

NEWBURYPORT PUBLIC SCHOOLS
SCHOOL ENROLLMENT / RESIDENCY

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 <u>Evidence of Residency</u>	Column B <u>Evidence of Occupancy</u>	Column C <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 Newburyport address	Valid Driver’s License Valid MA Photo ID Card
Copy of Lease <i>and</i> record of recent rental payment	Gas Bill Oil Bill	Passport
Landlord Affidavit <i>and</i> recent rental payment	Electric Bill 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. 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.

4. 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.

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

Read: School Committee Business meeting 12-3-07

Newburyport Public Schools

**Residency Statement
Parent/Guardian Affidavit**

I/we, the parent(s), legal guardian(s) of _____,
(Print student's full name)

hereby certify as follows:

1. I/we wish to enroll the above named student in the Newburyport Public Schools. I/we understand that pursuant to Massachusetts law and Newburyport Public School Committee Policy, students who actually reside in the City of Newburyport may attend the Newburyport Public Schools and students who do not actually reside in the City of Newburyport may not attend the Newburyport Public Schools, except as admitted under the School Choice law.

2. I/we hereby certify that effective _____, 200____, the above named student is/will be residing at the following address in Newburyport, Massachusetts, with:

Printed Name(s) of Parent(s)/Guardian(s)

Street _____ Apt/Unit No. _____ Newburyport, MA 01950

Home Telephone: _____

Cell Phone: _____ Work Phone: _____

3. I/we acknowledge that I am/we are required to notify the Newburyport Public Schools or the above student's school, in writing, of any change in said student's address within five (5) calendar days of such change of address.

4. I/we understand that this *Residency Statement* will be relied upon by the Newburyport Public Schools for the purpose of determining the above student's eligibility to attend the Newburyport Public Schools on the basis of residency. If said student is enrolled in the Newburyport Public Schools based upon the information provided and it is subsequently determined that the student does not actually reside in Newburyport, I/we understand that the student's enrollment in the Newburyport Public Schools will be immediately terminated and I/we will be jointly and severally liable to the Newburyport Public Schools for the student's tuition for the full academic year(s) attended.

5. I/we further certify that I am/we are the parent(s)/legal guardian(s) of the above student. As the parent(s)/legal guardian(s), I/we hereby give the authority for _____
(responsible adult)
to receive all educational records, make educational decisions, and make emergency medical decisions for our son/daughter _____.
(student)

6. I/we understand that all applicants must reside in the City of Newburyport (Massachusetts General Laws, Chapter 76, sec 5 every person shall have a right to attend the public schools of the town where he/she actually resides, subject to the following section. No School Committee is required to enroll a person who does not actually reside in the town unless said enrollment is authorized by law or by the School Committee. Any person who violates or assists in the violation of this provision may be required to remit full restitution to the town of the improperly-attended public schools. No person shall be excluded from or discriminated against in admission to a public school of any town, or in obtaining the advantages, privileges and courses of study of such public school on account of race, color, sex, religion, national origin or sexual orientation.
Amended by st.1971, c.622, c.1; st.1973, c.925, s.9A, st.1993, c.282; st.2004, c.352, s.33)

Signed under the pain and penalties of perjury on this _____ day of _____, 200____:

Parent/Guardian

Parent/Guardian

This form must be presented to and signed and notarized by a duly authorized Notary Public in the Commonwealth of Massachusetts.

(Notary Public) (Date)

Commission Expires _____

Newburyport Public Schools

School Admission / Residency Responsible Adult Affidavit

This form is to be completed by the person(s) who is not the parent or legal guardian of a child seeking enrollment to the Newburyport Public Schools.

I/We, _____, swear under oath, that the following information is true:

1. _____, a child of school age, is living with me at _____ (address), Newburyport, MA.
2. I am/We are not the parent or legal guardian of _____.
3. My relationship to this child is _____.
4. I/We understand that temporary residence of a child in the City of Newburyport, solely for the purpose of attending the Newburyport Public Schools is not considered a “residency.”
5. I/We will act as the responsible adult(s) and hereby accept the authority to receive all educational records, make educational decisions, and make emergency medical decisions for _____ (student’s name) during his/her enrollment in the Newburyport Public Schools.

If applicable, please complete the following statement:

6. I am/We are not able to obtain authorization from _____’s parent(s) or guardian(s) because: _____ (student’s name)

7. I/We understand that the Newburyport Public Schools reserve the right to investigate the reasons why this child does not reside with a parent or legal guardian. I attest to the fact that the above named child is not living with me solely for the purpose of attending the Newburyport Public Schools.

Signed under the pains and penalties of perjury:

(Signature) (Date)

(Signature) (Date)

This form must be presented to and signed and notarized by a duly authorized Notary Public in the Commonwealth of Massachusetts.

(Notary Public) (Date)

Commission Expires _____

This form and 2 accompanying proofs of residency, at least (1) document from column: A or B, and (1) from column C, must be submitted to the Superintendent of Schools.

Column A	Column B	Column C
<u>Evidence of Residency</u>	<u>Evidence of Occupancy</u>	<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 Newburyport address and name	Valid MA Driver’s License Valid MA Photo ID Card
Copy of Lease and record of recent rental payment	Gas Bill, Oil Bill, Electric Bill, Home Telephone Bill, Cable Bill, Excise Tax Bill	Valid Passport
Landlord Affidavit and recent rental payment		

One from “A or B”

AND

One from “C”