



East Greenwich School Committee Policy Manual

Last Policy Adopted by School Committee: 11/22/11

Current Policy Adopted by School Committee: 05/14/24

2180: Student Residency

Statement of Residency

A child shall be entitled to enroll in the East Greenwich Public Schools (EGPS) in accordance with state law and East Greenwich School Committee (EGSC) policy.

In accordance with R.I. General Laws § 16-64-1, a child shall be deemed to be a resident of the Town of East Greenwich if their parent(s) or legal guardian(s) reside in East Greenwich.

A child can also establish residency for school purposes even if they live separate and apart from their parent(s) or guardian(s) and live with a relative or a person who is neither a parent nor their legal guardian, i.e., if a child lives with a resident of East Greenwich who is acting *in loco parentis*, the student is entitled to enroll.

School enrollment cannot be conditioned on the appointment of a legal guardian. The appointment of a guardian does not change a student's residency unless the guardian has been appointed for a substantial reason other than to change the student's residence for the purpose of enrolling the student in East Greenwich schools.

An emancipated minor shall be deemed to be a resident of East Greenwich if the minor resides in East Greenwich.

Documentation of Residency

EGPS requires students to provide proof of residency within the Town of East Greenwich at the time of enrollment. To establish residency, two of the following documents (listed below as "a, b, c, d;" satisfying "d" requires two statements on its own) must be provided:

- a. Current signed and notarized lease/rental agreement

- b. Signed home purchase and sales agreement (dated within thirty days of closing) or closing settlement statement
- c. Landlord/Shared Tenancies Affidavit
- d. Any two of the following: local property tax, water, sewer, electric, gas, or oil bill

EGPS may conduct home visits, carried out by the School Safety Coordinator or other person designated by the Superintendent and approved by the School Committee, to validate compliance with residency requirements.

Admission of Non-Resident Students

The School Committee will determine by an affirmative vote each May whether or not EGPS will offer enrollment to any non-resident students for the following academic year, exclusive of the number of Career and Technical Education (CTE) enrollment slots which are determined by the Rhode Island Department of Education (RIDE).

In years where the School Committee decides to offer non-resident, non-CTE student enrollment opportunities, the Committee will set a standard rate for annual tuition and any/all other expenses associated with educating each individual student.

The standard tuition rate does not include any additional costs that may be incurred for special education services, which will be added to the standard rate; payment for these services will be the responsibility of the parents/guardians of non-resident students.

In the years that non-resident, non-CTE students are eligible to apply for enrollment, a petition for an individual student may be filed with the Superintendent. The granting of such a petition is purely discretionary on the part of the Superintendent.

Transportation for non-resident students will not be provided by EGPS.

Completion of Semester

In accordance with RI law, if an East Greenwich student changes residence prior to the end of a semester, the student must be allowed to complete the semester in the East Greenwich school district. If an East Greenwich student is a senior or has completed the junior year and is about to enter the senior year, the student must be allowed to complete the senior year in the East Greenwich school district.

In these cases, transportation will not be provided to students.

Students in Foster Care or Homeless

The Federal Every Student Succeeds Act of 2015 addresses the following requirements for students in foster care:

- Children in foster care remain in the school of origin, unless it is determined that it is not in his or her best interest by the state Child Welfare Agency, which is the in Department of Children, Youth & Families (DCYF) in Rhode Island.
- If it is not in the child's best interest to remain in the school of origin, the child must be immediately enrolled in the new school even if they don't have the required documentation.
- Local Education Agencies (LEAs) must collaborate with CWAs to develop and implement clear written procedures for how transportation will be provided, arranged, and funded for the duration of a child's time in foster care.
- Each LEA must designate a Point of Contact (POC) for CWAs. LEAs must also designate a POC for CWAs if the corresponding CWA notifies the LEA, in writing, that it has designated a POC.

The Federal McKinney-Vento Homeless Assistance Act requires all school districts to ensure access to public education for children and youth experiencing homelessness and to ensure their success in school once enrolled.

The McKinney-Vento Act ensures the educational rights and protections of students who lack a fixed, regular and adequate nighttime residence. This includes students who are:

- Living in emergency or transitional shelters.
- Sharing the housing of other people due to loss of housing or economic hardship.
- Living in motels, hotels or camping grounds due to the lack of an alternative adequate accommodation.
- Living in cars, parks, abandoned buildings, bus or train stations, or similar settings.

Families of students experiencing homelessness should contact the EGPS local homeless education liaison (listed on the EGPS website), or the RI DCYF for more information on the services and supports that may be available to them. The local liaison serves as one of the primary contacts between homeless families and school staff, district personnel, shelter workers, and other service providers.

Disputes

R.I. General Laws § 16-64-6 provides that disputes over the residency of students shall be resolved by the Commissioner of Elementary and Secondary Education. Whenever an East

Greenwich school administrator determines that a student is not a resident of East Greenwich for school purposes, the school district must notify the parent(s) or guardian of the student of: (1) the reason(s) for the EGPS's refusal to enroll the child, and (2) the parent's or guardian's right to appeal the EGPS's decision to the Commissioner. (Exhibit A Form). Students already enrolled and in attendance cannot be disenrolled from school upon the filing of an appeal by a parent or guardian or while a hearing is pending before the Commissioner's office.

In any proceeding where it is alleged that a student's residence has been changed due to illness of a parent, the break-up of the child's family, abandonment of the child by their parents, death of the child's parents, or emancipation of the child, the party alleging the existence of these circumstances shall bear the burden of proving such circumstance(s) by a preponderance of the evidence.

Reference

RI Gen. Laws § 16-64-1, et seq.

Every Student Succeeds Act (ESSA), 20 U.S.C. § 6301

McKinney-Vento Homeless Assistance Act, 42 U.S.C. §§ 11431-11435