

## ADMISSION OF STUDENTS TO THE WESTON PUBLIC SCHOOLS

1. **Purpose of this Policy.** The purpose of this policy is to provide guidance to school administrators, parents, and/or legal guardians concerning the admission of students to the Weston Public Schools (the "Schools"). The Schools were established pursuant to statutes providing publicly funded education for students within The Commonwealth of Massachusetts, and the right to attend the schools is also regulated by statute. Generally, and as more fully set forth in this policy, the right to attend the schools is limited to students who reside in the Town of Weston and to certain nonresident students who are eligible to attend the schools under specific programs or conditions approved by the Weston School Committee.
2. **Eligibility to Attend the Schools.** A student between the minimum and maximum ages established from time to time by the Department of Elementary and Secondary Education who has not received a diploma or certificate from a secondary school shall be eligible to attend the schools if:
  - 2.1. The student actually permanently, not temporarily or sporadically, resides in Weston with his/her parent(s) or legal guardian.
  - 2.2. The student actually resides in Weston with someone other than his/her parent(s) or legal guardian for the purpose of attending the schools and tuition for such student is paid as in accordance with Section 4 of this policy.
  - 2.3. The student actually resides in Weston with someone other than his/her parent(s) or legal guardian for the purpose of temporarily ameliorating personal extreme hardship, and may attend the schools at the discretion of the Superintendent.
  - 2.4. The student, regardless of place of residence, has the right to attend the schools under a collective bargaining agreement as provided for in Section 6 of this policy.
  - 2.5. The student, regardless of place of residence, has been selected to attend the schools under a statutory program for the education of non-resident students, duly accepted by the School Committee. See Policy JFBBA.
  - 2.6. The student is from a foreign country and meets the requirements of Section 7 and/or 8 of this policy.
  - 2.7. The student, regardless of place of residence, meets the requirements of Section 9 of this policy.
3. **Verification of Residency.** Before any student is enrolled in Weston Public Schools, his or her parent or legal guardian must provide:
  - 3.1 A signed Statement/Affidavit of Occupancy (see below)
  - 3.2 Proof of Residency in Weston (3 documents).

All applicants for enrollment must submit at least one document each from Column A, B, and C and any other documents that may be requested, including but not limited to those from Column A, B, or C (noted below). A parent, guardian, or student who is unable to produce the required documents should contact the Superintendent.

COLUMN A	COLUMN B	COLUMN C
Evidence of Residency	Evidence of Occupancy	Evidence of Identification (Photo ID)
Record of recent mortgage payment and/or property tax bill	Gas/Oil Bill, Electric Bill, Home (not cell) Telephone Bill, Cable Bill, Water Bill (Note: Bill must be dated within the past 45 days and address and name must be stated)	Valid MA Driver's License
Fully signed and executed Lease and/or Rental Agreement (Must be executed by both parties)	Recent bill dated within the past 45 days showing Weston address and name (Note: A Residency Statement/Affidavit is required with this option)	Valid MA Photo ID Card
Landlord/Owner of Property Affidavit (see Residency Statement/Affidavit below)	Occupancy Statement/Affidavit must be notarized; a bill can not be provided prior to student's enrollment.	Valid Passport
Fully signed and executed Purchase and Sale (P&S) Agreement (provided occupancy date occurs within 30 days of enrollment)		Other Government issued Photo ID
Section 8 Agreement		

4. **Determination of Eligibility.** The Superintendent, or his/her designee(s), shall determine whether a student is eligible to attend the Schools. In determining whether a student actually resides in Weston for purposes of Sections 2.1, 2.2, and 2.3 of this policy, the following factors shall be considered:

- 4.1 Whether the student physically occupies a dwelling in Weston, regardless of whether such occupancy is based upon ownership, lease, or consent of a person legally entitled to occupy the dwelling;
- 4.2 With whom the student lives, such as parent(s), legal guardian, custodial parent after a divorce, relative, or other person and the duration of such living arrangement;
- 4.3 If a student resides with someone other than his/her parent(s), legal guardian, or the custodial parent after a divorce, the reasons for doing so;
- 4.4 The amount of time actually spent by the student in the dwelling in Weston;
- 4.5 Whether the student's physical belongings are stored at the dwelling;
- 4.6 Whether mail concerning the student, such as mail from doctors, etc., is addressed to the dwelling;
- 4.7 Whether the residence is the center of the student's domestic, social, and civic life;
- 4.8 Whether the student was included as an occupant of the dwelling for purposes of the town census;
- 4.9 Such other information as the Superintendent or his/her designee(s) may deem relevant to determining where a student actually resides.

5. **Payment of Tuition for Certain Students.** It is the intention of this policy to require the payment of tuition in advance for all students legally required to pay tuition to attend the schools. Nothing in this policy shall be construed as acceptance by the Town of Weston of any financial obligations for the education of students who temporarily reside in Town for the purposes of obtaining an education.

- 5.1 A student who resides temporarily in Weston with someone other than his/her parent(s) or legal guardian for the purpose of attending the Schools shall only be admitted to the Schools upon the payment of tuition by (i) the town in which the student's parent(s) or legal guardian resides(s), or (ii) by the student's parent(s) or legal guardian, as provided in M.G. L. Ch. 76, Sec. 6.

- 5.2 Any student for whom tuition is payable shall only be admitted to the Schools for the period of time actually covered by a tuition payment and shall be required to withdraw from the Schools if future tuition payments are not received by the Schools in a timely fashion as determined by the Superintendent.
  - 5.3 The education of students with disabilities is the financial responsibility of the city or town in which the student resides. The programmatic and fiscal obligations for “tuition” students, who require special education services, is addressed in 603CMR 28.03 (4)
- 6. Collective Bargaining Agreements.** The admission and enrollment of non-resident students whose parent(s) are employed by the Schools is governed by collective bargaining agreements currently in force and accepted by the School Committee. Nothing in this policy is to be construed as conferring additional rights on employees or their children, or as acceptance by the Town of Weston of financial obligations for the education of any such children with disabilities. Enrollment is for one academic year at a time and subject to annual renewal. In all cases in which a collective bargaining agreement gives the School Committee discretion over the admission of students, the Superintendent shall determine which students may be enrolled in the schools without adversely affecting the Schools’ budget, and shall consider the following factors:
- 6.1 The availability of seats/space in the courses of sections of the schools;
  - 6.2 The class sizes at the grade levels of enrollment;
  - 6.3 That enrollment of the student will not have an adverse impact on the schools’ budget;
  - 6.4 The effect on the student of enrollment, if it is to be at a time other than the beginning of a school year; and
  - 6.5 Whether an appropriate educational program for the student exists in the schools, provided that the education of students with disabilities remains the financial responsibility of the city or town in which the student’s parent(s) or legal guardian resides.
- 7. Foreign Students.** In order to provide students at Weston High School with the opportunity to meet students from foreign cultures and to be educated abroad, the School Committee supports the enrollment of foreign students in the Schools as provided for in this section.
- 7.1 The Principal of Weston High School may enroll up to five (5) foreign students annually, subject to the approval of the Superintendent and the School Committee. Two of the five spaces are reserved for the reciprocal exchange students from Rhombus, France and Porto Alegro, Brazil.
  - 7.2 In all other cases, a foreign student who wishes to reside in Weston for the purpose of attending the Schools shall be subject to the provisions of Section 5 and shall be required to pay tuition as provided therein, unless the School Committee, if permitted by federal law, specifically waives payment of tuition.
  - 7.3 The Town resident with whom the foreign student will live shall be responsible for all immigration and sponsorship matters, and shall register the student and arrange for the payment of tuition, when required.
  - 7.4 No person who has received a diploma or equivalent certificate from a secondary school or its foreign counterpart shall be eligible to attend the schools under this section.
- 8. Approval of Additional Foreign Students.** Factors to be considered by the Committee in acting upon any request to waive tuition for foreign students, who are living with Town residents for the purpose of attending the Schools other than the School Committee recognized and approved student exchange programs, shall include:
- 8.1 Whether there is a benefit to the town or the schools from the approval requested;
  - 8.2 The history, reputation, and selection criteria and standards of the program sponsoring the student;

- The likelihood that the student will succeed academically and socially;
- The views of the school administration;
- The relationship of the student to the host family;
- The impact of admitting an additional student on the Schools' budget and on class size, number of sections, and on other school services.
- That a complete application for program approval and student admission is received by the Superintendent or designee on or before April 1 before the beginning of the school year for which admission is requested

**9. Admission of Non-Resident Students.** Except as expressly provided for herein, non-resident students shall not be admitted to the Schools. In addition to non-resident students who are eligible to attend the Schools under Sections 2.4, 2.5, and 2.7 above, the Superintendent may, in accordance with state and federal laws and regulations, permit a non-resident student to attend the schools as follows:

- 9.1.** A student who was legally enrolled in the Schools under Sections 2.1 and 2.2 and whose family moves out of Town on or after April 1 of a school year may, with the permission of the Superintendent, continue to attend the schools for the remainder of the year (see Section 10).
- 9.2.** Continued enrollment for grade 12 of a student who has completed grade 11 in accordance with Section 9.1 is subject to application to and approval by the Superintendent
- 9.3** A student whose family intends to reside in Weston within a grading period and would be eligible to attend the schools under Sections 2.1 or 2.2 of this policy may, in accordance with regulations adopted by the Superintendent, and with the permission of the Superintendent, attend the Schools prior to actually residing in Weston.
- 9.4.** The Superintendent may permit a non-resident student to attend the High School for not more than one year under a reciprocal arrangement with the Schools in the Town in which the student resides pursuant to M.G.L. Ch. 76, Sec 12, where such temporary attendance is (i) in the best educational interests of the student, (ii) there is no reason to believe that the student presents any risk to other students or employees of the Schools.

**10. Superintendent's Permission.** The Superintendent may permit a non-resident student to attend the Schools under Section 9.1, 9.2, and 9.3 of this policy if:

- 10.1.** The school district in which the student's parent(s) or legal guardian reside(s) requests that the student attend the Schools; and
- 10.2.** There is space available for the student; and
- 10.3.** Attendance by the student would not impose an undue burden on the Schools' budget; and
- 10.3** The student has a good disciplinary record and an acceptable custodial arrangement; and
- 10.4** Refusal of the request would, in the judgment of the Superintendent, likely harm the student's education.

**11 Transportation of Non-Residents.** Except as otherwise provided in state and federal laws and other policies, transportation of a non-resident student to and from school shall remain the responsibility of his/her parent(s) or legal guardian.

**12. Students with Disabilities.** The education of students with disabilities is the financial responsibility of the city or town in which the student resides. The programmatic and fiscal obligations for students, who require special education services, is addressed in 603CMR 28.03 (4)

- 13. Good Behavior.** Non-resident students attending the Schools under Sections 2.4, 2.5, 2.6, or 2.7 do so subject to the terms and conditions established by those programs and any School Committee policies and regulations therefor, and their continued eligibility to attend the Schools is conditional upon such students' good behavior. Such students' eligibility to attend the Schools may be terminated as provided for by those programs or for bad conduct pursuant to the Student Conduct and Discipline Policy, Policy JG-R, Section 3.13.
- 14. Regulations.** The Superintendent shall adopt written regulations from time to time implementing this policy and requiring students, their parent(s), legal guardians, or persons having custody of a student to supply such information as may be reasonably necessary to make determinations about a student's eligibility to attend the Schools, whether tuition may be charged for such student, or for any other purpose relating to the implementation of this policy.
- 15. Failure to provide information or to pay tuition.** Failure by a student and/or parent/guardian to provide evidence or explanations as requested by the school administration to implement this policy and failure to promptly pay any tuition due shall result in the student being ineligible to attend the Schools.
- 16. Waiver of Tuition.** Upon recommendation by the Superintendent, the Committee may, in its discretion, waive payment of tuition.
- 17. Enforcement.** Should a question arise concerning any student's residency elsewhere while attending Weston Public Schools, the student's residency will be subject to further inquiry and/or investigation. Such questions concerning residency may arise on the basis of incomplete, suspicious, or contradictory proofs of address; anonymous tips; correspondence that is returned to the Weston Public Schools because of an invalid or unknown address, or other grounds.

The Superintendent may request additional documentation, may use the assistance of the Weston Police Department's Community Service Officer and/or may obtain the services of an investigative agency to conduct investigations into student residences. All reports will be provided to the Superintendent, who shall make the final determination of residency.

Upon initial determination by the Superintendent that a student is actually residing in a city or town other than Weston, the student's enrollment in Weston Public Schools shall be terminated immediately.

- 18. Penalty.** Only students who qualify under this policy shall be eligible to attend the schools. Any person who knowingly misrepresents facts concerning a student's actual place of residence or reasons for residing in Weston, or any other material facts concerning a student's eligibility to attend the schools under this policy in order to enroll a student in the schools or to avoid paying tuition may be liable for the consequences. Weston Public Schools reserves the right to recover restitution based upon the costs of educational services provided during the period of non-residency.
- 19. Relationship to Federal and Massachusetts Laws and Regulations.** It is the intent of the foregoing policy that the Weston Public Schools shall also be in compliance with all Federal and State laws and regulations bearing upon enrollment issues, including but not limited to:
- The McKinney-Vento Homeless Assistance Act, as amended [42 U.S.C. 725] by the No Child Left Behind Act.
  - Federal Immigration Law Regarding Foreign Students [8 U.S.C. 1184 (L) (3)]
  - Massachusetts Special Education Regulations [603 CMR 28.03 (4)]

Adopted: November 21, 2011