



STUDENT ADMISSION POLICY

File: JF

It is the policy of the Town of Danvers to require that all children who are registered and attend Danvers Public Schools, at the expense of the citizens of Danvers, be legal residents whose actual residence is in Danvers. "Residence" is defined as the place where a person dwells permanently, not temporarily, and is the place that is the center of his/her domestic, social and civic life. Home ownership or rental in Danvers, alone, is not sufficient to establish residency if the student does not actually reside in that dwelling. A temporary or part-time residence in Danvers, solely for the purpose of attending Danvers Public Schools shall not be considered residency.

The residence of a minor child is presumed to be the legal residence of the parent(s)/guardian(s) who have physical custody of the child. For students whose parents are divorced or separated and share physical custody of the child, the child may attend Danvers Public Schools only if he/she is a resident in Danvers during the school year. In those cases, the parent/guardian must produce a divorce decree, custody agreement, proof of guardianship and/or other documents to verify that the student is a resident of Danvers.

When a new student registers for school and lives with anyone other than a parent, the school department must receive a court document or documents demonstrating custody. A student who is a resident of a foreign country and enters the Danvers Public Schools under the provisions of the Foreign Student Exchange Program may attend in accordance with State and Federal Law. Students expelled or excluded from their previous school due to disciplinary violations under M.G.L. c. 71, §37H(e) or §37H ½ may be either admitted to the Danvers Public Schools or provided educational services in an education service plan, under M.G.L. c. 71, §76, at the Superintendent or his/her designee's discretion.

Families who move to Danvers must complete the Town of Danvers census (obtained at the Danvers Town Clerk's office) to be eligible to register their children in the school system. The Danvers Town Clerk will provide documentation that the census has been completed. Parents/guardians must produce that documentation at the time of registration.

In addition, when a new student is enrolled, his/her parent or guardian must produce a signed Residency Statement (Attachment A) and at least one document from each of the three categories in the following table at the time of registration. Individuals having difficulty producing the required documentation should contact the Superintendent.

Evidence of Residency	Evidence of Occupancy	Evidence of Identity
<ul style="list-style-type: none"> ● Record of mortgage payment made within the past 60 days ● Lease and/or Rental Agreement identifying address, and effective dates and signed by both parties ● Signed Landlord Affidavit (attachment B) ● Section 8 Agreement ● Property tax bill within the last year with name and address stated 	<ul style="list-style-type: none"> ● Utility (gas, oil, electric, home phone, cable, water) bill or work order dated within the past 60 days with name and address stated ● Pay stub with name and address stated ● Excise tax bill with name and address stated <p>Note: credit card and cell phone bills are not acceptable</p>	<ul style="list-style-type: none"> ● Valid MA driver's license ● Valid U.S. passport ● Valid MA Photo ID card ● Other government-issued photo ID

Danvers Public Schools reserves the right to request additional documentation to verify residency and guardianship of a child.

Should there be a question of residency, the Office of the Superintendent reserves the right to conduct an investigation. School officials will use reasonable discretion in deciding how to determine the circumstances of a child's residence. Because residency may change for students and their families during the course of an academic year, Danvers Public Schools may continue to verify residency. Changes of address MUST be reported to the Principal within ten (10) calendar days. Any student found to be in violation of the residency requirement will be removed from the Danvers Public Schools. Parent(s), guardian(s), or any other person(s) who violate or assist in violation of this policy by submitting false documentation, aiding, abetting or conspiring to admit a child as a student of Danvers Public Schools, shall be subject to all applicable criminal and civil penalties. Danvers Public Schools reserves the right to recover restitution based upon the costs of educational services provided during the period of non-residency, in accordance with M.G.L. c. 76, §5.

If a student's family moves from Danvers during the school year, the student and his/her records, including immigration records required by law, shall be transferred immediately to the school in the city or town where they are residing. Should a move occur during the months of April, May or June, the parents or guardians may place a request in writing to the Superintendent of Schools to have their student(s) remain in Danvers for the completion of the academic year. If this request is granted, student transportation during the period of non-residency shall be the responsibility of the parents or guardians.

A student who is scheduled to graduate in June, and whose parents or guardians move from Danvers on or after July first of the student's senior year, may be allowed to complete his/her

senior year in Danvers tuition-free. The written request should be forwarded to the Superintendent of Schools. Student transportation during the period of non-residency shall be the responsibility of the parents or guardian.

A student whose family is planning to move into Danvers may be granted provisional permission to enroll in the school system. Clear and documented evidence of intent to reside in Danvers, such as a signed purchase and sales agreement, must be presented. In cases where a new home is to be built, in addition to a purchase and sales agreement, parents may be required to produce a copy of a mortgage commitment letter to ensure that construction will occur or continue on schedule. The parents must document to the satisfaction of the Superintendent that they will be permanently residing in the district within sixty calendar days from the time the students would enter school. The acceptance of the student will be for sixty days. If the period expires and the student does not reside in the district, the parents will be informed that the student will no longer be entitled to attend school in Danvers and must be educated in the community in which the family resides. In exceptional circumstances, the Superintendent may grant an extension to the sixty-day time period. A copy of this policy shall be given to the parent or guardian at the time of registration of the student.

Prior to the Danvers Public Schools issuing a final decision that the student is not a resident of Danvers, the parent(s)/guardian(s)/student shall have the right to notice of the allegation or belief that the student is not a resident of Danvers, an explanation for the basis of that allegation, and an opportunity to present evidence in support of their position that the student resides in Danvers. The Superintendent, with input from legal counsel, shall make the final decision with respect to residency.

The residency requirements set forth herein do not apply to students who are entitled to attend Danvers Public Schools under the McKinney-Vento Act. Danvers Public Schools will comply with 603 CMR 28 with respect to special education students. No child who actually resides in Danvers will be denied access to school because of his or her immigration status or the immigration status of his or her parent(s)/guardian(s).

This policy is **intended to be** in compliance with M.G.L. c. 71, §§37 and 37H½, c. 76, §5; M.G.L. c. 71B, §3, 603 CMR 28.00 et seq. and **applicable the Federal Law, including: the McKinney-Vento Act and the No Child Left Behind Act.**

Adopted: October 21, 2002

Revised: June 2014

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Approved for a first reading, June 2016

SOURCE: Danvers LEGAL REFS.: M.G.L. 71:37C; 71:37D; 71:37I; 71:37J; 76:5; 76:6 Board of Education Regulations Pertaining to Section 8 of Chapter 636 of the Acts of 1974, Regarding Magnet School Facilities and Magnet Educational Programs, adopted 2/25/75 Board of Education Regulations Pursuant to Chapter 636 of the Acts of 1974, adopted 9/10/74 Board of Education Regulations Pertaining to the Preparation of Racial Balance Plans which Involve Redistricting, adopted 4/24/73 CROSS REF.: JC, Attendance Areas