

STUDENT RESIDENCE

1:0 POLICY STATEMENT

- 1:1 Massachusetts General Laws require that all students attending the public schools must attend schools in the district where they actually reside. The Fairhaven Public School Committee adopts the following policy JCBA-Student Residence regarding the residency and admissions of students to the Fairhaven Public Schools. The staff is directed to ensure that all forms and regulations are fully executed and conform to this policy.
- 1:2 With limited exceptions, only students who actually reside in the Town of Fairhaven may attend the Fairhaven Public Schools. "Residence" is a place where a person actually lives or has a personal presence with an intention to remain. The residence of a minor child is ordinarily presumed to be the residence of the child's parent or legal guardian having physical custody of the child. Residence may generally be established by a combination of documents, such as mortgage or property tax bills, utility bills, and valid photo identification. The Fairhaven Public Schools may also require legal documentation of physical custody. The Fairhaven School Committee recognizes that it may be in the best interests of students who leave their residence in Fairhaven after the third marking period to continue attending school in Fairhaven for the remainder of the school year. The Superintendent shall retain discretion to permit such students to attend the Fairhaven Public Schools through the remainder of the school year if the student provides documentation indicating that such relocation would cause emotional, physical, and/or academic problems.
- 1:3 In determining residency, the Fairhaven School Committee retains the right to require the production of a variety of records and documentation and to investigate where a student actually resides. Verification of residency, including updated documentation, will be required when all students enter the Fairhaven Public Schools, move from Pre-School to Kindergarten, move from grade 5 to grade 6, move from grade 8 to grade 9, and enter or re-enter the Fairhaven Public Schools from an out-of-district program or vocational/agricultural high school. The district reserves the right to request documentation at times other than those specified. Students enrolled under a "Resident Affidavit" will be required to provide proof of residency documentation at the beginning of each school year in which they are enrolled under a "Resident Affidavit". Students enrolled under a "Landlord Affidavit" will be required to provide proof of residency documentation at the beginning of each school year in which they are enrolled under a "Landlord Affidavit". The Fairhaven School Committee retains the right to obtain the services of police or investigative agency personnel to conduct investigations into student residence. The police and/or residency investigator(s) will report his/her findings to the Superintendent of Schools, who shall make the final determination regarding residency. Students found to be in violation of the residency policy may be unenrolled from the Fairhaven Public Schools. The parent(s) or guardian(s) of a student found to be in violation of this policy, as well as any other individual who assists in the violation of this policy, may be jointly and severally liable to the Fairhaven Public Schools for the costs of the student's educational services as provided in M.G.L. c. 76, § 5. A parent, legal guardian, or student who has reached the age of majority (18) who is aggrieved by a determination of non-residency may appeal the determination to the Superintendent of Schools, whose decision shall be final.

2:0 DEFINITIONS

- 2: 1 Resident Students are defined as students who can establish that they actually reside in the Town of Fairhaven by fulfilling the requirements of Section 1:2 above.
- 2:2 Non-Resident Students are defined as a child of a non-resident staff member. Acushnet Students are defined as those Acushnet students whose attendance at Fairhaven High School is covered under the Acushnet Tuitioned Students Agreement.
- 2:3 Future Resident Students are defined as children of future residents who are purchasing and/or building a primary residency in the Town of Fairhaven and who may enroll in the Schools at the beginning of the school year if they have obtained a certificate of occupancy for such residence from the Town and have the approval from the Superintendent or his/her designee. The Superintendent's decision is final without further referral to the School Committee.
- 2:4 Vocational, Occupational, and Career Training Students are defined as those attending Greater New Bedford Regional Vocational Technical High School, Diman Regional Vocational Technical High School, Bristol County Agricultural School, or SPED Training Programs.

3:0 CONDITIONS

- 3: 1 The Superintendent or his/her designee in his/her discretion may permit the enrollment of students who do not yet but will soon be residing in Fairhaven, the continued attendance of students in accordance with Section 1:2 who no longer reside in the district, if circumstances warrant and the enrollment/attendance of students as required by state or federal law. Any request for attendance must be made in writing with supporting reasons for the request. The Superintendent's decision is final without further referral to the School Committee.

Approved: May 24, 1961

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