

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 and regulations JCBA-R Student Residency 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 Since Fairhaven does not participate in School Choice, 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. 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. (*Legal documentation may be required) Unless expressly permitted under the approved guidelines, temporary residence in the Town of Fairhaven solely for the purpose of attending the Fairhaven Public Schools is not considered “residence” for admissions to the Fairhaven Public Schools. The Fairhaven School Committee recognizes that it may be in the best interests of students who change their residence from Fairhaven after the third marking period, to continue attending school in Fairhaven for the remainder of the year when such relocation may cause emotional, physical, and/or academic problems in accordance with Administrative Regulation JC-E.
- 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, or move to 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 also 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 the investigations into student residence. The police and/or residency agency 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 dismissed immediately from the Fairhaven Public Schools and the parent(s), guardian(s) or responsible adult may be jointly and severally liable to the Fairhaven Public Schools for the student’s tuition for the full academic year(s). The Fairhaven Public School District may also impose other penalties on the family such as legal fees incurred by legal action and the withholding of certain scholarships and prizes. 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.

2:0 DEFINITIONS

- 2:1 Resident Students are defined as those 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 may enroll in the Schools at the beginning of the school year if they have obtained a certificate of occupancy from the town or 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 attendance of students who do not yet, or who no longer, reside in the district, if circumstances warrant. The request 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

Revised: November 8, 1972
 April 13, 2005
 September 27, 2006
 September 26, 2007
 April 27, 2016
 February 7, 2018