrangement creates a legally protectable property right.

Regardless of the justification, address sharing for the purposes of school enrollment is often regarded as a criminal practice. That said, the specificity of laws criminalizing this practice varies across the country. Where some states have passed explicit, targeted laws to enforce criminal penalties for address sharing, other states (or municipalities within states) have used general criminal statutes to enforce school district boundaries. Contrast that with the ways in which cities or counties control access to other locally funded services where government service providers may set some constraints around use but do not enforce those rules with the threat of criminal prosecution.

In addition to individual charges, prosecutions also set an example and aim to deter other families or pressure them to self-enforce by changing schools — sometimes through direct threat or intimidation.

Under current laws in many states, parents can face months (or even years) in prison and thousands of dollars in fines²⁴. These punishments can have a devastating long-term impact on families.²⁵ Moreover, because address sharing is so prevalent, it is impossible to detect or prosecute all instances of the practice.²⁶

However, the limited data available and anecdotal evidence suggest that prosecution of address sharing is selective and often targets poor parents and parents of color.²⁷ A WHY? report of 63 Philadelphia-area school districts that disenrolled students suspected of residency fraud found that when data was available, it showed that the students targeted for suspicions of address sharing were disproportionately, and in one case exclusively, nonwhite.²⁸ One private investigator has reported that school districts often use these laws to selectively target students based on race, national origin, or disability status: “Some districts might flag the special-education students, or pull one over on me and try to flag the African-American families or the Hispanic families. Sometimes it’s ‘Leave all the football players alone but check everybody else.’”²⁹

This analysis presents an overview of the practice of address sharing and its criminalization, a review of how parents are (or can be) prosecuted for address sharing, and detailed findings from a review of criminal and civil statutes in all 50 states and Washington, D.C. It concludes with recommendations for how policymakers can end criminalization, legalize cross-boundary enrollment, and expand open enrollment.

Is it possible to “steal” an education? From whom?

This analysis implicates complex legal questions not just about who holds legally enforceable property rights (or interests) to the seats in a given school, but even deeper questions about whether there is any protectable property right at all. Such questions are outside the scope of this publication, but their exploration might inform decriminalization efforts by undermining the very basis for prosecution.



There are also exceedingly challenging tactical issues — which anyone familiar with doing surveillance would recognize — but these challenges are enhanced when it comes to doing surveillance on children.

- Philip A. Becnel IV, private investigator,
[Fraud Magazine](#), 2014

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'The money shot': How school districts find and prove residency fraud

Many districts monitor students to make sure they actually live within district boundaries and aren't using a fake address, but what does that monitoring actually entail?

School Enrollment Fraud Can Be Costly

Coveted school districts nationwide crackdown on enrollment fraud

KICKED OUT

Suburban schools' residency enforcement mostly affects kids of color

When school and protect



By

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Parents for residency fraud, they say they're enforcing rules that targets the poor and minorities.

BHUSD Tightens Residency Documentation Requirements

A portion of the student body will be randomly selected each year and given 30 days to provide documents proving that they live in Beverly Hills.



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SFUSD residency fraud on the rise as parents vie for spots at top city schools

By Laura Waxmann Jul 8, 2018

SF school district goes after residency cheats

How Criminal Codes Are Used to Prosecute Address Sharing

In at least 24 states, families who use misleading residency information to enroll their children in school can be criminally prosecuted.³⁰

There are many ways to provide misleading address information, including providing a completely fake address to school officials, failing to update an address when a family moves, or simply not providing an address at all when registering a student at a new school. One common form is literal address *sharing*, where families list the address of someone who lives in the desired school district (e.g., a friend, relative, or colleague) as their child's permanent home address when enrolling the child in a new school.

We use **address sharing** throughout this report as a blanket term to capture the many practices that families engage in to misrepresent their primary residence for the purpose of school enrollment. This can include, but is not limited to, the actual sharing of a known person's address.

Most laws that criminalize address sharing do so using statutory language that considers the practice a form of theft, with offending families charged with stealing educational resources from the district.

This approach is premised on an assumption that the district holds a legally recognized ownership interest, which is often justified by a largely outdated understanding of school funding policies. Although there is wide variance in states' funding models, the underlying narrative that a school is funded exclusively (or even mostly) by the property tax dollars of local homeowners is an oversimplification. In fact, property taxes account for just 37% of education revenues nationally.³¹ The remainder is a combination of state and federal funding and may include supplemental resources for specific programs and populations, including students with disabilities and students from low-income backgrounds. To be sure, some districts are funded mainly (though not exclusively) by local property taxes, but those places are the exception rather than the rule.

These same assumptions about how schools are funded also feed public rhetoric about the potential harm to the families who are "entitled" to attend these schools because they ostensibly "pay for them." This argument may be appealing at first glance, but it does not stand up to legal scrutiny as we could find no legislative history, legal doctrine, or case law to substantiate a legal theory that individual residents have a recognized property right to attend a specific school.³⁵ Moreover, some states are explicit that families do not have that right — specifically in the event of a school at its enrollment capacity.³⁶

It is difficult to enforce laws criminalizing address sharing,³⁷ and these laws have not prevented address sharing from becoming a common practice. Nonetheless, these laws have allowed local and state prosecutors to punish select families at their discretion. For example, a father in Orland Park, Illinois, was charged under Illinois' criminal statute against sharing and found guilty of providing a false lease to enroll his daughter in the district's high school.³⁸ The district investigated after a teacher reported hearing the student talking with peers about her home in neighboring Blue Island.³⁹ The father was ordered to pay over \$24,000 in unpaid "tuition" and almost \$500 in legal fees.⁴⁰ Despite only prosecuting this one family, the district's own investigation suggested that 2 to 5% of the student population could be nonresidents.⁴¹

Selective prosecution means that some parents or guardians may be allowed to keep their children in the school outside their attendance zone or residential boundary (or punished very lightly), while others are punished severely for engaging in the exact same address-sharing activities. Research is limited, but there is reason to suspect that families are not only prosecuted selectively but also disproportionately, with low-income families (and perhaps especially families of color) more often prosecuted for these offenses.⁴² Giving credence to this evidence, Bill Beitler, the owner of a company that specializes in address investigations, said that some districts "might flag the special-education students, or pull one over on me and try to flag the African-American families or the Hispanic families. Sometimes it's, 'Leave all the football players alone but check everybody else.'"⁴³

Understanding Criminal Penalties

When someone is subjected to criminal penalties, they are formally charged by a prosecutor in the criminal courts for engaging in an unlawful act.⁴⁴ The jurisdiction of the criminal court introduces the possibility of using physical (and potentially lethal) force to ensure compliance.

At least 24 states subject families to criminal penalties for address sharing.⁴⁵ In 16 states, specific laws criminalize defined acts of address sharing. For example, California has a statute that considers misrepresenting residency information to get into a school district to be perjury, punishable under the state's anti-perjury laws.⁴⁶ This statute allows parents to be punished by two to four years in

Disparities in local property tax revenues are currently the primary driver of resource inequity across district boundaries, creating some of the inequitable circumstances that may motivate families to engage in address sharing.³² Many states allocate state funding to balance out these disparities, such that many lower-wealth school districts are predominantly state-funded.³³ In addition, a few states have shifted to school finance systems where local property taxes (or revenues generated in excess of a cap) are pooled and then redistributed across districts.³⁴ It is now unusual for local resources to provide most, or even the majority, of the funding for a typical school or district. These complexities do not neutralize the effect of inequitable local property tax resources, but they do call into question many foundational assumptions about who holds what kinds of property rights in which institutions (and potentially whether any legally protectable property rights exist at all).

state prison.⁴⁷ Washington, D.C., on the other hand, passed the Public Schools and Public Charter School Residency Fraud Prevention Amendment Act of 2012, which treats address sharing as fraud and increased the fine for providing false residency information from \$500 to \$2,000, also adding the possibility of incarceration for up to 90 days.⁴⁸ Most states, however, are less specific about how they categorize their statutes against address sharing.⁴⁹

Additionally, there is evidence that at least eight states have used or threatened to use general statutes pulled from the state's criminal code to target the practice. The most common general statutes used by states to criminalize address sharing define the practice as acts of larceny, fraud, or perjury — criminal laws that are on the books in every state in the country. And even when states do not criminalize or otherwise punish address sharing, cities can punish address sharing at the local level by invoking these general criminal prohibitions.

Penalties and Prosecutorial Discretion

When statutes are not specifically tailored to address sharing but are intended to apply broadly to general crimes, they often allow for a wide range of penalties. This breadth gives prosecutors tremendous flexibility and discretion in deciding how to pursue punishment of parents for engaging in the practice.⁵³

Consider the case of Hamlet Garcia, who was prosecuted in 2012 for using his father-in-law's address to enroll his daughter in a public school in Lower Moreland, Pennsylvania.⁵⁴ The Philadelphia district attorney charged him with theft of services and conspiracy to commit theft of services.⁵⁵ If convicted, Garcia faced up to seven years in prison.⁵⁶ To avoid jail time, he accepted a plea deal and agreed to pay nearly \$11,000 in back "tuition."⁵⁷

Garcia's case is newsworthy as an outlier and as an instructive example of the dangers of prosecutorial discretion. In some instances, prosecutors recommend sentences, not because of the severity of a parent's alleged crimes but because the legal system wants to make an example of a parent. In the case of Kelley Williams-Bolar, the Ohio mother sentenced to 10 days in county jail followed by three years of probation, the presiding judge explicitly stated that "some punishment or deterrent

Under principles of federalism, state criminal codes are within the state's exclusive control and as a result, there is variation when comparing them. Where possible, we provide statements of the general or typical approach — but that may not be perfectly descriptive of any one state's laws.

Larceny, fraud, and perjury are the most common general offenses used to criminalize address sharing.

Larceny is the unlawful taking of personal property with the intent to deprive the rightful owner of it permanently.⁵⁰

Fraud is the intentional use of deceit, a trick, or dishonest means to deprive another of their money, property, or a legal right.⁵¹

Perjury is the act of willfully making a false statement under oath, related to a material fact, that one knows to be untrue.⁵²

was needed for other individuals who might think to defraud the various school districts.”⁵⁸ Prosecutorial discretion is what makes parents in every state (except Connecticut) vulnerable to the risk of criminal charges, absent legislative decriminalization by the state. There was nothing remarkable about the facts of Garcia’s case to make him an outlier — except that the prosecutor decided to charge him.

Felonies and Misdemeanors

Crimes are generally classified as either felonies or misdemeanors and can result in fines and/or incarceration. These criminal penalties punish offenders for engaging in some kind of indiscretion against the state.⁶⁰ Criminal prosecutions often result in lifelong criminal records that can impact the economic and social mobility of offenders.⁶¹

In most states where it is criminalized, address sharing is considered a misdemeanor.⁶³ Misdemeanor convictions can still result in fines, and defendants can still be jailed for up to one year.⁶⁴ In California and Texas, however, address sharing is specifically prohibited and is a felony crime. Felony convictions are the most serious in the criminal justice system; the most severe penalties for address sharing are imposed in Texas, where the statute calls for up to 10 years in prison.

Prohibitions Against Address Sharing Can Be Enforced Through Civil and Administrative Penalties

While this report focuses on state-level efforts to criminalize address sharing, the practice can also be enforced through *civil penalties* or *administrative penalties*. There are two common types of penalties imposed by both civil and administrative systems. The first is injunctive, which means that a specific act must happen (or must stop). Every state law that prohibits address sharing enforces that rule by, at a minimum, removing the student from the school. In addition, civil and administrative systems can impose financial penalties of different types. While the classification of the type of financial penalty will likely inform how that dollar amount is calculated, the experience of the family who owes the money — sometimes tens of thousands of dollars — is the same.

Prosecutorial discretion is the ability of a prosecutor pursuing a criminal case on behalf of the government to decide whether to charge a person with a crime, what specific crime to charge them with, and what punishment to recommend that the person be subjected to if convicted.⁵⁹

Felonies are serious offenses, generally punishable by more than one year in jail or prison.

Misdemeanors are comparatively less serious offenses, usually punishable by less than one year in jail.⁶²

Understanding Civil Penalties

Criminal prosecutions are distinct from civil penalties, which are pursued via lawsuits. Litigation is intended to stop a bad act and remedy a harm (rather than to punish an offender) — although the total dollar amounts can be steep, with lifelong financial consequences for offenders.

In the case of address sharing in states or municipalities that use civil laws to prohibit the practice, school districts' legal stance is that financial harm was inflicted on the district via the parent's actions, and that the child should be removed from the school and the parent should pay back the cost of that harm. In most instances, the prosecutor is seeking to recoup the per-pupil funding allocated for the student while they attended school in the district that they did not have the legal right to attend (sometimes referred to as "tuition" in this context).

Understanding Administrative Penalties

Administrative penalties are levied by public agencies after a hearing overseen by independent and impartial hearing officers or administrative law judges.⁶⁵ Administrative hearings give individuals the ability to challenge decisions made by a government entity.⁶⁶ While decisions made as a result of administrative proceedings must be followed, these hearings do not function as a traditional court system.⁶⁷ They tend to be less formal than civil or criminal proceedings and are designed to be more accessible and easier to navigate if a parent does not have an advocate or attorney.⁶⁸

When administrative penalties are used to enforce prohibitions against address sharing, a school district is often trying to force an address-sharing family out of the district. An administrative hearing enables families to defend their actions against the district's efforts. If the hearing officer rules in favor of the district, they will remove the student from their school.⁶⁹ The hearing officer may also require that the parent reimburse the district for costs associated with educating their child during the time they spent improperly enrolled in the district.⁷⁰

There are many different types of financial penalties that courts may impose.

Fines are often imposed by criminal courts, are often set at arbitrary values that are not linked to the harm, and are typically not directed back to the harmed party.

Restitution is commonly imposed by an administrative agency and is paid back to the party that was harmed to reimburse them.

Damages are awarded by a civil court and are paid directly to the harmed party.

Actual damages are calculated based on the facts of each case to reflect the cost of the harm.

Punitive damages are awarded for the purpose of punishment; they can be calculated as a multiple of actual damages and are typically imposed only where there are known, intentional, or repeated violations.

Address Sharing Is Common, and Enforcement Is on the Rise

Although academic research on address sharing is thin (likely because people using alternate addresses may be understandably reluctant to call attention to their actions), the research that does exist supports anecdotal evidence that many families misrepresent their addresses to get their child enrolled in a higher-quality school outside their assigned district.⁷¹

One former student from Northern California explained how her entire family used address sharing to access a high-quality public school system:

“We all used that address, me and all 15 of my cousins ... we came here for a better opportunity. We swapped addresses with other families in Alameda, [California] just to get access to the better schools. Every single one of my cousins went to college. The educational opportunities paid off for us.”⁷²

While address sharing is not new,⁷³ it appears school districts in the U.S. are cracking down on address sharing more often than in years past.⁷⁴ To crack down on Harrisburg, Pennsylvania, families who are enrolling their children in the Central Dauphin public schools, the Central Pennsylvania district stepped up enforcement in 2010 and prosecuted at least three families.⁷⁵ One of those families included a mother who lost her job, had to move to a cheaper apartment in nearby Harrisburg, and used her cousin’s address to keep her child enrolled in the Central Dauphin School District.⁷⁶ The district found out the family was address sharing, and the mother was convicted under Pennsylvania’s criminal statute and ordered to pay \$1,359 in restitution within one year.⁷⁷

Alina Adams, a public school admissions consultant in New York City, showed a gerrymandered school district map to one of her kids. “Did a drunk toddler draw this?” he asked.

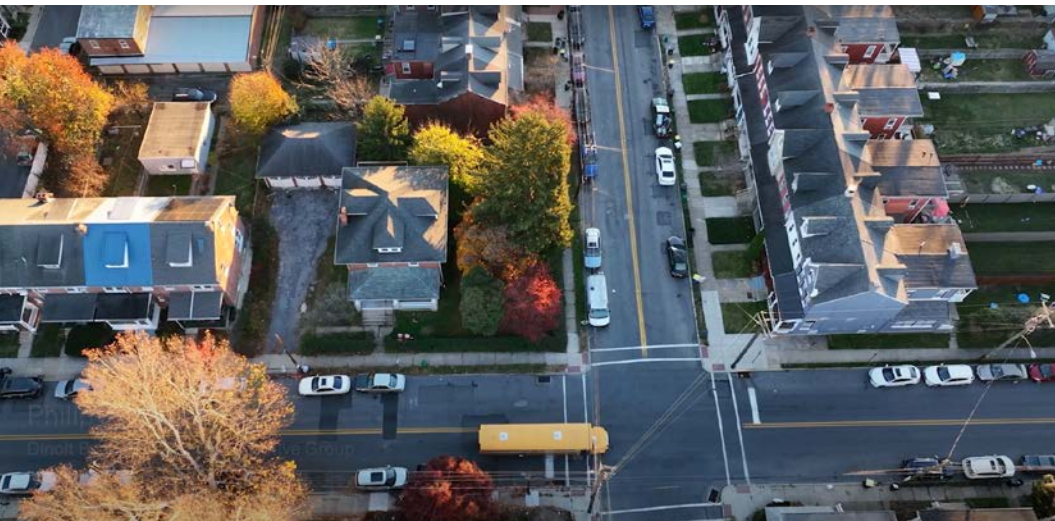


In 2000, Jimmie Mesis founded VerifyResidence.com, an investigation firm specializing in helping districts uncover families engaging in address sharing. Mesis started by partnering with a few school districts in New Jersey. By 2014, the company had expanded to service more than 200 school districts across the country.⁷⁸

One of the most well-known cases of prosecuting address fraud is Kelley Williams-Bolar, an Akron, Ohio, mother and teacher's aide whose daughters attended a low-income dilapidated school and were experiencing bullying.⁷⁹ She used her father's address to enroll her children in the high-performing Copley-Fairlawn school district. However, the district hired a private investigator who followed her family home to prove they lived outside the district's boundaries. Charged with felonies, Williams-Bolar was convicted and sentenced to five years, with all but 10 days suspended.⁸¹

Parents' rights organizations across the country have reported an uptick in the number of families targeted and harassed by school districts because of suspected address sharing.⁸² In 2015, when asked about her experience working with families accused of address sharing, one parent advocate noted that she had seen an increase in investigations.⁸³ She explained, "You see residency officers more than ever, and this practice of treating families like they've robbed a bank. It has become the norm to treat them like criminals."⁸⁴

In 2018, Jeff Stein, a Pennsylvania-based private investigator, noted that he had seen an increase in school districts interested in these services.⁸⁵ Stein said, "I would say in the last five years, there's been an increase. You're seeing more private investigators get involved in this."⁸⁶ This tactical enforcement shift over the past few years illustrates how vigilant school districts are about enforcing school residency requirements.⁸⁷



We believe in being available on very short notice to do either door knocks to check on students or do surveillance of homes and apartments, if necessary, to find out where students actually live, not where the parent or guardian says they live.

– [National Investigations](#), 2023

Methodology

This report is based on a thorough analysis of all 50 states as well as D.C. to determine where address sharing is criminalized and how it is prosecuted. The analysis includes:

- **A 50-state scan of state-level criminal codes.** This report relies on an extensive search of criminal codes of all 50 states and D.C. to locate state laws specifically criminalizing the act of address sharing.⁸⁸ Where state statutes existed, those were corroborated with the available legislative histories to learn more about how these laws were passed. Wherever possible, the absence of statutes criminalizing address sharing was confirmed by state attorneys general and the general counsels for state education agencies.

- **A comparative prosecutorial penalty analysis.** This report includes state-level research about instances of prosecution of parents for the act of address sharing by using general criminal statutes. This was primarily done by conducting internet searches for news media coverage of parents prosecuted for misrepresenting their address for school enrollment purposes. (Note: This research is not exhaustive; because address sharing can be prosecuted in almost every state using general criminal laws, it is possible that instances of prosecution without media coverage were not captured.)

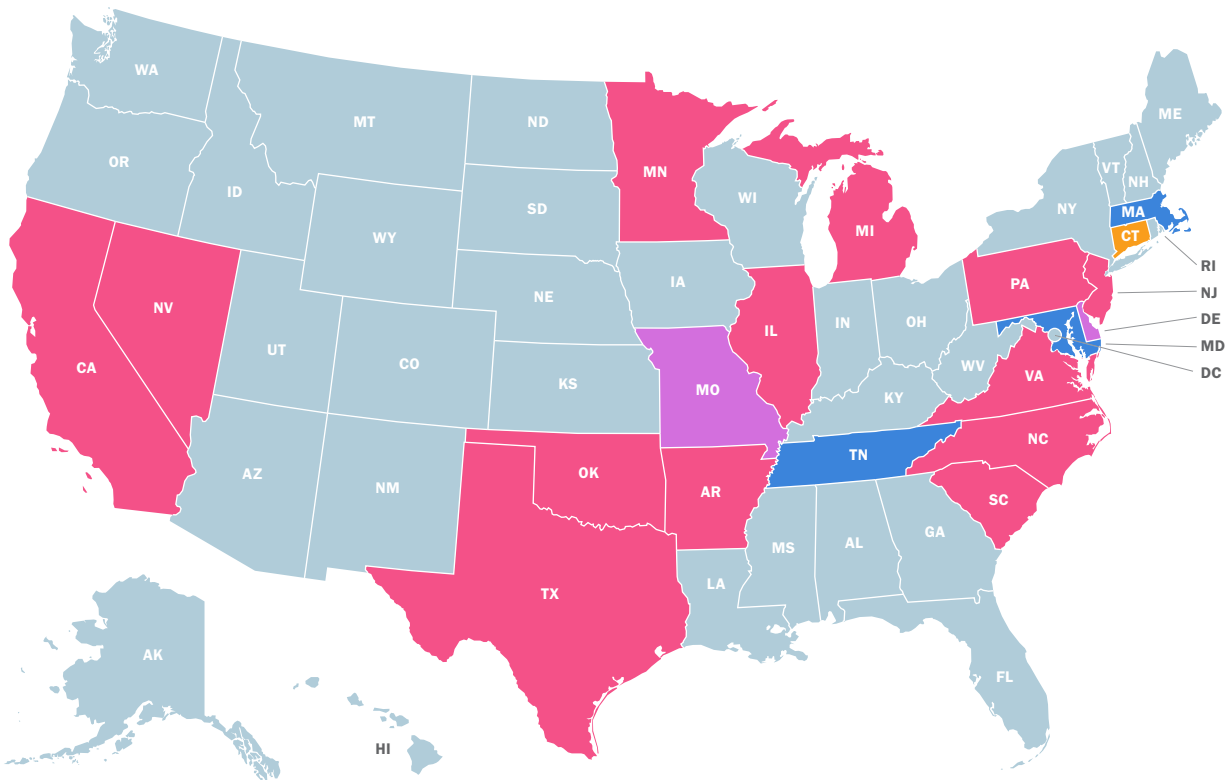
- **Research on the threat of prosecution.** This report documents instances where address sharing was not criminalized at the state level or prosecuted, but where there was evidence that schools, districts, or prosecutors threatened families with criminal prosecution under state criminal statutes.






State Analysis & Maps

24 States Prosecute Address Sharing as a Crime

In at least 24 states, address sharing is criminalized. Figure 3 illustrates that 16 of these states have specific statutes against address sharing. In those states, a parent or guardian can face imprisonment and/or a fine if convicted. In three of the 16 states with specific criminal laws against address sharing, Delaware, Missouri, and Washington, D.C., there are also civil laws that allow parents to be sued by the state or school districts in addition to the criminal penalties.

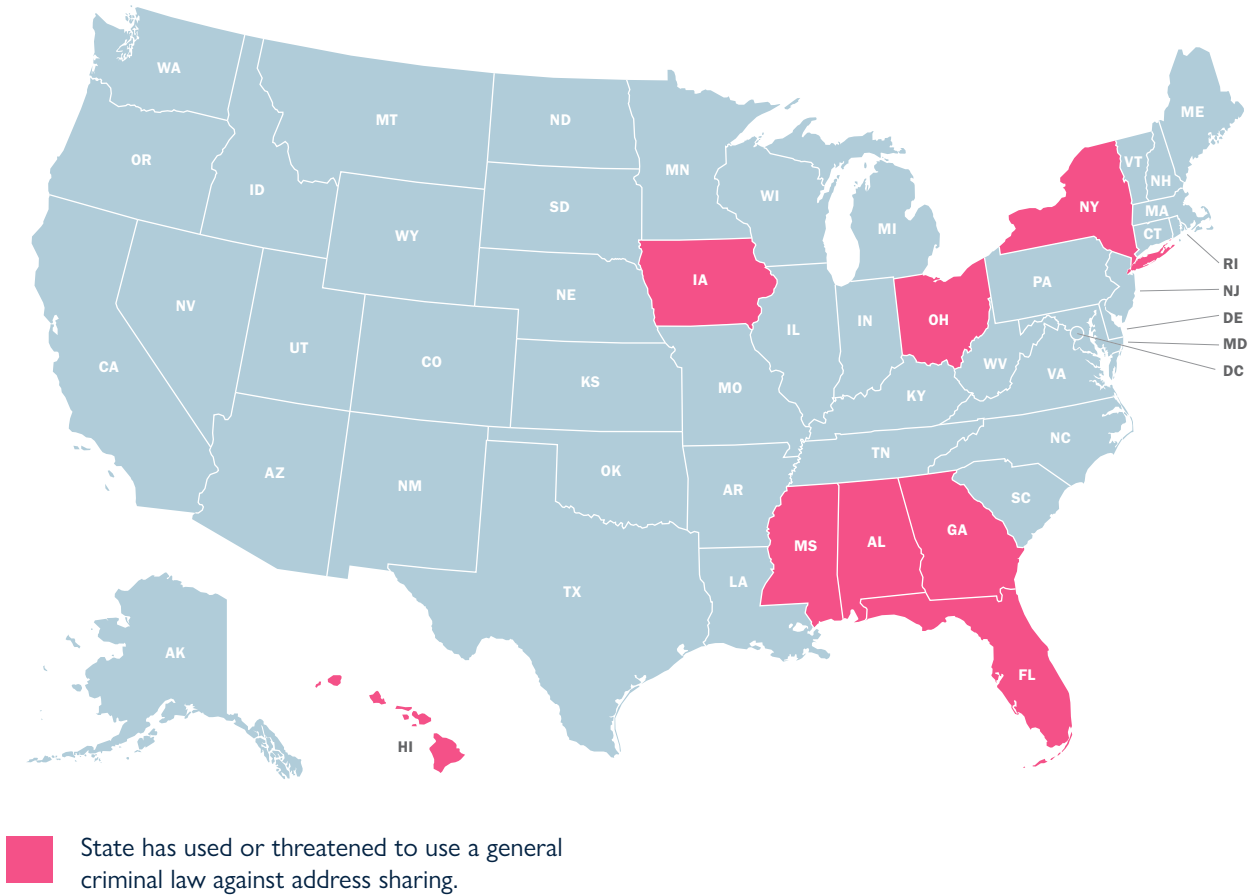
Figure 3. States with Specific Laws Criminalizing Address Sharing



- | | | | | | |
|---|--|---|---|---|--|
|  | State has a specific criminal law against address sharing. |  | State does not have a specific criminal or civil law against address sharing. |  | State has passed a law to decriminalize address sharing. |
|  | State has a specific civil law against address sharing. |  | State has a specific criminal and civil law against address sharing. | | |

In addition to the 16 states with specific criminal statutes against address sharing, at least eight states without specific statutes have prosecuted or threatened to prosecute families who engage in it under other statutes such as fraud or perjury (Figure 4).

Figure 4. States Using General Laws to Criminalize Address Sharing in the U.S. (50 States and D.C.)



Note: Figure 4 includes states where we found examples of general laws being used or threatened to be used against parents or guardians suspected of address sharing. There may be other states that use or threaten to use general laws that are not included in this analysis.

These 24 states that criminalize address sharing do not share a clear, common profile. They vary in geographical region, size, racial makeup, and political voting patterns. In addition, they vary in terms of how specific their laws are and how severe their penalties may be.⁸⁹ An analysis of these states along the two measures of “specificity” and “severity” helps to map the similarities and differences across states.

State Criminal Laws Against Address Sharing Vary in Their Specificity and Severity

There are noteworthy differences among states in the **specificity** of the laws used to criminalize address sharing (i.e., whether that act is the subject of the law or whether a general criminal law is being used to address the act) and the **severity** of the penalties parents can expect if prosecuted and convicted (i.e., how the crime is classified and what the maximum penalties could be). Some states have specific statutes outlawing address sharing with punitive felony prison sentences of up to 10 years. In other states, prosecutors using misdemeanor fraud or larceny laws cannot fine offenders more than \$50 (Table 1; Figures 5 and 6).

For the purposes of this report, a penalty is considered severe if it includes any imprisonment for any length of time and/or a fine of \$1,000 or more. Our findings show that, regardless of specificity, almost all states that criminalize the act of address sharing or use general statutes can impose severe penalties on parents or guardians if convicted.

Table 1. Law Severity and Specificity in 24 U.S. States That Criminalize Address Sharing

Severe penalty, specific law	Severe penalty, general law
Arkansas	Alabama
California	Florida
Delaware	Georgia
District of Columbia	Hawaii
Illinois	Iowa
Michigan	Mississippi
Minnesota	New York
Missouri	Ohio
Nevada	
New Jersey	
North Carolina	
Oklahoma	
South Carolina	
Texas	
Minor penalty, specific law	Severe penalty, general law
Pennsylvania	None
Virginia	

Note: Table 1 includes states where we found examples of general laws being used or threatened to be used against parents or guardians suspected of address sharing. There may be other states that use or threaten to use general laws that are not included in this analysis.

Specificity: Most States Do Not Have Specific Laws to Prosecute Address Sharing

While there is evidence of at least 24 states that criminalize address sharing, only 16 states have specific laws criminalizing the practice. These state laws declare that providing false information to enroll a child in school, falsely claiming to be a child's caregiver to enroll them in school, or allowing someone to use your address to enroll a child in school are criminal offenses.⁹⁰ However, states can, and sometimes do, use or threaten to use general criminal statutes (e.g., fraud or perjury) to prosecute parents for address sharing. Our research found evidence of this practice in eight states. However, any state that does not explicitly decriminalize address sharing leaves families open to prosecution via the state's general criminal statutes.

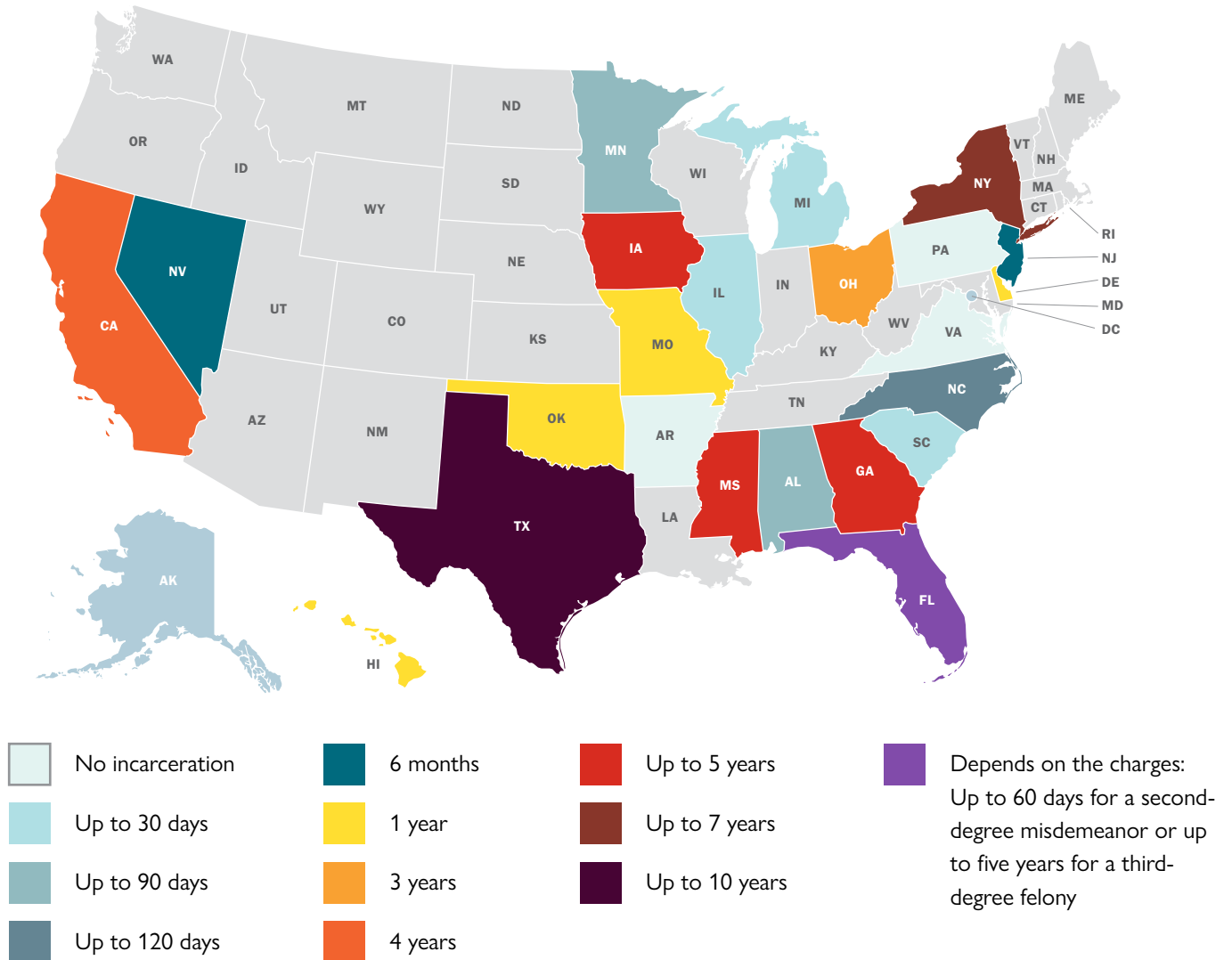
Severity: Although Most States That Prosecute Address Sharing Classify It as a Misdemeanor, Those Laws Still Allow Parents To Be Imprisoned and Subjected to Criminal Fines

Of the 24 states that either have specific laws or, research indicates, have used or threaten to use general laws to prosecute parents or guardians for address sharing, 17 classify the act as a misdemeanor offense.⁹¹ One state — Pennsylvania — classifies address sharing as a summary offense.⁹² This is the least severe type of criminal offense for which one can be prosecuted within Pennsylvania and is considered less serious than a misdemeanor, punishable only by fines.⁹³

In six states, address sharing is considered a felony. Two of these states — California and Texas — have statutes specifically targeting address sharing,⁹⁴ and the remaining states — Iowa, Mississippi, Ohio, and New York — use general criminal statutes to prosecute address sharing as a felony.⁹⁵ In Florida, address sharing can be prosecuted as a misdemeanor or felony, depending on the general statute used by law enforcement. Prosecutors can use Florida's false official statements law, a misdemeanor, or the state's perjury by false written declaration statute, a felony. Theoretically, they can also use both statutes.

In 20 of the 24 states that prosecute address sharing, parents can be incarcerated if convicted of address sharing (Figure 5).⁹⁶ Sentences can range from 20 days in jail (in Michigan) to 10 years in prison (in Texas). Most commonly, sentences cannot exceed six months, but in two states — New York and Texas — parents can be sentenced to more than five years’ imprisonment.⁹⁷ Any period of incarceration is a heavy consequence that has a serious impact on a person’s life trajectory, including their ability to obtain or maintain employment or access certain government programs later in life.⁹⁸

Figure 5. Maximum Possible Incarceration Term for Address Sharing in U.S. (50 States and D.C.)



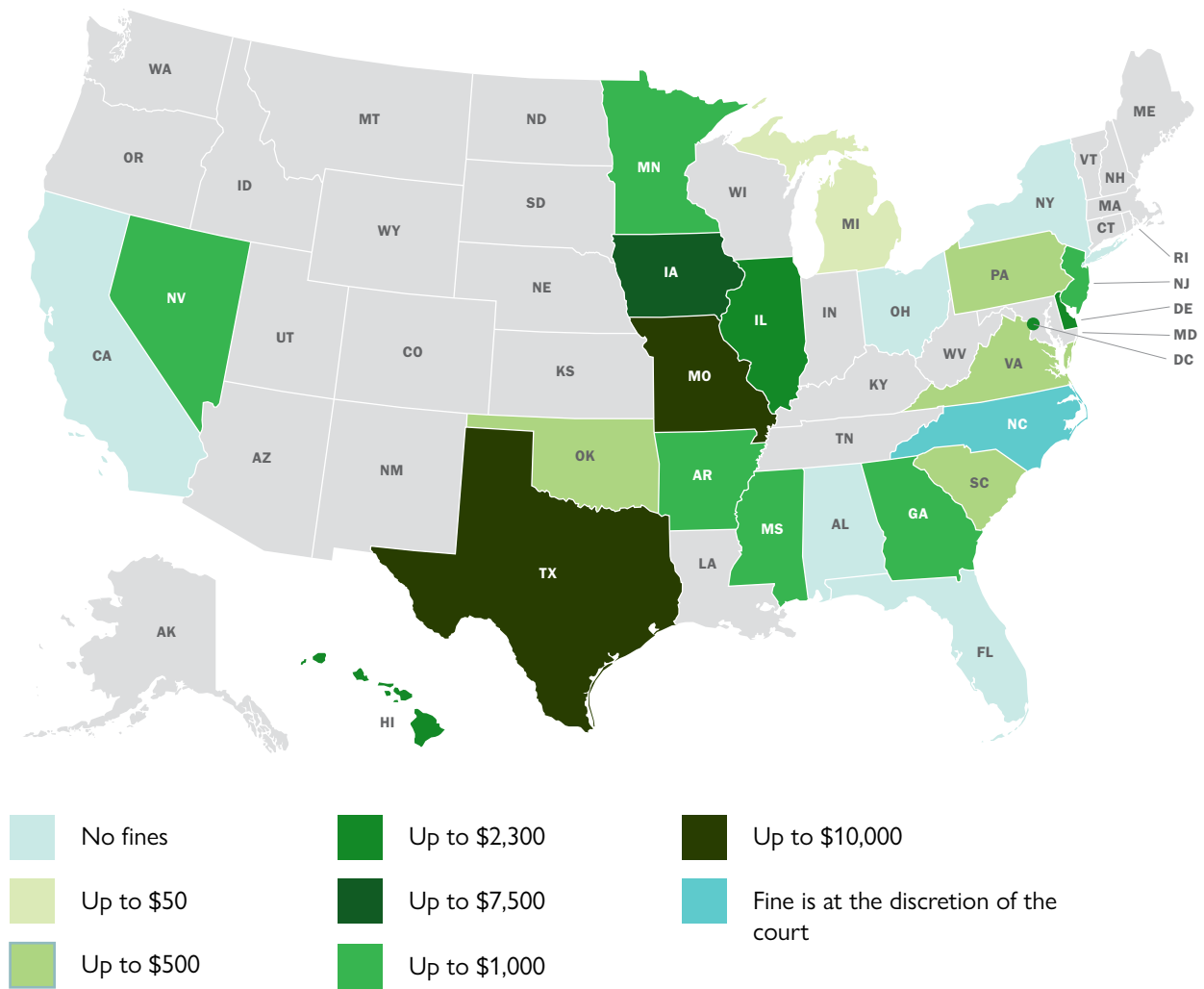
Note: This map includes 16 states that have specific laws and eight states where we found examples of general laws being used or threatened to be used against parents or guardians suspected of address sharing. There may be other states that use or threaten to use general laws, so this map may not be exhaustive in its findings.

Of the 24 states that either have specific laws or have used or threatened to use general laws to prosecute parents or guardians for address sharing, 19 of these states may impose fines and, in most cases (13 states), prosecutors are allowed to levy fines up to or above \$1,000.⁹⁹ Fines in North Carolina vary based on how families are charged but can range from a minimum of \$200 to an unspecified amount left to the court's discretion.

Penalties for Address Sharing Are Becoming Harsher, but Some States Reject the Trend

Most states that allow parents to be incarcerated for address sharing also allow for fines. Only three states — Arkansas, Pennsylvania, and Virginia — call for fines *instead* of incarceration, while Nevada is the only state that allows parents to perform community service instead of potential fines and imprisonment.

Figure 6. Maximum Criminal Fine for Address Sharing in U.S. (50 States and D.C.)



In those states that criminalize address sharing, it is more common to find laws that punish through incarceration, or through a combination of incarceration and fines, than through fines alone. These penalties are steep, and they are becoming harsher and more widespread. Research shows that in the few states that had readily available legislative histories on address-sharing criminalization, legal consequences grew harsher over time.

For example, in Arkansas, the state statute criminalizing address sharing was enacted in 1987.¹⁰⁰ In 2009, lawmakers struck provisions from the law that previously allowed students to stay in an alternate district if their home district paid their “tuition.” That same year, the maximum fine prosecutors were allowed to levy against parents was increased from \$500 to \$1,000.¹⁰¹

Notably, in at least two states — California and Mississippi — local communities have criminalized address sharing. For example, the wealthy California community of Beverly Hills adopted local laws criminalizing the practice.¹⁰² Parents or guardians can be prosecuted for perjury under the city’s local laws, as well as the state’s criminal code.¹⁰³ They can also face a fine of \$150 per day for every day their child spends illegally enrolled in the district.¹⁰⁴

While Mississippi does not have a statute specifically outlawing address sharing, at least two cities in the state, Ridgeland and Pearl, do.¹⁰⁵ Both cities make misrepresenting residency to enroll in a school in the districts a crime, punishable by 90 days in prison and a \$1,000 fine.¹⁰⁶

A Few State Legislators Have Led Efforts to Decriminalize Address Sharing and Tackle the Negative Effects of Prosecuting the Practice

Just two states — Connecticut and Georgia — have tried to decriminalize address sharing, and only Connecticut has been successful.¹⁰⁷

In 2013, Connecticut became the first state to formally decriminalize address sharing.¹⁰⁸ The push for decriminalization was spurred in part by the high-profile prosecution of Tanya McDowell, a Black, homeless mother who was staying in Bridgeport, Connecticut, when she enrolled her son in school in nearby Norwalk.¹⁰⁹ She pleaded guilty to larceny and other charges and was sentenced to five years in prison.¹¹⁰ McDowell’s story made national news, and it highlighted for many in Connecticut, including lawmakers, the unfairness that resulted from criminalizing address sharing.

Following the arrest and prosecution of Tanya McDowell, the Connecticut legislature amended the state’s larceny statute. Under the revised law, school accommodations are exempt from criminal prosecution.¹¹¹ This act of decriminalization means that parents who misrepresent their address to enroll their children in school cannot be charged; however, districts can still recover “tuition” in these instances.

In 2020, Georgia House Bill 11 (HB 11) was introduced to legalize address sharing.¹¹² This bill was crafted and proposed by Rep. Valencia Stovall, a Democrat from Ellenwood, Georgia.¹¹³ Under HB 11, a student could attend a public K-12 school if their parent or guardian certified that someone living within the school's attendance zone gave them permission to use their address to establish residency.¹¹⁴ The bill also exempted parents who engaged in address sharing from criminal liability of the state's forgery and fraud statutes.¹¹⁵ The bill did not pass, but it demonstrates the potential for policymakers to rethink rigid residency requirements for school attendance and to consider alternatives to punitive practices like criminalizing address sharing.

In addition, there is evidence that states are beginning to tackle issues of aggressive enforcement of address sharing, short of decriminalization. For example, in 2017, California amended its education code to provide parameters for how school districts can investigate cases of suspected address fraud.¹¹⁶ The law now requires "specific articulable facts" that support the district's suspicion that a family is committing address fraud. Furthermore, any district employee or private investigator hired by the district to investigate suspected address fraud is prohibited from using covert means of collecting photographs or videos of students.

Criminalization Is Not the Only Option

Following Connecticut's lead, states have the ability to decriminalize address sharing, which would ensure that prosecutors and local governments cannot use a state's criminal laws to prosecute parents who engage in address sharing. Even after decriminalization, civil and administrative penalties, if administered in proportion to the offense and with appropriate consideration of families' circumstances, are viable alternatives to address the behavior of parents misrepresenting their residency for enrollment purposes.

California's rules constraining investigations suggest that there could be an opportunity to introduce privacy protections as a legal shield. Although not explicitly raised here, it is worth considering whether a family's privacy has been under-weighted when balancing against the reasonable interest a district may have in knowing the student's residential address.

Several States Allow Parents to be Subjected to Civil Penalties for Engaging in Address Sharing

Research showed that six states — Delaware, Maryland, Massachusetts, Missouri, Tennessee, and Washington, D.C. — have statutes allowing the state to impose civil penalties on parents who provide misleading address information for the purposes of school enrollment.¹¹⁷ In Maryland, Massachusetts, and Tennessee, these civil penalties function as alternatives to criminalizing address sharing, while in Delaware, Missouri, and Washington, D.C., these are penalties that parents can be subjected to in addition to the criminal penalties that can be levied against them.

In Maryland, Massachusetts, Missouri, and Tennessee, these civil penalties are in the form of restitution and are matched to the calculated cost of the harm: Parents are required to pay the district back for the costs associated with educating their child for the time they spent in these districts.

In Washington, D.C., however, penalties appear to be more punitive: D.C. government is allowed to sue parents for triple the amount of “tuition” dollars spent to educate their child while they did not live in D.C. Furthermore, D.C.’s civil code allows the school district to ask the court to impose additional civil penalties on parents that can range from \$5,500 to \$11,000.¹¹⁸

It is very likely that districts in each of these states have made use of these laws.¹¹⁹ D.C., for example, has sued multiple parents for address sharing. In May 2018, the D.C. Office of the Attorney General sued two D.C. police officers for \$800,000 and a teacher in its DC Public Schools (DCPS) system for \$300,000 — all of whom lived outside the district — for falsifying residence information to enroll their children in DCPS schools.¹²⁰ Later that same year, the D.C. attorney general sued six Maryland parents for fraudulently declaring D.C. residency in order to enroll in the district’s schools and sought nearly \$700,000 in tuition reimbursement as well as additional damages.¹²¹ In 2019, the D.C. attorney general sued 16 additional parents, whose children lived in Maryland and Virginia, for address sharing.¹²²

As these examples demonstrate, civil penalties can be quite harmful financially. And even when civil penalties may be less damaging to parents than criminal charges, these practices may still be wielded in ways that threaten and intimidate families. Language used by the D.C. attorney general announcing the district’s 2019 litigation efforts highlights this by stating, “These lawsuits should remind non-D.C. residents that there are consequences for breaking the rules to avoid paying non-resident tuition. ... This is a message to everyone that residency fraud is a violation of the law, and our office will hold parents and guardians accountable for falsifying their residency to send their children to [DCPS] schools for free.”¹²³

A Few States Use Administrative Penalties to Address Concerns About Address Sharing

In four states — Minnesota, New Jersey, Rhode Island, and Vermont — administrative proceedings are used to address district concerns about address sharing.¹²⁴ In these states, a school district can expel a student who does not live in the district.¹²⁵ Of these states, Minnesota and New Jersey also impose criminal penalties for address sharing. In three of these states — New Jersey, Rhode Island, and Vermont — the statute provides a process for an appeal if the parent disagrees with the district’s decision.¹²⁶ The parent is given a formal hearing before a neutral arbiter to challenge the school district’s decision. At the hearing, the parent is allowed due process rights, including the right to be represented by counsel, the right to call and examine witnesses, and the right to present and challenge evidence.

In Minnesota, New Jersey, and Vermont, students can remain in the school district while the appeal is in process.¹²⁷ In Rhode Island, the Commissioner of Education decides where the student should attend school during the appeal.¹²⁸ In all four states, the Commissioner or Secretary of Education provides fact-finding and mediation to determine whether a student resides in a district.¹²⁹ In New Jersey, if the parent loses their appeal, the Commissioner of Education charges the parent “tuition” that is prorated as a fraction of the total cost to attend school for a full 180-day school year, for the number of days the child attended school in the district that year.¹³⁰

When using administrative proceedings, there is no risk of incarceration, heavy fines, or the lifelong impact of a criminal record.



Williams-Bolar was eventually granted clemency by Ohio Governor John Kasich.

Recommendations

Prosecuting families for address sharing is an ineffective way to address concerns about students attending public schools in zones they do not live in.¹³¹ It allows parents to be punished far in excess of their transgressions and enables communities to use the legal system to force exclusion and maintain social segregation.¹³² Most K-12 students in the U.S. attend public school based primarily on where they live, and, for many families, district and zone boundaries lock them out of opportunities to enroll their children in higher-quality public schools — sometimes just blocks from their residence.¹³³ These families are denied the chance to make decisions they know would be best for their children’s education for no reason other than their residential address.

Criminalizing address sharing as the means of enforcing district boundaries only exacerbates the challenges that families already face. Policymakers, prosecutors, and district leaders can think differently about these prohibitions and their enforcement. While progress may be incremental, beginning with a focus on the alternative enforcement strategies of using civil or administrative penalties, ultimately there are three approaches to reducing (or eliminating) criminalization that policymakers and district leaders must consider:

- 1. Decriminalize address sharing**
- 2. Legalize cross-boundary enrollment**
- 3. Expand open enrollment**



Kelley Williams-Bolar is a Parent Liaison for Available to All. “I don’t want this to ever happen to anyone else,” she says.

Recommendation No. 1: Decriminalize Address Sharing

State Legislators: State legislators should repeal laws criminalizing address sharing. Like Connecticut, they should also pass new laws exempting address sharing from offenses that can be prosecuted under state criminal statutes.¹³⁴ Without explicit decriminalization, state and local prosecutors across the country will always be able to prosecute parents under broader criminal statutes. Decriminalizing address sharing would also stop municipalities from threatening families with prosecution or punishing parents with imprisonment and criminal fines simply for trying to find better educational options for their children. Furthermore, decriminalizing address sharing would serve as a recognition that the pursuit of a better public K-12 education via address sharing should not be demonized. Decriminalization is a necessary first step to acknowledging that families face significant barriers to equal educational access. Policymakers should seek to understand these barriers and help families overcome them, rather than punishing families.

Local District Attorneys: While state legislators work toward decriminalizing address sharing, local district attorneys and prosecutors should exercise their prosecutorial discretion and decline to prosecute cases of address sharing brought to their attention. This refusal would serve as an acknowledgment that legal resources at the local level should not be spent prosecuting address-sharing cases.

School and District Leaders: As legislators consider decriminalization, district administrators and school leaders should stop forwarding families to local and state district attorneys for prosecution. District and school administrators should also stop threatening families with prosecution and should remove references to criminal enforcement from communications with families when discussing public school enrollment residency requirements. In districts where investigators are used to root out suspected address sharing, districts should stop these investigations and instead reroute those resources toward efforts to better support all students.

Recommendation No. 2: Legalize Cross-Boundary Enrollment

State Legislators: To proactively address the underlying problems that incentivize address sharing, state legislators should not search for more effective ways to catch, criminalize, and root out address sharing. They should instead legalize cross-district enrollment by prohibiting schools from using residence addresses for the purpose of school assignment.

Legalizing cross-boundary enrollment would give families the ability to pursue options that best meet their children's needs, without being constrained by district or zone lines that separate students from opportunities.¹³⁵ This would ensure that a child's academic opportunities would no longer be determined by their residential address and would go a long way to ensuring that all students have equitable access to the best available public school options.

Recommendation No. 3: Expand Open Enrollment

State Legislators: State legislators can pass laws requiring school districts to create inter-district open enrollment policies. Arizona and Colorado, for example, both require school districts to create policies for accepting nonresident students without charging tuition.¹³⁶ When passing laws to expand enrollment, legislators should specify that enrollment and school assignment for nonresident students is to be determined by lottery, not residency. These policies increase school access for children and eliminate the idea that arbitrary district lines must determine students' futures.

State legislators should also pass laws allowing for the portability of funding across school district lines. At the very minimum, school districts should be able to enter into "tuition" reimbursement agreements with home districts of students who live outside the district. As noted earlier, Arkansas is one state with statutes that previously allowed this practice. These agreements allow families to stay in the districts they have selected for their children, while ensuring that those districts are effectively compensated for the expense of serving these students. These laws should be drafted to focus on providing the maximum amount of support for families and not require a student's home district to consent to a student's release before they are allowed to attend school in a new district.

Local Legislators and School Boards: Like state legislators, local legislators should pass laws recognizing tuition reimbursement agreements with adjacent school districts. Furthermore, with the autonomy often given to local leaders in managing school districts, local legislators and school board members can collaborate with leaders from other districts to facilitate inter-district academic programs and classes. Many states across the country already use such programs, primarily to spur racial integration efforts.¹³⁷ This would give students across districts more uniform access to academic instruction and educational resources. For many families, this would likely limit or eliminate the need to try to access the educational resources available in other districts through address sharing.

School and District Leaders: Though legislation allowing districts to collaborate would no doubt help district leaders expand enrollment options, school and district leaders in most states currently have the authority to enter into residency agreements with other districts at their discretion.¹³⁸ School and district leaders should lean into their autonomy and support all the families who have chosen to attend school in their districts, wherever they live. School and district leaders should also stop expelling students who do not reside in their district. If the additional costs of supporting these students are a burden schools cannot bear on their own, school and district leaders should contact students' home districts and request "tuition" reimbursement. District leaders should also inform families about these practices when communicating with them about residency requirements. This would ensure that all families, whether they live in the district or not, know that the district will work with them to support and serve their families.

Conclusion

Public school systems in the U.S. provide access to education for all K-12 students.

Today, nearly half the states in America plus D.C. criminally prosecute families for trying to send their children to a better public school in a district they do not live in. Criminalizing address sharing punishes parents for trying to give their children access to higher-quality educational opportunities, and the practice is subject to highly selective enforcement with a small fraction of families punished for a behavior that is common throughout our society. Therefore it should be legalized, decriminalized, or made less punitive by policymakers, attorneys general, and district officials alike.

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- 8 Author’s calculation—see full report for methodology. Note that in this report, Washington, D.C., will be treated as a state for the purposes of analysis and reporting our findings.
- 9 Author’s analysis—see full report for methodology. Connecticut is the only exception. Its legislature has explicitly decriminalized address sharing, which means state and local prosecutors cannot use any of the state’s general criminal laws to charge parents who engage in address sharing.
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Appendix of State Statutes

ARKANSAS	Description of Unlawful Act	Statute	Type	Seriousness
	Providing a false address	Ark. Code Ann. § 6-18-202	Fraud	Misdemeanor
		Ark. Code Ann. § 5-4-201		

Summary: In Arkansas, a parent or guardian who provides false information misrepresenting their address to enroll a child in school is guilty of a misdemeanor. If convicted, they could face a fine of up to \$1,000.

CALIFORNIA	Description of Unlawful Act	Statute	Type	Seriousness
	Sharing an address	Cal. Educ. Code § 48204	Perjury	Felony
		Cal. Penal Code § 118		
		Cal. Penal Code § 126		

Summary: In California, a person who falsely signs an affidavit claiming they are the caregiver of a child for the purpose of using their address to enroll said child in public school is guilty of felony perjury. If convicted, they could face a prison sentence of up to four years.

CONNECTICUT	Description of Unlawful Act	Statute	Type	Seriousness
	N/A (Decriminalized)	Conn. Gen. Stat. § 53-118	N/A	N/A

Summary: In 2013, Connecticut decriminalized the act of misrepresenting an address to enroll a child in school by exempting it from the state's larceny statutes.

DELAWARE	Description of Unlawful Act	Statute	Type	Seriousness
	Making a false written statement; Sharing an address	Del. Code Ann. § 14-202	Fraud	Misdemeanor
		Del. Code Ann. § 11-5-1233		
		Del. Code Ann. § 11-4206		

Summary: In Delaware, a parent or guardian who submits a Caregivers School Authorization Form misrepresenting their address to enroll a child in a public school is guilty of a misdemeanor. If convicted, they could face a fine of up to \$2,300, a prison sentence of up to one year, restitution, and/or other conditions as determined by a court. The parent or guardian would also be subject to a civil penalty of up to \$1,000. An individual who falsely claims to be a child’s caregiver on a Caregivers School Authorization Form for public school enrollment can also be charged with a misdemeanor and could face the same penalties if convicted.

DISTRICT OF COLUMBIA	Description of Unlawful Act	Statute	Type	Seriousness
	Providing false information; Making false claims	D.C. Code § 5-A5012	Fraud	Misdemeanor
		D.C. Code § 38-312		
		D.C. Code § 2-381.02		
		D.C. Code § 38-303		

Summary: In Washington, D.C., a parent or guardian who provides false information misrepresenting their address to enroll a child in a public school is guilty of misdemeanor or fraud. The penalty for conviction was increased under the DCPS and Public Charter School Student Residency Fraud Prevention Amendment Act of 2012 from a \$500 to \$2,000 fine, plus a prison sentence of up to 90 days. However, a parent or guardian would not be subjected to both penalties. Additionally, the parent or guardian can be charged with knowingly providing false information to a public official, which carries a sentence of up to 90 days in prison and/or a fine of up to \$300. Furthermore, the parent or guardian can be sued civilly under D.C.’s False Claims Act. If guilty, the parent or guardian would be required to pay a penalty that ranges from \$5,500 to \$11,000 for each false claim, up to triple the amount of unpaid tuition, and the costs of civil actions.

ILLINOIS	Description of Unlawful Act	Statute	Type	Seriousness
	Knowingly enrolling or attempting to enroll a student into a public school district where they are not a resident;	105 ILCS 5/10-20.12b	Fraud	Misdemeanor
	Providing false information	730 ILCS 5/5-4.5-65 730 ILCS 5/5-5-6		

Summary: In Illinois, a parent or guardian who misrepresents their address to enroll a child in public school, or helps a child enroll in a school when they know the child is not a resident of a district, is guilty of a misdemeanor. If convicted, they would face a jail sentence of up to 30 days and/or a fine ranging from \$75 to \$100 and be required to pay restitution in cash.

MICHIGAN	Description of Unlawful Act	Statute	Type	Seriousness
	Providing false information	MCL 308.1812	Fraud	Misdemeanor

Summary: In Michigan, a parent or guardian who provides false information misrepresenting their address to enroll a child in a public school is guilty of a misdemeanor. If convicted, they would face a jail sentence of up to 20 days and/or a fine ranging from \$5 to \$50.

MINNESOTA	Description of Unlawful Act	Statute	Type	Seriousness
	Enrolling in a public school district where the child is not a resident	MINN. STAT. 120A.26 MINN. STAT. 609.02	Fraud	Misdemeanor

Summary: In Minnesota, a parent or guardian who submits information misrepresenting their address to enroll a child in a public school is guilty of a misdemeanor. If convicted, they could face a prison sentence of up to one year and/or a fine of up to \$1,000. The school district can also file a lawsuit against the parent or guardian to recover “tuition” costs.

NEVADA	Description of Unlawful Act	Statute	Type	Seriousness
	Making false statements	N.R.S. § 392.215 N.R.S. § 193.150	Fraud	Misdemeanor

Summary: In Nevada, a parent or guardian who makes a false statement or provides false documents that misrepresent their address to enroll a child in a public school is guilty of a misdemeanor. If convicted, they could face a jail sentence of up to six months and/or a fine of up to \$1,000. In lieu of jail or a fine, a parent or guardian could be sentenced to community service.

NEW JERSEY	Description of Unlawful Act	Statute	Type	Seriousness
	Sharing an address	N.J.S.A. 18A:38-1 N.J.S.A. 2C:1-4	Fraud	Disorderly Persons Offense

Summary: In New Jersey, a person who allows someone else to use their address to enroll a child in public school is guilty of a disorderly persons offense, the equivalent of a misdemeanor. If convicted, they could face a jail sentence of up to six months and the repayment of “tuition” to the school district.

NORTH CAROLINA	Description of Unlawful Act	Statute	Type	Seriousness
	Providing false information in an affidavit	G.S. 115C-366 G.S. 15A-1340.23	Fraud	Misdemeanor

Summary: In North Carolina, a parent or guardian can send their child to public school in a district where they do not reside, provided they sign an affidavit asserting that they meet certain conditions. If a parent provides false information on the affidavit, they are guilty of a misdemeanor and must pay restitution to the district equal to the cost of educating the child. Depending on their criminal record, the parent or guardian could also face a jail sentence ranging from one to 120 days if convicted. Lastly, the court could impose a fine at its discretion.

OKLAHOMA	Description of Unlawful Act	Statute	Type	Seriousness
	Providing false information in an affidavit	70 Okla. Stat. § 1-113	Fraud	Misdemeanor
<p>Summary: In Oklahoma, a parent or guardian who signs an affidavit misrepresenting their address or falsely claiming to be the primary caregiver of a child for the purpose of enrolling the child in a public school is guilty of a misdemeanor. If convicted, they could face up to one year in county jail and/or a fine of up to \$500.</p>				

PENNSYLVANIA	Description of Unlawful Act	Statute	Type	Seriousness
	Providing false information	Section 1302 of Public Act 14 of 1949	Fraud	Summary Offense
<p>Summary: In Pennsylvania, a parent or guardian who misrepresents their address to enroll a child in public school is guilty of a summary offense, which is less serious than a misdemeanor. If convicted, they could face a fine of up to \$300 and/or up to 240 hours of community service, along with court costs and the repayment of “tuition” to the school district.</p>				

SOUTH CAROLINA	Description of Unlawful Act	Statute	Type	Seriousness
	Providing false information in an affidavit	S.C. Code Ann. § 59-63-32	Fraud	Misdemeanor
<p>Summary: In South Carolina, a parent or guardian who signs an affidavit misrepresenting their address to enroll a child in a public school is guilty of a misdemeanor. If convicted, they could face a jail sentence of 30 days and/or a fine of up to \$200, along with the repayment of tuition to the school district.</p>				

TEXAS	Description of Unlawful Act	Statute	Type	Seriousness
	Tampering with a governmental record by providing false information	Tex. Educ. Code § 25.001 Tex. Penal Code § 12.34	Fraud	Felony

Summary: In Texas, a parent or guardian who misrepresents their address on a public school enrollment form is guilty of tampering with a governmental record. This charge is a third-degree felony. If convicted, the parent or guardian could face a prison sentence between two and 10 years and/or a fine of up to \$10,000.

VIRGINIA	Description of Unlawful Act	Statute	Type	Seriousness
	Making false statements	Va. Code Ann. § 22.1-264.1 Va. Code Ann. § 18.2-11	Fraud	Misdemeanor

Summary: In Virginia, a parent or guardian who makes false statements misrepresenting their address to enroll a child in a public school is guilty of a misdemeanor. If convicted, they could face a fine of up to \$250 and the repayment of “tuition” to the school district.