

FAIRHAVEN PUBLIC SCHOOLS  
SCHOOL RESIDENCY

The Fairhaven School Committee received the following regulation 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 Fairhaven Public Schools, a student must actually reside in the Town of Fairhaven, 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. (\*Legal documentation may be required) A student's actual residence is considered to be the place where he or she lives permanently. In determining residency, the Fairhaven 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 Town of Fairhaven renders the student ineligible to enroll in the Fairhaven Public Schools or, if the student is already enrolled in the Fairhaven Public Schools, shall result in the termination of such enrollment immediately. 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.

II. VERIFICATION OF RESIDENCY

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

1. A signed Residency Statement; and
2. Proof of residency in the Town of Fairhaven (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 will not be allowed to enroll into the Fairhaven Public Schools until such time they can provide the documentation. If all required residency document(s) cannot be obtained at time of registration, the building principal has the discretion to allow the child to hold a provisional residency status. This residency status can only be granted by the building principal and can be held for a maximum of 30 days. After the 30<sup>th</sup> day without the required residency document(s), the child will be disenrolled immediately and be referred for appropriate follow-up action.

<b>Column A</b>	<b>Column B</b>	<b>Column C</b>
<b><u>Evidence of Residency</u></b>	<b><u>Evidence of Occupancy</u></b>	<b><u>Evidence of Identification (Photo ID)</u></b>
Record of recent mortgage payment and/or property tax bill with parent/guardian name	Recent bill dated within the past 60 days showing Fairhaven address and name.	Valid Driver's License or Valid MA Photo ID Card of all custodial parent/guardians with whom the child resides
Landlord Affidavit with mortgage/property tax bill	Types of bills that will be accepted: Gas Bill, Electric Bill, Excise Tax Bill, Cable Bill, House Phone Bill, Car Insurance Bill, Health Insurance Statement with address	Valid Passport
Resident Affidavit with mortgage/property tax bill		

The Principal, or his/her designee, shall continue to monitor residency throughout the year and should report any concerns immediately to the Office of the Superintendent for further investigation. Parents are required to notify their child(s) school of any changes of their address or the address of the student within five days of the change. Proof of residency 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. Failure to provide such documentation will be grounds for immediate disenrollment.

### III. ENFORCEMENT

Should a question arise concerning any student's residency in the Town of Fairhaven while attending the Fairhaven 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 Fairhaven 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 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.

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

### IV. PENALTIES

In addition to termination of enrollment and the imposition of other penalties permitted by law, the Fairhaven 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. Acushnet Tuition paying students
- c. Children of non-resident employees of the Town of Fairhaven, who meet the conditions established in the Agreement with the Fairhaven Educators' Association.
- d. Students who are entitled to attend the Fairhaven Public Schools under the McKinney-Vento Homeless Assistance Act.

### 2. Extraordinary Circumstances:

- a. Tuition Basis  
Students already enrolled in the Fairhaven Public Schools who move out on or after February 1<sup>st</sup> of a given school year, or in the case of 8<sup>th</sup> graders and Fairhaven High School seniors who move out on or after October 1<sup>st</sup> of a given school year, may complete the current school year with prior approval from their building principal.
- b. Tuition Waivers  
At the discretion of the Superintendent or his designee, tuition may be waived.

## VI. POTENTIAL WAIVER WHEN RESIDENCY IS IN TRANSITION

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.

## VII. NOTIFICATION

The Fairhaven Public Schools residency requirements, verification procedures, and consequences of falsifying or misrepresenting residency will be published online in the Fairhaven Public School Committee Policies and published in each school handbook.

Legal Reference: M.G.L. Chapter 76, Section 5

School Committee Received: September 26, 2007  
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