

SCHOOL ENROLLMENT: RESIDENCY

Section J: Students	File: JBCA
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The Newburyport School Committee adopts the following policy regarding the residency and admissions of students. The staff is directed to ensure that all forms and regulations are fully executed and conform to this policy.

I. RESIDENCY

In order to attend the Newburyport Public Schools, a student must actually reside in the City of Newburyport, unless one of the exceptions (set forth in Part V below) applies. The residence of a minor child is ordinarily presumed to be the legal residence of the child’s parent or legal guardian having physical custody of the child. A student’s actual residence is considered to be the place where he or she lives permanently. In determining residency, the Newburyport Public Schools retain the right to require the production of a variety of records and documentation and to investigate where a student actually resides.

A determination that a student does not actually reside in the City of Newburyport renders the student ineligible to enroll in the Newburyport Public Schools or, if the student is already enrolled in the Newburyport Public Schools, shall result in the termination of such enrollment. A parent, legal guardian, or student who has reached the age of majority (18), who is aggrieved by a determination of residency, may appeal the determination to the Superintendent of Schools, whose decision shall be final.

II. VERIFICATION OF RESIDENCY

Before any student is enrolled in the Newburyport Public Schools, his or her parent or legal guardian must provide:

1. A signed Affidavit of Residency; and
2. Proof of residency in the City of Newburyport (3 documents)

All applicants for enrollment must submit at least one document each from Column A, B, and C and any other documents that may be requested, including but not limited to those from Column A, B, or C (noted below). A parent, guardian, or student who is unable to produce the required documents should contact the Superintendent of Schools.

Column A Evidence of Residency	Column B Evidence of Occupancy	Column C Evidence of Identification
Record of Recent mortgage payment and/or property tax bill	Recent bill dated within the past 60 days showing Newburyport Address	Valid driver’s license
Copy of Lease <i>and</i> record of recent rental payment	Gas bill	Valid Massachusetts Photo ID card
Landlord Affidavit <i>and</i> recent rental payment	Oil bill	Valid Passport
Section 8 Agreement	Electric bill	
	Home telephone bill (not cell phone)	
	Cable bill	
	Excise tax bill	

The Principal, or his/her designee, shall verify the home address and home telephone number of each student at least once during the school year. Any irregularities shall be reported promptly to the Superintendent of Schools. Parents are required to notify the school of any changes of their address or the address of the student within five days of the change.

III. ENFORCEMENT

Should a question arise concerning any student's residency in the City of Newburyport while attending the Newburyport Public Schools, the student's residency will be subject to further inquiry and/or investigation. Such questions concerning residency may arise on the basis of incomplete, suspicious, or contradictory proofs of address; anonymous tips; correspondence that is returned to the Newburyport Public Schools because of an invalid or unknown address, or other grounds.

The Superintendent may request additional documentation, and may obtain the services of police or investigative agency personnel to conduct investigations into student residence. The residency investigator(s) will report his or her findings to the Superintendent of Schools, who shall make final determination of residency.

Upon an initial determination by the Superintendent of Schools that a student is actually residing in a city or town other than the City of Newburyport, the student's enrollment in the Newburyport Public Schools shall be terminated immediately.

IV. PENALTIES

In addition to termination of enrollment and the imposition of other penalties permitted by law, the Newburyport Public Schools reserve the right to recover restitution based upon the costs of educational services provided during the period of non-residency.

V. EXCEPTIONS

1. The Residency Requirements Shall Not Apply to the Following:

- a. Students enrolled in the High School under special programs approved by the School Committee, such as educational exchange programs;
- b. Tuition paying students, as permitted by law;
- c. Students who are entitled to attend the Newburyport Public Schools under the McKinney-Vento Homeless Assistance Act.

VI. POTENTIAL WAIVER WHEN RESIDENCY IS IN TRANSITION

For students whose residency is in transition, the following exceptions to the general policy may apply, with prior written approval from the Superintendent of Schools:

1. Pending Purchase of Dwelling
The children of families who have a signed and accepted Purchase and Sale Agreement to purchase and reside in a dwelling in the City of Newburyport may be enrolled up to 30 calendar days in advance of the time actual physical residence occurs. If actual residence occurs later than 30 days after enrollment, students may be asked to leave the Schools until actual residence occurs.
2. Residence in Rental Properties
Children of families who plan to rent a primary residence in Newburyport may enroll in the Newburyport Public Schools 30 days prior to taking possession of the rental property, as evidenced by a signed lease and evidence of financial commitment.
3. Brief Residence Outside the Town
Newburyport Schools students whose families must briefly live outside the City because they are (a) moving from one Newburyport residence to another, or (b) renovating a current Newburyport residence, may continue to attend the Newburyport Public Schools. Evidence of the intention and ability to resume residency in Newburyport within 90 days may be required.

VII. NOTIFICATION

The Newburyport Public Schools residency requirements, verification procedures, and consequences of falsifying or misrepresenting residency will be published in the District Policy Manual.

References:

LEGAL REFS.: MGL 76:5

Version Control

Action	Date
First Reading	6/5/2017
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