

## **NATICK PUBLIC SCHOOLS RESIDENCY POLICY**

### **1. Purpose**

The purpose of this policy is to provide guidance to school administrators, parents, and/or legal guardians concerning the admission of students to the Natick Public Schools (the "Schools"). The Schools were established pursuant to statutes providing publicly funded education for students within The Commonwealth of Massachusetts, and the right to attend the schools is also regulated by statute. Generally and as more fully set forth in this policy, the right to attend the schools is limited to students who reside in the Town of Natick and to certain nonresident students who are eligible to attend the schools under specific programs or conditions approved by the Natick School Committee.

### **2. Eligibility to Attend the Schools**

A student between the minimum and maximum ages established by the Department of Elementary and Secondary Education who has not received a diploma or certificate from a secondary school shall be eligible to attend the schools if:

- a. Kindergarten student is 5 years of age on or before August 31<sup>st</sup> of the enrollment year. Grade 1 student is 6 years of age on or before August 31<sup>st</sup> of the enrollment year. Exceptions to age requirement will be considered in accordance with Natick Public Schools early admission protocol (See Appendix A).
- b. The student permanently, not temporarily or sporadically, resides in Natick with his/her parent(s) or legal guardian.
- c. The student actually resides in Natick with someone other than his/her parent(s) or legal guardian for the purpose of attending the schools and tuition for such student is paid as in accordance with Section 6 of this policy.
- d. The student actually resides in Natick with someone other than his/her parent(s) or legal guardian for the purpose of temporarily ameliorating personal extreme hardship, and may attend the schools at the discretion of the Superintendent.
- e. The student, regardless of place of residence, has been selected to attend the schools under a statutory program for the education of non-resident students, duly accepted by the School Committee.
- f. The student is from a foreign country and meets the requirements of Section 7 of this policy.
- g. The student, regardless of place of residence, meets the requirements of Section 9 of this policy.
- h. Prior to entry, the student must meet all MA Department of Public Health immunization requirements in accordance with 105 CMR 220.

### 3. Verification of Residency

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

- a. A signed Statement/Affidavit of Occupancy (see below)
- b. Proof of Residency in Natick (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.

<b>COLUMN A--Evidence of Residency</b>	<b>COLUMN B--Evidence of Occupancy</b>	<b>COLUMN C --Photo Identification</b>
Record of recent mortgage payment and/or property tax bill	Gas/Oil Bill, Electric Bill, Home (not cell) Telephone Bill, Cable Bill, Water Bill (Note: Bill must be dated within the past 45 days and address and name must be stated)	Valid MA Driver's License
Fully signed and executed Lease and/or Rental Agreement <b>with the names of the children listed on the document.</b> (Must be executed by both parties)	Recent bill dated within the past 45 days showing Natick address and name (Note: A Residency Statement/Affidavit is required with this option)	Valid MA Photo ID Card
Residency Affidavit	Excise Tax bill	Valid Passport
Fully signed and executed Purchase and Sale (P&S) Agreement (provided occupancy date occurs within 45 days of enrollment)		Other Government issued Photo ID
Section 8 Agreement		

### 4. Determination of Eligibility

The Superintendent, or his/her designee(s), shall determine whether a student is eligible to attend the Schools. In determining whether a student actually resides in Natick for purposes of Sections 2.b, 2.c and 2.d of this policy, the following factors shall be considered:

- a. Whether the student physically occupies a dwelling in Natick regardless of whether such occupancy is based upon ownership, lease, or consent of a person legally entitled to occupy the dwelling;
- b. With whom the student lives, such as parent(s), legal guardian, custodial parent after a divorce, relative, or other person and the duration of such living arrangement;
- c. If a student resides with someone other than his/her parent(s), legal guardian, or the parent with physical custody after a divorce, the reasons for doing so;
- d. The amount of time actually spent by the student in the dwelling in Natick;
- e. Whether the student's physical belongings are stored at the dwelling;
- f. Whether mail concerning the student, such as mail from doctors, etc., is addressed to the dwelling;
- g. Whether the residence is the center of the student's domestic, social, and civic life;
- h. Whether the student was included as an occupant of the dwelling for purposes of the town census;

- i. Such other information as the Superintendent or his/her designee(s) may deem relevant to determining where a student actually resides.

## **5. Post-Enrollment Verification And Enforcement**

Should a question arise concerning any student's residency in the Town of Natick while s/he is attending the Natick Public Schools, the student's residency will be subject to further inquiry and/or investigation. Questions concerning residency may arise on the basis of incomplete, suspicious, or contradictory proofs of address; anonymous tips; correspondence that is returned to Natick Public Schools because of an invalid or unknown address; statements made by students that they are moving or have moved, or other grounds. When he/she becomes aware of a question regarding a student's residency, the building principal or other member of the Administration (or his/her designee) shall contact the Superintendent. The principal may request updated proof of residence, and may obtain the services of the Natick Police Department to conduct an investigation into student's residence.

The Natick Police Department may use, but is not limited to, the following methods to conduct his/her investigation:

- Investigator will visit the residence without an advanced notice
- Investigator may attempt to contact/interview parent to gather documentation to either confirm residency or prove non-residency
- Investigator may interview landlord and neighbors when possible
- Investigator may keep residence under surveillance to establish patterns of occupancy
- Investigator will leave evidence of his/her visit by leaving a dated letter and business card with contact information
- The investigation will continue until residency or non-residency is confirmed and supported with appropriate documentation

The residency investigator will report his or her findings to the Principal/Superintendent.

## **6. Payment of Tuition for Certain Students**

It is the intention of this policy to require the payment of tuition in advance for all students legally required to pay tuition to attend the schools. Nothing in this policy shall be construed as acceptance by the Town of Natick of any financial obligations for the education of students who temporarily reside in Town for the purposes of obtaining an education.

- a. A student who resides temporarily in Natick with someone other than his/her parent(s) or legal guardian for the purpose of attending the Schools shall only be admitted to the Schools upon the payment of tuition by (i) the town in which the student's parent(s) or legal guardian resides(s), or (ii) by the student's parent(s) or legal guardian, as provided in M.G. L. Ch. 76, Sec. 6. Tuition payable by the parent or guardian shall, for the period of attendance, be computed at the average expense per pupil in such school for such period.
- b. Any student for whom tuition is payable shall only be admitted to the Schools for the period of time actually covered by a tuition payment and shall be required to withdraw from the Schools if future tuition payments are not received by the Schools in a timely fashion as determined by the Superintendent.
- c. The education of students with disabilities is the financial responsibility of the city or town in which the student resides. The programmatic and fiscal obligations for "tuition" students, who require special education services, is addressed in 603CMR 28.03 (4)

## **7. School Choice**

Natick has voted to be a Massachusetts School Choice District. Determination on allowing students to attend the Natick Public Schools under School Choice is determined on an annual basis. Factors determining that decision are:

- a. The availability of seats/space in the school/grade requested;
- b. The class sizes at the grade levels of enrollment;
- c. That enrollment of the student will not have an adverse impact on the schools' budget;
- d. The effect on the student of enrollment, if it is to be at a time other than the beginning of a school year; and
- e. Whether an appropriate educational program and current school resources for the student exist in the schools, provided that the education of students with disabilities remains the financial responsibility of the city or town in which the student's parent(s) or legal guardian resides.

## **7A.METCO**

Natick Public Schools adheres to the provisions of M.G.L. Chapter 76, section 12A (METCO) in enrolling non-resident students under the METCO program.

## **8. Foreign Students**

In order to provide students at Natick High School with the opportunity to meet students from foreign cultures and to be educated abroad, the School Committee supports the enrollment of foreign students in the Schools as provided for in this section.

- a. The Principal of Natick High School may enroll foreign students annually, subject to the approval of the Superintendent.
- b. A foreign student who wishes to reside in Natick for the purpose of attending the Schools shall be subject to the provisions of Section 6 and shall be required to pay tuition as provided therein, unless the Superintendent, if permitted by federal law, specifically waives payment of tuition.

## **9. Admission of Non-Resident Students**

Except as expressly provided for herein, non-resident students shall not be admitted to the Schools. In addition to non-resident students who are eligible to attend the Schools under Sections 2.e, and 2.g above, the Superintendent may, in accordance with state and federal laws and regulations, permit a non-resident student to attend the schools as follows:

- a. A student who was legally enrolled in the Schools under Sections 2.b and 2.c and whose family moves out of Town on or after April 1 of a school year may, with the permission of the Superintendent, continue to attend the schools for the remainder of the year (see Section 10).
- b. Continued enrollment for grade 12 of a student who has completed grade 11 in accordance with Section 9.a is subject to application to and approval by the Superintendent
- c. A student whose family provides satisfactory evidence that he/she will be residing in Natick within a grading period and would be eligible to attend the schools under Sections 2.a, 2.b or 2.c of this policy may, in accordance with regulations adopted by the Superintendent, and with the permission of the Superintendent, attend the Schools prior to actually residing in Natick.
- d. The Superintendent may permit a non-resident student to attend the High School for not more than one year under a reciprocal arrangement with the Schools in the Town in which the student resides pursuant to M.G.L. Ch. 76, Sec 12, where such temporary attendance is (i) in the best educational interests of the student, (ii) there is no reason to believe that the student presents any risk to other students or employees of the Schools.

## **10. Superintendent's Permission**

The Superintendent may permit a non-resident student to attend the Schools under Sections 9.a, 9.b, and 9.c of this policy if:

- a. The school district in which the student's parent(s) or legal guardian reside(s) requests that the student attend the Schools; and
- b. There is space available for the student; and
- c. Attendance by the student would not impose an undue burden on the Schools' budget; and
- d. The student has a good disciplinary record and an acceptable custodial arrangement; and
- e. Refusal of the request would, in the judgment of the Superintendent, likely harm the student's education.

## **11. Transportation of Non--Residents**

Except as otherwise provided in state and federal laws and other policies, transportation of a non-resident student to and from school shall remain the responsibility of his/her parent(s) or legal guardian.

## **12. Students with Disabilities**

The education of students with disabilities is the financial responsibility of the city or town in which the student resides. The programmatic and fiscal obligations for students, who require special education services, is addressed in 603CMR 28.03 (4)

## **13. Good Behavior**

Non-resident students attending the Schools under Sections 2.e, 2.f, 2.g, or 2.h do so subject to the terms and conditions established by those programs and any School Committee policies and regulations therefore, and their continued eligibility to attend the Schools is conditional upon such students' good behavior. Such students' eligibility to attend the Schools may be terminated as provided for by those programs or for bad conduct pursuant to the Schools' Code of Conduct.

## **14. Regulations**

The Superintendent shall adopt written regulations from time to time implementing this policy and requiring students, their parent(s), legal guardians, or persons having custody of a student to supply such information as may be reasonably necessary to make determinations about a student's eligibility to attend the Schools, whether tuition may be charged for such student, or for any other purpose relating to the implementation of this policy.

## **15. Failure to provide information or to pay tuition**

Failure by a student and/or parent/guardian to provide evidence or explanations as requested by the school administration to implement this policy and failure to promptly pay any tuition due shall result in the student being ineligible to attend the Schools.

## **16. Waiver of Tuition**

Upon recommendation by the Superintendent, the Committee may, in its discretion, waive payment of tuition.

### **17. Penalty**

Only students who qualify under this policy shall be eligible to attend the schools. Any person who knowingly misrepresents facts concerning a student's actual place of residence or reasons for residing in Natick, or any other material facts concerning a student's eligibility to attend the schools under this policy in order to enroll a student in the schools or to avoid paying tuition may be liable for the consequences. Natick Public Schools reserves the right to recover restitution based upon the costs of educational services provided during the period of non-residency.

### **18. Relationship to Federal and Massachusetts Laws and Regulations**

It is the intent of the foregoing policy that the Natick Public Schools shall also be in compliance with all Federal and State laws and regulations bearing upon enrollment issues, including but not limited to:

- The McKinney-Vento Homeless Assistance Act, as amended [42 U.S.C. 725] by the No Child Left Behind Act Federal Immigration Law Regarding Foreign Students [8 U.S.C. 1184 (L) (3)]
- Massachusetts Special Education Regulations [603 CMR 28.03 (4)].
- Caregiver Authorization Affidavit (MGL Chapter 511 of the Acts of 2008 as amended by Chapter 20 1F)
- Massachusetts Department of Public Health Regulations (105 CMR 220)

Adopted by the Natick School Committee – January 5, 2015

## APPENDIX A

File: JEB

### ENTRANCE AGE

In an attempt to permit children to enter kindergarten and first grade at the time most appropriate for them individually, the School Committee establishes the following policy on entrance age:

Kindergarten: For admission, a child must be five years of age on or before August 31 of the year in which s/he may enter kindergarten in September.

First Grade: For admission, a child must be six years of age on or before August 31 of the year in which s/he may enter first grade in September.

#### **Transfer Students:**

Into Kindergarten: A child transferring from another public school kindergarten whose entrance age requirement is lower than that in Natick should have had regular experience in a kindergarten (either half-day or full-day) for at least one-half year, and may be registered not earlier than the first school day in February. In addition, a statement shall be required from the previous school attended that the child is capable of doing kindergarten work, and has been in attendance for at least 75% of the scheduled school days. The Principal will then follow the Students Seeking an Age Exemption procedure to determine if the underage child may enter the Natick Public Schools.

Completed Kindergarten into First Grade: A child who has completed kindergarten in another school, whose age requirement is lower than the entrance age for Natick, and who wishes to enter first grade may be admitted provided that the child is capable of doing first grade work and has been in attendance for at least of 75% of the scheduled school days during the kindergarten year. A statement to that effect will be required from the previous school. The Principal will then follow the Students Seeking an Age Exemption procedure to determine if the underage child may enter the first grade in the Natick Public Schools or if the child should attend the full-day kindergarten in Natick.

Into First Grade: A child transferring from another school whose entrance age is lower than that in Natick should have had regular experience in first grade at least until the Thanksgiving recess and may be registered for entrance into first grade not earlier than the first day of school after the above-mentioned recess. In addition, a statement shall be required from the previous school attended that the child is capable of doing first grade work, and has been in attendance a minimum of 75% of the school year, thus far. The Principal will then follow the Students Seeking an Age Exemption procedure to determine if the underage child may enter the first grade in the Natick Public Schools or if the child should attend the full-day kindergarten in Natick.

#### **Students Seeking an Age Exemption:**

Parent(s) wishing to seek an exemption for an underage child should use the following procedure:

1. Parent(s) and child will meet with the Principal of the child's local school. The Principal will consider all four areas of the child's development: cognitive; physical; social; and emotional. The Principal will determine if the request is warrants consideration.
2. The parent(s) will meet with a school-based assessment team to discuss the merits of early entry. (The team may consist of a teacher, the special education chairperson, the guidance counselor, and any other staff member that the Principal feels appropriate.)

3. The child will visit a kindergarten (or first grade) classroom so that the team can make first-hand observations about the child's potential for success.
4. The team will make a recommendation to the Principal based upon the observations of the members.
5. In the event that the parent(s) does not agree with the recommendations of the team, the parent(s) may meet with the Superintendent and/or the Assistant Superintendent of Teaching Learning & Innovation.

Parents should understand that early entry is based only on the most extenuating circumstances will be considered.

LEGAL REFS.: M.G.L 15:1G  
Board of Education Regulations for Entrance to First Grade and Kindergarten,  
adopted 7/20/71