

JFA**RESIDENCY POLICY/PROCEDURE**

The Sharon 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 (Legal Reference: M.G.L. Chapter 76, Sections 5 and 6)**CHAPTER 76, SECTION 5***Place of Attendance; Discrimination*

Every person shall have a right to attend the public schools of the town where he 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. 19973, c.925, s9A; St.1993, c.282; St.2004, c.352, s.33.

CHAPTER 76, SECTION 6*Payment of Tuition for Non-resident Children*

If a child resides temporarily in a town other than the legal residence of his parent or guardian for the special purpose of their attending school, the child may attend school with the authorization of the school committee of said town, and the said town may recover tuition from the parent or guardian, unless under section twelve of chapter seventy-six, such tuition is payable by a town. Tuition payable by the parent or guardian shall, for the period of attendance, be computed at the regular rate established by the school committee for non-resident pupils, but in no case exceeding the average expense per pupil in such school for said period. The school committee of the town in which a child is temporarily residing for the special purpose of their attending school may waive all or part of the tuition charge for such child.

Amended by St.1970, c246, s.2; St.2004, c352, s.34.

RESIDENCY AND REGISTRATION POLICY

Before any student is enrolled in the Sharon Public Schools, the student's parent or legal guardian must prove legal residence in the Town of Sharon. Residency means the place where a child spends the majority of her/his time before and after the school day during the school year. The primary question the School Department asks is simple: Where does the student actually sleep, as determined by identifying and establishing the geographical center of the student's domestic, social, and civic life. If the answer is, in the Town of Sharon, the student has the right to attend Sharon schools. The answer to this question is the necessary first step that a family must provide if they intend to demonstrate the residency of the child is Sharon.

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, Sharon Public Schools (SPS) retains

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 Sharon renders the student ineligible to enroll in the SPS or, if the student is already enrolled in the SPS, 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.

The following procedures will be followed by the School Department to verify a student's residency:

Effective immediately, all applicants for enrollment must submit proofs of residency, as addressed below. The necessary documents must be pre-printed by an appropriate third party source, and must bear the name and address of the student's parent or guardian. If necessary, when a parent/guardian applies to enroll a student in the Sharon Public Schools, the School Department's Information Manager and the School Resource Officer will work with the applicant to confirm the student's residency.

Residency Defined

- a) All children of school age who actually reside in Sharon are entitled to attend the Sharon Public Schools (Pursuant to MGL, C76, Sec 5). Children living with a person other than a parent or legal guardian must present documentation to school authorities that verifies that they actually reside within the Town. Exceptions to the residency requirement include: (1) Students for whom another community or state agency may pay approved tuition rates; (2) Student enrolled in Special Education programs in our schools (CHARMSS, etc.); (3) Students enrolled in the METCO program; (4) Students who may be affected by the federal legislations regarding the homeless (MGL c.76S5; McKinney-Vento Homeless Education Assistance Act; see attached for Enrollment of Homeless Students); (5) Students who are participating in exchange programs sanctioned by the Sharon Public Schools.
- b) If a student is living in Sharon with someone other than a parent or guardian and that person is considered a "caregiver" for the minor, the Superintendent will require that the parent or guardian and the other responsible party complete the "Caregiver Authorization Affidavit". This affidavit must include the general reason why the child is living with the caregiver and must be notarized. The letter must also state the reason why the student is not living with the parent or guardian. This written explanation must be presented before the child will be registered. The person with whom the student is living (the Sharon sponsor/caregiver) must show proof of residence. Appropriate residency documentation must be provided before the child will be registered. If a student moves to Sharon for the special purpose of attending the public schools in Sharon and does not live with a parent or guardian, the School Committee may recover the cost of tuition from the parent or guardian. If it is determined that the reason given for the student living in Sharon is false and is truly for the sole purpose of attending the public schools in Sharon, the School Committee may also recover the cost of tuition from the caregiver in Sharon.
- c) In the event the student is living with a parent or guardian, but not in a residence owned, rented or leased by the parent or guardian, the Superintendent shall require a letter from the Town of Sharon sponsor (homeowner or renter), indicating that the student registrant and his/her parent or guardian are living with the sponsor. The Office of the Superintendent shall also require proof of residence from the sponsor.

- d) In cases which fall under b) or c) above, or in any other unusual circumstances, the parent, guardian, caregiver, and/or sponsor who is registering the student shall be interviewed by the Superintendent or his designee. During the interview the registrant(s) shall be asked to explain the circumstances which led to his/her (their) requesting enrollment in the Sharon Public Schools. The Superintendent or his/her designee shall exercise judgment as to whether or not the registrant is being candid, and in particular as to whether or not the student really is living in Sharon. At the Superintendent's discretion, enrollment may be denied. Sometimes the denial may be immediate. In most situations, however, the registrant will be asked to wait for a day or two while the Superintendent looks into the matter before informing the registrant of his/her decision.

In the course of his/her interviews, the Superintendent or designee shall explain to registrants that if, in fact, the student who is being registered does not live in Sharon, the student's parents are liable for the tuition. The Superintendent may deny enrollment to a registrant if there is reason to believe the registrant has misrepresented the facts or purposely omitted critical information.

- e) The Superintendent or his/her designee may admit students to the Sharon Public Schools upon presentation of evidence of their intent to become a resident within 30 days. This evidence may be a purchase and sales agreement, a rental agreement, a property lease, a contract to build a house, or such other evidence that clearly indicates their intent. If residency does not occur before the end of the 30-day timeframe, the Superintendent may grant a further extension in writing, however, the school system may bill the parents, guardian or other responsible persons for tuition. Tuition costs must be paid each month at the rate of the average monthly cost of education for a student in Sharon at the appropriate grade level. See also policy JFAB for students requesting to enroll on the first day of school.
- f) Any Sharon High School student who moves from the Town of Sharon after the first day of senior classes shall be permitted to remain at Sharon High School. Students in all other grades may complete the school year in their current grade if they move from the Town after April 1st.

II. VERIFICATION OF RESIDENCY

All applicants for enrollment must submit at least **one document from Column A**, and **documents from each of two areas in columns 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). If new to Sharon, there will be a 60-day grace period for providing information required in columns B and C. Students over 18 years of age not residing with a parent or guardian/proxy must provide proof of residency as required below. Separate provisions are provided for students covered under the Homelessness Act (MGL c.76S5).

A parent, guardian, or student who is unable to produce the required documents should contact the Superintendent of Schools.

COLUMN A (1 box)	COLUMN B (2 boxes)	COLUMN C (2 boxes)
Evidence of Residency	Evidence of Occupancy	Evidence of Identification (Photo ID)
Showing the Sharon address	Showing the Sharon address	Showing the Sharon address

		for both parents (if applicable)
Record of recent mortgage payment and/or property tax bill or Excise Tax bills for all vehicles together with Vehicle Registration(s)	Bills showing usage: Gas/Oil Bill, Electric Bill, Home Telephone Bill (not cell), Cable Bill, Water Bill. (Note: Bill must be dated within the past 45 days. The Sharon address and name must be stated)	Valid MA Driver’s License(s) or Valid MA Photo ID Card(s)
Fully signed and executed Lease and/or Rental Agreement (Must be executed by both parties)	Recent bill dated within the past 45 days showing Sharon address and name (Note: A Residency Statement /Affidavit is required with this option)	Valid Passport(s) or Other Government issued Photo ID(s)
Landlord/Owner of Property Affidavit (see Residency Statement/Affidavit below)	Occupancy Statement/Affidavit must be notarized if a bill can not be provided prior to student’s enrollment.	Bank statement or credit card bill (Financial information may be blocked out.)
Fully signed and executed Purchase and Sale (P&S) Agreement (provided occupancy date occurs within 30 days of enrollment)	Sharon Trash collection bills or regular use of school bus transportation.	W-2 or Payroll Stub(s) showing Sharon address (Salary information may be blocked out.)

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 business days of the change.**

III. ENFORCEMENT

Should a question arise concerning any student’s residency elsewhere while attending the SPS, 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 SPS 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 Sharon, the student’s enrollment in SPS shall be terminated immediately.

IV. PENALTIES

In addition to termination of enrollment and the imposition of other penalties permitted by law (M.G.L. Chapter 76, Section 5), the SPS reserves the right to recover restitution based upon the costs of educational services provided during the period of non-residency.

V. 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 signed and accepted Purchase and Sale Agreement to purchase and reside in a dwelling in the Town of Sharon 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 who are building a primary residence in Sharon may enroll in the Schools at the beginning of the school year if they have obtained a certificate of occupancy from the Town.

VI. NOTIFICATION

The Sharon Public School residency requirements, verification procedures, and consequences of falsifying or misrepresenting residency will be published in the Sharon Public School's Policy Manual, and published in each school handbook. Legal Reference: M.G.L. Chapter 76, Section 5; Cross Reference: School Committee policies JFAB, JFABA and JFCB.

Revised: March 25, 2015