



# Cumberland School Department Policy Manual

STUDENTS

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STUDENT RESIDENCY

J-17

## **STATEMENT OF RESIDENCY**

A child shall be entitled to enroll in the Cumberland School Department if he or she resides in the Town of Cumberland. A child shall be deemed to be a resident of the Town of Cumberland if his or her parent(s)/Guardian(s) reside in the Town of Cumberland. If the child's parents/guardians live separate and apart, the child shall be deemed to be a resident of the town or locality in which the parent having physical placement of the child resides.

If a student meets the criteria for a child in transition (i.e.: one who lacks a fixed, regular and adequate night-time residence), the student must be allowed to enroll without delay while the particular circumstances are investigated.

The appointment of a guardian for a child shall not operate to change said child's residence unless (1) the child takes up residence with the guardian within the Town of Cumberland, and (2) the guardian has been appointed for a substantial reason other than to change the child's residence for the purpose of enrolling the child in the Cumberland Schools.

## **BURDEN OF PROOF**

Cumberland officials may request information to verify the reason for the child's living separate and apart from his or her parents. If the school believes that the reason for the child living with the non-parent is simply to access a preferred school system, the Superintendent will notify the child's parent(s) and request that he/she/they voluntarily dis-enroll the child from Cumberland schools and enroll him/her in his/her appropriate district of residence. If the parent(s) do not agree with the Superintendent's determination of non-residency, the parties may request a Rhode Island Department of Education hearing to determine the school residency of the child. If the child is already attending school, school officials may not unilaterally dis-enroll the child. Notice to the adult acting in loco parentis, as well as to the parents(s) if they are known will be provided indicating that the district is requesting a residency hearing before the Commissioner of Education.

Parent/guardian of a student or an emancipated minor enrolled in Cumberland schools shall bear the burden of proving that the student actually resides in the Town of Cumberland. Such proof can be a rental agreement, mortgage agreement, or other documentary proof.

If 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 his or her parents, death of the child's parents, or emancipation of the child, the person alleging such circumstances shall bear the burden of proving the alleged circumstance(s) by a preponderance of the evidence.



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## COMPLETION OF SEMESTER OF SCHOOL YEAR

Should a Cumberland student leave the Town during the course of a school semester, he or she shall be entitled to complete that semester in the Cumberland Schools (RIGL §16-64-8). If the student is a senior or about to enter his or her senior year, he or she shall be entitled to complete the senior year. Other than this one exception, any other student shall only be entitled to complete the semester. For example, a student whose residency changes during the second semester of his/her junior year is entitled to complete that semester, but is NOT thereby entitled to also complete the senior year. A student is not “about to enter his or her senior year” for purposes of this exception until the student has completed his or her junior year.

Parents/guardians have the responsibility to provide their children with transportation to and from school in these cases.

In order to register a student in the Cumberland School Department, the following documentation must be provided:

1. Completed Student Registration Form;
2. Documentation proving the identity of the student (original birth certificate, passport, DCYF Intrastate ID Card);
3. Current and up to date immunizations;
4. Current Proof of Residency. To establish proof of residency, one of the following documents must be provided:
  - a. Purchase and Sales Agreement
  - b. Property/fire tax or water bill
  - c. Lease or rental agreement
  - d. Rent receipt
  - e. Residency affidavit (must be notarized)
  - f. Bank closing settlement sheet
  - g. DCYF Intrastate ID card
5. If a person other than the parent is registering the student, guardianship documentation must be provided. A letter from the parent authorizing a person to enroll the student or have the student live with said adult will not be accepted.



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## TUITION

The School Committee shall establish a standard basic tuition rate annually for any non-resident student to attend the Cumberland School System. The rate may vary for attendance at the elementary, middle, or high school and will be based upon the per capita costs at each school in the preceding year. The standard basic rate does not take into account any additional costs that may be incurred for special education services, which will be added to the standard basic rate and payment for these services will also become the responsibility of parents/guardians of non-resident students. In the event that a student erroneously claims residence in the Town of Cumberland, the child's parents/ guardians may be liable for tuition. In this case, student records and transcripts shall be withheld until compensation has been recovered.

## DISCRETIONARY ADMISSION OF NON-RESIDENT STUDENTS

If a student is not entitled to enrollment in the Cumberland Public School, a petition may be filed with the Superintendent requesting his or her enrollment in the school. Granting of such a petition is purely discretionary and shall be based on such considerations as availability of space, and/or any other reasons.

Enrollment of a student pursuant to this section shall be made contingent upon his or her parents or guardian signing a contract guaranteeing the payment of tuition and/or any and all other expenses associated with the education of that student and the payment in advance for each semester it is anticipated that the student will be enrolled in the Cumberland Schools.

The process for the Superintendent's review of requests for non-resident student attendance will involve but may not be limited to the following:

1. Completion of a preliminary information request and agreement entitled "Non-Resident Request for Student Attendance."
2. Receipt of a request in writing from parent(s)/guardian(s) stating reason(s) for placement in Cumberland.
3. Evaluation of space available in the applicable school and grade which would involve discussion with principal and guidance personnel as appropriate.
4. Interview with parents.
5. If the Superintendent approves the request, recommendation will be made to the School Committee to accept the non-resident student on a tuition basis for the year requested, or any portion thereof.
6. Any request, if approved, is effective for one school year only and a new request must be submitted for consideration for any additional year.

Transportation for individual non-resident students will not be provided.

*Amended and Approved by Policy & Procedures Sub-Committee: 6/24/2014*

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