

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. 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. 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.

<b>Column A</b> <u>Evidence of Residency</u>	<b>Column B</b> <u>Evidence of Occupancy</u>	<b>Column C</b> <u>Evidence of Identification (Photo ID)</u>
Record of recent mortgage payment and/or property tax bill.	Recent bill dated within the past 60 days showing Fairhaven address	Valid Driver's License
Copy of Lease	Gas Bill	Valid MA Photo ID Card
	Oil Bill	Passport
Landlord Affidavit	Electric Bill	
Resident Affidavit	Home Telephone Bill (not cell phone)	
Section 8 Agreement	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 using the "Student Residency Questionnaire" form. 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 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, may use the assistance of the School Department's Attendance Officer, and/or may obtain the services of police or investigative agency personnel to conduct investigations into student residence. The Attendance Officer and/or 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 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

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 Town of Fairhaven 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. Construction of New Dwelling

Children of families which are building a primary residence in Fairhaven may enroll in the Schools at the beginning of the school year if they have obtained a certificate of occupancy from the Town.

3. Residence in Rental Properties

Children of families who plan to rent a primary residence in Fairhaven may enroll in the Fairhaven Public Schools 30 days prior to taking possession of the rental property, as evidenced by a signed lease/Landlord Affidavit and evidence of financial commitment.

## VII. NOTIFICATION

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

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

School Committee Received: September 26, 2007