

SERIES 5110: DETERMINING RESIDENCY STATUS AND APPEAL PROCESS

DETERMINING RESIDENCY STATUS AND APPEAL PROCESS

In accordance with Sections 10-186, 10-220 and 10-253(d) of the Connecticut General Statutes (CGS), the East Windsor Board of Education requires proof of residency to attend, or obtain services from, East Windsor Public Schools. Proof of residency is required for all students enrolling in East Windsor Public Schools who were not enrolled at the end of the previous school year. Additionally, the Administration may require a student's parent(s)/guardian(s) to provide proof of residency whenever such status is in question. East Windsor Public Schools has the right to investigate any residency issue. The burden of proof of residency is on the student's parent or guardian.

When the residency status of a student enrolled in East Windsor Public Schools is in question, the Administration shall provide the student's parent(s)/guardian(s), or the student in the case of an emancipated minor or pupil eighteen (18) years of age or older, with a written statement specifying the basis upon which the administrator has reason to believe that such child, emancipated minor or pupil eighteen (18) years of age or older is not entitled to school accommodations and request that they provide documentation of proof of residency.

Proof of Residency Documentation

Residency status must be verified at the District's Central Office. It is the parent's/guardian's responsibility to prove residency by following the procedure in the District's regulations implementing this policy and submitting all required forms. Forms or documentation believed to be falsified or misleading may be investigated under the provisions of this policy.

Action on Failure to Prove Residency Status

The Assistant Superintendent, or her/his designee, will review the information available regarding the student's residency status. If the determination is made that the student is not eligible to receive school accommodations from East Windsor Public Schools, then the Assistant Superintendent, or her/his designee, shall provide the student's parent(s)/guardian(s), or the student in the case of an emancipated minor or pupil eighteen (18) years of age or older, with a written statement specifying the basis upon which the Assistant Superintendent, or her/his designee, has determined that such child, emancipated minor or pupil eighteen (18) years of age or older is not entitled to school accommodations from East Windsor Public Schools.

The written statement shall inform the student's parent(s)/guardian(s), or the student in the case of an emancipated minor or pupil eighteen (18) years of age or older, of the right to request a hearing by the East Windsor Board of Education regarding the denial of school accommodations.

The Assistant Superintendent, or her/his designee, shall also advise the school district under whose jurisdiction it is believed that the student who was denied school accommodations in East Windsor Public Schools should be attending. The student must be withdrawn from East Windsor Public Schools within five (5) school days.

Hearing on Residency Status

The parent(s)/guardian(s) of any child who is denied schooling in East Windsor Public Schools, or an emancipated minor or a pupil eighteen (18) years of age or older who is denied schooling, or an agent or officer charged with the enforcement of the laws concerning attendance at school, may, in writing, request

hearing by the East Windsor Board of Education.

The Board may designate a subcommittee of the Board composed of three Board members or appoint a Hearing Officer to conduct the hearing. The person shall be entitled to a hearing within ten (10) days after receipt of the written request, make a stenographic record or tape recording of the hearing and make a finding within ten (10) days after the hearing.

Hearings shall be conducted in accordance with the provisions of CGS Sections 4-176e to 4- 180a, inclusive, and Section 4-181a.

Any child, emancipated minor, or pupil eighteen (18) years of age or older who is denied school accommodations on the basis of residency may continue in attendance in East Windsor Public Schools at the request of the parent(s)/guardian(s) of such child, or emancipated minor or pupil eighteen (18) years of age or older, pending the hearing pursuant to this policy. The party denied schooling shall have the burden of proving residency by a preponderance of the evidence.

Appeal of Hearing Findings

Any such parent, guardian, emancipated minor, pupil eighteen (18) years of age or older, or agent or officer, aggrieved by the finding of the Board hearing shall, upon request, be provided with a transcript of the hearing within thirty (30) days after such request.

Any such parent, guardian, emancipated minor, pupil eighteen (18) years of age or older, or agent or officer, aggrieved by the finding of the Board hearing may take an appeal from the finding to the State Board of Education. A copy of each notice of appeal shall be filed simultaneously with the East Windsor Board of Education and the State Board of Education.

Any child, emancipated minor or pupil eighteen (18) years of age or older who is denied accommodations in East Windsor Public Schools as the result of a determination by a subcommittee of the Board or the appointed Hearing Officer that the child is not a resident of East Windsor and therefore is not entitled to school accommodations in the District may continue in attendance in East Windsor Public Schools at the request of the child's parent(s)/guardian(s), or at the student's request in the case of an emancipated minor or pupil eighteen (18) years of age or older, pending a determination of such appeal.

If an appeal is not taken to the State Board of Education within twenty (20) days of the mailing of the finding to the aggrieved party, the decision of the Board subcommittee shall be final.

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

Authority to Recover Cost of Tuition

If the hearing board makes a determination that the child was not a resident of the school district and therefore not entitled to school accommodations from East Windsor Public Schools, the East Windsor Board of Education may assess tuition against the parent or guardian of the child or the emancipated minor or pupil eighteen (18) years of age or older based on the following: One one-hundred-eightieth (1/180th) of East Windsor's published tuition rates per pupil multiplied by the number of days of school attendance of the child in the District while not entitled to school accommodations provided by East Windsor Public Schools. The Board may seek to recover the amount of the assessment through available civil remedies.

Responsibilities

The Superintendent shall develop administrative procedures to carry out the requirements of this policy.

Related Policy:

5120 – Homeless Children and Youth

Legal References:

Connecticut General Statutes (last amended by Public Act (PA)):

10-15f. Interstate Compact on Educational Opportunity for Military Children. (PA 08-57)

10-186. Duties of local and regional boards of education re school attendance. Hearings.

Appeals to state board... (PA 17-237)

10-220. Duties of boards of education. (PA 17-2, June Special Session)

10-253. School privileges for children in certain placements, nonresident children, children in temporary shelters, homeless children and children in juvenile detention facilities. (PA 17-2, June Special Session)

ADOPTED: 07.01.25

REVISED:

Residency Verification Requirements

Residency verification is required for the following situations:

<p><u>New Enrollment</u> - If you are a new resident to East Windsor and are enrolling your child(ren) in East Windsor Public Schools</p>	<p><u>School Choice/Out of District (OOD)</u> - If you are enrolling your child(ren) in a Magnet, Vocational/Agricultural, Technical or Charter school or if your child has a special education placement outside of East Windsor. (annual verification required)</p>
<p><u>Change of Address</u> - If you move within East Windsor</p>	<p><u>Transfer (School Choice/OOD back to a East Windsor Public School)</u> - If your child(ren) transfers from a Magnet, Vocational/Agricultural, Technical or Charter school or if your child has a special education placement outside of East Windsor and is returning to one of the public schools in the district.</p>
<p><u>Family Living with Another Family</u> - If your family is residing with relatives or non relatives in East Windsor, when it is the intention of both the relatives/non relatives and the family that such residence is to be permanent.</p>	<p><u>Child(ren) Living with Another Family</u> - If your child(ren) is residing with relatives or non relatives in East Windsor, when it is the intention of both the relatives/non relatives and the children’s parent(s)/guardian(s) that such residence is to be permanent.</p>

RESIDENCY VERIFICATION PROCEDURES

Depending on your situation, the following verification requirements must be completed:

New Enrollment

- School enrollment form
- Residency Requirement and Verification Notice
- Notarized Residency Affidavit
- Residency Questionnaire
- Provide residency verification documentation (see table)
- Release of Information Authorization (FERPA/HIPPA Compliant Authorization)
- Health Assessment Record

Change of Address

- Residency Requirement and Verification Notice
- Change of Address form
- Provide residency verification documentation (see table)

School Choice/Out of District (OOD) Verification required annually

- Residency Requirement and Verification Notice
- Notarized Residency Affidavit
- Residency Questionnaire
- Provide residency verification documentation (see table)\
- Transportation Emergency Contact form

Transfer (School Choice/OOD back to In District)

- School enrollment form
- Residency Requirement and Verification Notice
- Notarized Residency Affidavit
- Residency Questionnaire
- Provide residency verification documentation (see table)
- Release of Information Authorization (FERPA/HIPPA Compliant Authorization)
- Health Assessment Record
- Release of Records Request form

Family Living with Another Family

- Residency Requirement and Verification Notice (completed by **host** family)
- Notarized Residency Affidavit completed and submitted by **host** family
- Provide residency verification documentation (see table)
- Residency Questionnaire Form

Child(ren) Living with Another Family

- Residency Requirement and Verification Notice (completed by **host** family)
- Notarized Residency Affidavit completed and submitted by **host** family
- Provide residency verification documentation (see table)
- Residency Questionnaire Form
- Authorization for Emergency Custodial and Educational Decision Making (notarized)

Required Residency Documentation

Please provide one (1) mandatory item from Category A and one (1) from Category B. If unable to provide from Category B, two items from Category C are required. **In addition, a photo ID is required.** Account numbers and amounts may be redacted from forms.

*****APPLICABLE ITEMS IN CATEGORIES B & C ARE REQUIRED TO BE LESS THAN 60 DAYS OLD AND MUST REFLECT YOUR CURRENT East Windsor ADDRESS*****

Acceptable Documentation for Proof of Residency		
Category A	Category B	Category C
<ul style="list-style-type: none"> ● Current mortgage statement ● Copy of property deed if no mortgage statement is available ● Settlement statement or closing disclosure (new homeowners only) ● Lease - must be unexpired, signed by lessor/lessee, dated and landlord contact information must be provided ● Military Orders- (per PA21-86) ● Notarized Landlord Residency Affidavit Form with landlord contact information if no lease exists, if lease is expired, or if lease is weekly or month to month ● Section 8 agreement with dates of tenancy 	<ul style="list-style-type: none"> ● Current utility bill statement - complete bill required, not just payment stub ● Utility work order showing service address for new Homeowners. <p>Examples include:</p> <ul style="list-style-type: none"> ○ Electricity ○ Natural Gas ○ Landline Phone ○ Cable/Satellite ○ Water <p><i>Cell phone bills and shut off notices are not acceptable</i></p>	<ul style="list-style-type: none"> ● Valid driver’s license (stickers not allowed) ● Valid CT DMV non-driver’s photo identification with current address ● Valid automobile registration ● Voter registration ● Current auto or homeowners insurance declaration page ● Current payroll stub ● Bank or Credit Card Statement Court document ● Letter from any government agency with East Windsor address and dated for most current tax year: ● W-2 form ● Auto or property tax bill

For questions please contact Central Office at (860) 623-3346