

Non-Resident Students

5050.1(R).

Residency Requirements

Any child who is a resident of the City of Meriden is entitled to school accommodations in the City of Meriden. Students are eligible for school accommodations if they reach the age of five on or before January 1 in any school year. The right to school accommodations ends with high school graduation or attainment of age twenty-one, whichever comes first. In addition, children between the ages of three and five years old may be entitled to school accommodations, in accordance with Connecticut General Statutes § 10-76a and § 10-76d, as determined by the placement and planning team process. No child shall be enrolled in school until the criteria of age and residency are met.

The City of Meriden is required to provide school accommodations to students who are permanent residents of Meriden. For the purposes of determining those students entitled to the privileges described above, the following definitions of resident student shall apply:

1. Any child residing with his or her custodial parent or parents, or in the custody of a legally appointed guardian or guardians, within the boundaries of the City of Meriden; or
2. A legally emancipated minor or a student 18 years of age or older who is residing independently within the boundaries of the City of Meriden.
3. In accordance with Connecticut General Statutes § 10-186, any child residing with parent(s) or guardian(s) or any emancipated minor residing in a domicile that is situated on a City line.

Residency must be permanent, provided without pay and not for the sole purpose of obtaining school accommodations. The burden of proof in determining student residency shall be on the party claiming residency.

For the purposes of determining “permanent residency” and whether such residency is “provided without pay,” the Board of Education and administration will require one of the following:

1. The student permanently resides with his or her parent(s)/guardian(s) who are residents of the City of Meriden. Parents/guardians of students transferring to the Meriden schools for the first time, or registering for the first time, must submit evidence of Meriden residency on the Verification of Residence form, using such evidence as follows:

- a. Deed to home, current mortgage bill, homeowner's property tax statement
- b. Escrow papers or signed mortgage commitment
- c. Homeowner's insurance policy (policy must be current and in effect)
- d. Rental agreement showing student(s) name

AND

- a. Current utility bill or home telephone bill
- b. Automobile insurance
- c. Bank or credit card statement
- d. Current paycheck stub with address of residence

2. The parent/guardian must establish that his or her child resides in Meriden with “relatives or nonrelatives” under the following conditions:

- a. Residency with another person is intended to be permanent;
- b. Residency is provided without pay from the child's family;
- c. Residency is not for the sole purpose of obtaining school accommodations in Meriden Public Schools;
- d. The other person signs a notarized affidavit (Host's Statement) that your child is residing with them;
- e. The parent/guardian submits a notarized Parent's Statement and Residency Affidavit.

3. The student is placed in the City of Meriden by a state agency in accordance with Connecticut General Statutes § 10-253. However, if the placement is made in a private residential facility, the district in which the student would otherwise be attending school is financially responsible for the student's education.

4. The student is an emancipated minor, who shall submit appropriate court documents regarding the emancipation decree as well as evidence of Meriden residency.

The decision regarding the residency status of any student shall be made by the Superintendent of Schools (or his/her designee). If, in the opinion of the superintendent/designee or the Meriden Board of Education, a student resides in Meriden for the primary purpose of obtaining school accommodations, or if the student has not established permanent residency, that student shall not be permitted to be enrolled or to continue enrollment in the Meriden Public Schools.

A number of factors have been enumerated in court cases that may be relevant to a determination of residency. These may include, but are not limited to:

1. Where the majority of the student's clothing and personal possessions are located;
2. Addresses used for driver's license, voting registration, selective service registration, and motor vehicle registration;
3. Where the student attends religious services;
4. Place of club affiliations, e.g., cub scouts, boy scouts, etc.;
5. Residence of child's immediate family;
6. Where the child spends substantial time when school is not in session;
7. The degree of responsibility that the person with whom the child resides has over the child's daily and general affairs, e.g., ability to consent to school trips and medical treatment, attend parent-teacher conferences, receive report cards, etc.;
8. Number of days the child is residing in City;
9. The location of schools attended previously;
10. The place to which the child would go if such child left or were not permitted to attend school in Meriden;
11. The purpose for which the child has come to Meriden;
12. Who supplies the majority of support for the child's welfare.

Placement Out Of Regular Attendance Area

Plans for class sizes, staffing and allocation of resources among schools at each level, as well as transportation schedules, are based on enrollment projections, which already account for movement of families within the City. To insure equitability among schools, students are expected to attend the elementary and middle school in the attendance area for their address. A waiver for attendance in another Meriden district may be granted under the certain circumstances provided the waiver does not have a negative impact on enrollment/class-size or scheduling at the affected schools. **[Please see IB5.]**

Homeless Children and Youth

In accordance with federal law, the Meriden Board of Education does not permit discrimination against, segregation of, or stigmatization of, homeless children and youth. School enrollment of homeless children and youth may not be denied or delayed due to lack of any documents normally required for enrollment. **[Please see Administrative Regulations Regarding Homeless Children and Youth.]**

Rights of Appeal for Denial of Residency

When denial of educational accommodation is made on the basis of residency, the parent/guardian, an emancipated minor, or pupil 18 years of age or older, shall be informed in writing of his or her right to due process and to request a hearing by the Board of Education in accordance with Connecticut General Statutes, Section 10-186(b)(1).

Entitlement to free school accommodations for students applying for enrollment or attending the Meriden Public Schools shall be determined in accordance with state law and Meriden Board of Education policy as set forth in the following procedures:

1. In the event the administration seeks denial of admission or disenrollment under any such provisions, the school administration shall conduct an investigation and, upon the approval of and/or consultation with the superintendent/designee, provide a statement of the basis for a determination of ineligibility, notice of the right to a hearing, and notification to the board under whose jurisdiction the investigator believes the child's schooling belongs.
2. Notice to the child who is over eighteen, or to an emancipated minor, or to a parent/guardian shall be, by certified mail, return receipt requested, or service delivered by hand, and shall include a request that said child's parent/guardian notify the board of his or her intention to request a hearing in writing within ten (10) school days of receipt of notice. In the case of a request for a hearing on disenrollment, such notice shall inform the child or parent/guardian of his or her right to request that the child continue attending the Meriden Public Schools pending the hearing. If no such request is received in ten (10) school days, the child will be denied admission or be enrolled.
3. In the event that a hearing is requested, the Board of Education shall conduct a hearing in accordance with the provisions of Sections 4-176e to 4-180a, inclusive, and 4-181a. The Board of Education shall make a finding within ten (10) days of the hearing. The burden of proof in student residency disputes is on the party claiming residency.
4. At such hearing, the parent(s)/guardian(s), or other person with whom the child allegedly resides, or the emancipated minor, or child over eighteen may be represented by counsel or by an advocate, at their expense. At such hearing, all parties shall be afforded the opportunity to present evidence, cross-examine witnesses, and to make arguments on evidence relevant to the matter at hand. The Board may exclude irrelevant, immaterial, or unduly repetitious evidence. A

representative of the board in whose jurisdiction the Meriden Public Schools believes the child's schooling belongs may attend and participate to the extent provided by law.

5. Any person aggrieved by the finding of the Board shall, upon request, be provided with a tape recording or a transcript of the hearing within thirty (30) days after said request, and may take an appeal from the finding to the State Board of Education. A copy of an appeal shall be served on the Meriden Board of Education. If an appeal to the State Board of Education is not taken within twenty (20) days of the mailing of the finding to the aggrieved party, the decision of the Meriden Board of Education shall be final.

6. Parents/guardians have the right to request that their child remain in Meriden Public Schools while a residency hearing is in progress.

7. Any party (including the Meriden Board of Education) aggrieved by the findings of the State Board of Education may appeal to the Connecticut Superior Court. If neither party appeals, the State Board of Education decision becomes final.

8. Where it is determined that the child was not eligible for school accommodations in Meriden, Meriden may assess tuition against the parent/guardian of the student or the emancipated minor or a pupil eighteen years of age or older in accordance with Connecticut General Statutes § 10-186.

Cross References:

Policy DD4 (Tuition Fees)

Policy IB5 (Transfers and Withdrawals)

Policy IB6 (Non-Resident Students)

Legal References:

Connecticut General Statutes:

10-186 Duties of Local Boards

Re: School Attendance

10-253. School Accommodations for Non-Residents

10-76d. Duties and Powers of Boards of Education to Provide Special Education Programs and Services.

Federal Law:

The McKinney-Vento Homeless Education Assistance Act, 42 U.S.C. §§
et seq.

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