

## Students

### Non-Resident Attendance

A non-resident student is a student who:

1. Resides outside of the school district, or
2. Resides within the school district on a temporary basis, or
3. Resides within the school district on a permanent basis but with compensation pay to the person with whom the student is living.
4. resides within the school district for the sole purpose of obtaining school accommodations; or is
5. a child placed by the Commissioner of Children and Youth Services or by other agencies in a private residential facility. However, under this circumstance, children may attend local schools with tuition paid by the \*home district\* unless special education considerations make attendance in local schools and programs inappropriate. Children not requiring special education who live in town as a result of placement by a public agency (other than another Board of Education and except as provided otherwise in this paragraph) are resident students; those requiring special education may attend local schools (with special education cost reimbursements in accordance with statutes) unless special education considerations make attendance in local schools and programs inappropriate.

Non-resident students may be allowed to attend a local school without tuition upon the approval of the Superintendent of Schools, following written parental request when:

1. A family moves from the district after January 1<sup>st</sup> of the school year, or
2. A family residing outside the district has firm plans to move into the district within the current school year as evidenced by a contract to buy, build, rent, or lease.

Under conditions set forth below, the Board of Education may approve non-resident student enrollment in the district. However, the Board may, at its sole discretion, refuse any request for non-resident student attendance. Each non-resident student approval shall be reviewed and/or acted upon, on an annual basis, at or prior to the regular August Board of Education meeting whenever possible.

Tuition shall be computed in accordance with an administrative regulation developed by the Superintendent.

\*Home district shall mean the school district under whose jurisdiction such child would otherwise be attending school.

## **Students**

### **Non-Resident Attendance (continued)**

If a student requires special education services of any kind, the tuition will be increased by an amount which represents, in the judgment of the Superintendent, the student's fair share of the cost of services provided.

Tuition charges for self-contained special education classes or other special education services shall be computed by dividing the total cost of such services or programs by the number of children with a PPT participating therein. The Superintendent shall determine such tuition cost as necessary.

### **Evidence of Residency**

The Superintendent of Schools or his/her designee may require documentation of family and/or student residency, including affidavits, provided that prior to a request for evidence of residency the parent or guardian shall be provided with a written statement of why there is reason to believe such student may not be entitled to attend school in the district. An affidavit may require a statement or statements with documentation that there is bona fide student residence in the district, that the residence is intended to be permanent, that it is provided without pay, and that it is not for the sole purpose of obtaining school accommodations.

### **Removal of Nonresident Student From District**

If after a careful review of affidavits and other available evidence, the Superintendent of Schools or his/her designee believes a student is not entitled to attend local schools, the parent or guardian shall be informed in writing that, as of a particular date, the student may no longer attend local schools, and the Superintendent shall notify the Board of Education, (if known), where the child should attend school. If after review district residency is established by the evidence, the parent or guardian shall be so informed.

If a student is removed from a district school for residency reasons the Superintendent of Schools or his/her designee shall: 1) inform the parent/guardian, of hearing rights before the Board of Education and that the student/s may continue in local schools pending a hearing before the Board of Education if requested in writing by the parent/guardian 2) that upon request, a transcript of the hearing will be provided 3) that a local Board of Education decision may be appealed to the State Board and that the student/s may continue in local schools pending a hearing before the State Board if requested in writing by the parent/ guardian4) that if the appeal to the State Board of Education is lost, a per diem tuition will be assessed for each day a student attended the local school when not eligible to attend.

## Students

### Nonresident Students (continued)

#### Board of Education Hearing

Upon written request, the Board of Education shall provide a hearing within ten (10) days after receipt of such request. If there is a hearing, the Board shall make a stenographic record or tape recording of the hearing; shall make a decision on student eligibility to attend the local school within ten (10) days after the hearing; and shall notify the parent/guardian of its findings. Hearings shall be conducted in accordance with the provisions of Sections 4-177 to 4-180 inclusive of Connecticut General Statutes.

The Board shall, within ten (10) days after receipt of notice of an appeal, forward the hearing record to the State Board of Education.

Legal Reference:      Connecticut General Statutes  
                                 4-176e through 4-185 Uniform Administrative Procedure Act.  
                                 10-186 Duties of local and regional Boards of education re school attendance. Hearings. Appeals to state Board. Establishment of hearing board.  
                                 10-253 School privileges for students in certain placements and temporary shelters.

Policy adopted:      March 22, 2001  
Policy revised:      November 20, 2008

MARLBOROUGH PUBLIC SCHOOLS  
Marlborough, Connecticut

## Students

### Non-Resident Attendance

Annually, the Superintendent will calculate the out-of-district tuition rate, subsequent to budget approval, by dividing the official enrollment figures from the preceding year into the total approved budget of the current year minus expenditures from the following accounts:

1. 323 Pupil Services
2. 490 Construction/Other Property
3. 510 Student Transportation
4. 560 Special Education Contingency
5. 700 Capital Outlay

Regulation approved: March 22, 2001  
Regulation revised: February 28, 2002  
Regulation revised: November 20, 2008

MARLBOROUGH PUBLIC SCHOOLS  
Marlborough, Connecticut

MARLBOROUGH PUBLIC SCHOOLS  
Marlborough, Connecticut

AFFIDAVIT OF RESIDENCY

For School Attendance Purposes

Student:

State Of Connecticut )  
County of ) ss: \_\_\_\_\_ Town of \_\_\_\_\_  
(date)

Personally appeared \_\_\_\_\_ who made oath:  
(name of resident)

1. That \_\_\_\_\_ is a child who is presently residing with \_\_\_\_\_ of the Town of \_\_\_\_\_, Connecticut.
2. That \_\_\_\_\_ is a (relative)/(non-relative) of \_\_\_\_\_.
3. That it is the intention of \_\_\_\_\_ that such residence is to be permanent and provided without pay.

\_\_\_\_\_  
Name of Resident (L.S.)

\_\_\_\_\_  
Signature of Resident

Subscribed and sworn to  
this \_\_\_\_\_ day of \_\_\_\_\_, \_\_\_\_\_ before me.

\_\_\_\_\_  
(Notary Public)  
(Commissioner of Superior Court)

MARLBOROUGH PUBLIC SCHOOLS  
Marlborough, Connecticut

AFFIDAVIT FOR PURPOSES OF RESIDENCY  
(Local Resident)

STATE OF CONNECTICUT )  
 )ss:  
COUNTY OF \_\_\_\_\_ )

Personally appeared \_\_\_\_\_, who made oath to the following:

1. I am a resident of the Town of \_\_\_\_\_, State of Connecticut. My residence is located at \_\_\_\_\_.  
*(street address)*
2. A child by the name of \_\_\_\_\_ currently resides with me at the address stated above.
3. I receive \_\_\_\_\_ ~~(pay) (no pay)~~ for provided such residence.  
*(cross out inapplicable response)*
4. I intend such residence to be \_\_\_\_\_ ~~(temporary) (permanent)~~.  
*(cross out inapplicable response)*

\_\_\_\_\_  
(L.S.  
Student

Subscribed and sworn to  
before me, this \_\_\_\_\_  
day of \_\_\_\_\_, 20\_\_\_\_\_

\_\_\_\_\_  
Notary Public Signature

Notary Seal

MARLBOROUGH PUBLIC SCHOOLS  
Marlborough, Connecticut

AFFIDAVIT FOR PURPOSES OF RESIDENCY  
(Parent or Guardian)

STATE OF CONNECTICUT )  
 )ss:  
COUNTY OF \_\_\_\_\_ )

1. I am a (parent) (guardian) of \_\_\_\_\_.  
*(cross out inapplicable response) (name of child)*

2. I reside at \_\_\_\_\_ in the Town of \_\_\_\_\_,  
*(street address)* State of Connecticut.

3. \_\_\_\_\_ currently (does not) (does)  
*(name of child) (cross out inapplicable response)*  
reside with me.

4. It is my intention that \_\_\_\_\_ reside with \_\_\_\_\_  
*(name of person)* of the Town of \_\_\_\_\_, State of  
Connecticut, and that such residence be (permanent) temporary.  
*(cross out inapplicable response)*

5. I (do) (do not) now pay nor do I intend to pay  
*(cross out inapplicable response)*  
\_\_\_\_\_ for allowing  
*(name of person)*  
to reside with \_\_\_\_\_ (him/her).

\_\_\_\_\_  
(L.S.  
Parent or Guardian

Subscribed and sworn to  
before me, this \_\_\_\_\_  
day of \_\_\_\_\_, 20\_\_\_\_

\_\_\_\_\_  
Notary Public Signature

Notary Seal

Marlborough Public Schools  
Marlborough, Connecticut

**RESIDENTIAL STATUS REPORT AND APPLICATION**

School: \_\_\_\_\_

Date: \_\_\_\_\_

**FOR:** 1. Students whose residency in \_\_\_\_\_ is newly established.  
2. Students who are applying to attend \_\_\_\_\_ Public Schools, and whose families do not live in the Town of \_\_\_\_\_

**COMPLETED BY:** (1) The student applying; (2) The parent; and (3) The \_\_\_\_\_-based Guardian, "Legal or Consenting."

**WHERE:** Administrative offices of the school requested with the Unit Administrator present.

**FORWARDED TO:** The Superintendent of Schools

1. Name of student: \_\_\_\_\_  
Last First Middle

2. (Town) Address: \_\_\_\_\_  
No. Street Town (Apt. No.)

3. Student's Home Telephone Number in \_\_\_\_\_ : \_\_\_\_\_  
Name under which telephone is listed in (Town): \_\_\_\_\_

4. When did student move into (Town)? \_\_\_\_\_

5. Former Address: \_\_\_\_\_  
No. Street Town Apt. No. (if applicable)

6. Where did student attend school last? \_\_\_\_\_  
Date last attended: \_\_\_\_\_

7. Name of student's father: \_\_\_\_\_  
Last First Middle  
Father's address \_\_\_\_\_  
No. Street Town Telephone No.

8. Name of student's mother: \_\_\_\_\_  
Last First Middle  
Mother's address \_\_\_\_\_  
No. Street Town Telephone No.

9. Name of student's guardian: \_\_\_\_\_  
(if applicable) Last First Middle

10. Name of person with whom student is living: \_\_\_\_\_  
Address of such person in (Town): \_\_\_\_\_  
No. Street Town Telephone No.

11. Names of all brothers and/or sisters with ages and addresses (last name need be listed only if different than that of student's last name):

First	Age	Address
_____	_____	_____
_____	_____	_____



12. To be completed only when student is living in (Town) with a person other than a parent. Replies will be confidential.

Why are you not living with your parents? (Please do not omit, and be specific.)

\_\_\_\_\_  
(If additional space is required, please continue below.)

Do you live with this person seven days a week, twelve months a year, without payment of any kind?  
\_\_\_\_\_ Yes \_\_\_\_\_ No If no, explain where else you live and during what times of the year:

\_\_\_\_\_  
\_\_\_\_\_  
I UNDERSTAND THAT ESTABLISHING RESIDENCY FOR THIS STUDENT COULD POSSIBLY MEAN VISITS TO HOME ON SATURDAYS AND/OR RECESS PERIODS FROM SCHOOL, INCLUDING THE SUMMER SEASON.

13. Student's Statement: I hereby declare under the penalties of perjury that all of the information supplied on this form by me is correct to the best of my knowledge. I understand that if any of the information is incorrect, I may be withdrawn from the \_\_\_\_\_ Public School requested.

Student's Signature: \_\_\_\_\_  
(Omit if elementary school)

Date: \_\_\_\_\_  
Month Day Year

14. State of Parent, Guardian and Person with whom student is residing in \_\_\_\_\_:

I hereby declare under the penalties of perjury that all of the information supplied on this form is correct to the best of my knowledge. I understand that if any of the information is incorrect, and the student is not entitled to enroll tuition-free as a \_\_\_\_\_ resident, the student shall be immediately discharged from enrollment in the \_\_\_\_\_ Public Schools, and the prevailing tuition charge assessed against me and/or us for each day the student was so enrolled. I understand that in order to establish residency the attendance officer will visit starting at 7:00 a.m.

\_\_\_\_\_  
Signature of Guardian - Legal or Consenting

\_\_\_\_\_  
Signature of Parent of student applying

\_\_\_\_\_  
Signature of Person "consenting"

Date: \_\_\_\_\_  
Month Day Year

Extra Space for questions 11 and 12 if needed.

TO BE REVIEWED AND RENEWED EACH SCHOOL YEAR  
DO NOT WRITE BELOW THIS LINE. FOR OFFICE USE ONLY

Received: \_\_\_\_\_ Approved by: \_\_\_\_\_  
Month Day Year Superintendent of Schools

**Students**

**Nonresident Students**

**FORM LETTERS QUESTIONING STUDENT RESIDENCE IN DISTRICT**

Date:

To: Parents/Guardian

Dear \_\_\_\_\_:

We believe that the following student/s may not meet residency requirements to attend district schools. Connecticut State Statutes and Board of Education policies require students to reside within the town and that local student residence is intended to be permanent, provided without pay, and not for the sole purpose of obtaining school accommodations.

NAME	SCHOOL	GRADE

The student/s listed above may not meet residency requirements for the following reason or reasons:

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Within five (5) days, we will send you a request to document residency for the student/s named above, including an affidavit of residency to be completed by the parent/guardian. **If a student does not meet residency requirements as outlined in the first paragraph of this letter, you should withdraw the student from the (name) school system immediately and enroll him/her in the school district of actual residence.**

Sincerely,

**Students**

**Nonresident Students**

Date:

To: Parents/Guardian

Dear \_\_\_\_\_:

Enclosed are an affidavit or affidavits and a questionnaire to be completed to show legal residence in the Town of *(Name)* for the following student/s.

NAME	SCHOOL	GRADE

The student/s named may continue in schools pending review of information furnished by you. You will be notified in writing of the administrative decision and, if necessary, the date on which the student/s will be withdrawn from schools. If by \_\_\_\_\_ we do not receive the  
*(date within 10 days of mailing this letter)*  
completed affidavits and other information requested, school accommodations will be denied as of that date.

Sincerely,

Enclosures

**Students**

**Nonresident Students**

Date:

To: Parents/Guardian

Dear \_\_\_\_\_:

I have reviewed the affidavits and other documentation (*if applicable*) and concur that the student/s named below meet/s residency requirements established by Connecticut Statutes and Board of Education Policies and may continue in \_\_\_\_\_ Public Schools.

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We appreciate your cooperation.

Sincerely,

**Students**

**Nonresident Students**

Date:

To: Parents/Guardian

Dear

Effective \_\_\_\_\_, school accommodations will no longer be provided in the Town  
(date within 10 days of this letter)  
of \_\_\_\_\_ for the student/s named below:

NAME	SCHOOL	GRADE

The reason for denial of further school attendance is:

- \_\_\_\_\_ You have informed us that your child no longer resides in town
- \_\_\_\_\_ No written response received to our request for completion of affidavits and/or other documentation
- \_\_\_\_\_ Affidavit and/or documentation is not adequate to prove residence in accordance with Connecticut Statutes and Board of Education policy.

You have the following rights when student attendance is denied for reasons of residence:

1. A hearing before the Board of Education. If prior to *(Date specified for student/s withdrawal)* you request in writing a hearing by the Board of Education, the Board will provide you a hearing within ten (10) days of its receipt of the written request.
2. If you make a timely request for Board hearing, the student/s named may continue in schools pending the outcome of the Board of Education hearing.
3. If you so request, following the Board of Education hearing you will be provided a transcript of the hearing within thirty (30) days of your request.
4. Within twenty (20) days of the Board of Education mailing its finding/s and decision, you may appeal the Board's decision to the State Board of Education.
5. Upon your written request, the student/s may continue in \_\_\_\_\_ Public Schools pending the outcome of an appeal to the State Board of Education. *(Such written request must be received by the Superintendent of Schools within twenty (20) days of the Board of Education mailing its finding/s and decision to you.)*

If the decision by the State Board of Education supports a Board of Education denial of student accommodations, you will be liable for a per diem payment of tuition for each day the student/s attended schools. *(Currently \$ \_\_\_\_\_ per day)*

Sincerely,

**Students**

**Nonresident Students**

Date:

To: Parents/Guardian

Dear \_\_\_\_\_:

Upon receipt of your request for a hearing before the Board of Education on a student residency issue, the Board of Education has scheduled a hearing as outlined in the attachment entitled **Board of Education Notice of Hearing**.

Sincerely,

Enclosure

**Students**

**Nonresident Students**

Date:

TO: Parents/Guardian

**BOARD OF EDUCATION NOTICE OF HEARING**

<p>1. Person/s requesting Hearing:</p>	<p>Name:</p> <p>Address:</p> <p>Telephone:</p>
<p>2. Date and time of Hearing:</p>	
<p>3. Place of Hearing:</p>	
<p>4. <b>Nature of Hearing</b></p>	<p><b>Determination of student/s residency</b></p>
<p>5. Statutes and Regulations involved:</p> <p style="margin-left: 40px;">Section 10-186 CGS Duties of local and regional boards of education re school attendance. Hearings. Appeals to state board. Establishment of hearing board.</p> <p style="margin-left: 40px;">Section 10-187 CGS Appeal from finding of hearing Board</p> <p style="margin-left: 40px;">Section 4-177 CGS Contested cases. Notice. Record.</p> <p style="margin-left: 40px;">Section 4-178 CGS Evidence in contested cases</p> <p style="margin-left: 40px;">Section 4-179 CGS Proposal for decision.</p> <p style="margin-left: 40px;">Section 4-180 CGS Final decision to be rendered within ninety days.</p>	
<p>4. A short plain statement of the matters asserted:</p>	

**Students**

**Nonresident Students**

Date:

To: Parents/Guardian

Dear \_\_\_\_\_:

Following the recent hearing by the Board of Education on a residency question involving:

NAME	SCHOOL	GRADE

the \_\_\_\_\_ Board of Education found the following:

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In accordance with the findings of the \_\_\_\_\_ Board of Education, the student/s named above:

\_\_\_\_\_ may continue as a student in \_\_\_\_\_ Public Schools

\_\_\_\_\_ must be withdrawn from the \_\_\_\_\_ Public Schools no later than \_\_\_\_\_ unless an appeal is filed with the Connecticut  
*(date within 20 days of mailing this letter)* State Board of Education prior to that time.

Sincerely,