

RESIDENCY POLICY

Residency Policy

I. Purpose

The purpose of this policy is to provide guidance to school and district administrators, parents, and/or legal guardians concerning the admission of students to the Milton Public Schools. Milton Public Schools was established pursuant to statutes providing publicly funded education for students within The Commonwealth of Massachusetts, and the right to attend Milton Public Schools is also regulated by the statute. As set forth in this policy, the right to attend Milton Public Schools is limited to students who reside in the Town of Milton and to certain nonresident students who are eligible to attend under specific exceptions or conditions approved by the Milton School Committee.

No person shall be excluded from or discriminated against in admission to a Milton Public School, or in obtaining the advantages, privileges and courses of study of such public school on account of race, color, sex, religion, national origin, homelessness, disability, sexual orientation, gender, gender identity, gender expression, gender conformity, gender transitioning, transgender status, or gender variance.

II. Eligibility to Attend Schools

It is the policy of the Milton Public Schools that all students between the minimum and maximum ages set forth by the Department of Elementary and Secondary Education who actually reside (the students "residence" is the primary place where the student dwells permanently, and is the place that is the center of their domestic, social, and civic life) in the Town of Milton and have not received a diploma or certificate from a secondary school are entitled to attend the Milton Public Schools if:

- A. Kindergarten students are five years of age on or before August 31st of the enrollment year. First grade students are six years of age on or before August 31st of the enrollment year.
- B. The student permanently, not temporarily, resides in the Town of Milton with their parent and/or legal guardian. Temporary residence in the Town of Milton, for the purpose of attending a Milton Public School, shall not be considered residency.
- C. Prior to entry, the student must meet all MA Department of Public Health immunization requirements in accordance with 105 CMR 220.

III. Verification of Residency

Before any student is assigned to or attends any Milton Public School, the student's parent or legal guardian must provide documents demonstrating proof of permanent residency in the Town of Milton and the student's complete school records from the previous school districts. The student cannot be enrolled until residency is established and the complete school record is received, including immunization records. Milton Public Schools reserves the right to further verify residency by conducting a home visit as described in section IV.

Required Documents:

- A. Child's original birth certificate
- B. Parent/Guardian photo identification
- C. Immunization Records and Physical
- D. Proof of Residency and Occupancy

Acceptable Documents for Proof of Residency (submit one)	Proof of Occupancy	Photo Identification
Current mortgage statement	Gas, electric, oil, water, cable bill, home (not cell) telephone bill Note: Bill must be dated within the past 45 days and must include your name and address If you have recently moved a work order from the utility company.	Valid Massachusetts Driver's License (must have Milton Address) OR Other Government issued photo identification
Fully signed and executed lease (must be signed by both parties) with the names of the children on the document		
Residency Affidavit (Property Owner Certification or Landlord Living Agreement)		
Most recent Section 8 agreement		

IV. Post-Enrollment Verification and Enforcement

Students who are enrolled in Milton Public Schools shall be required to re-establish residency prior to entering grades three (3), six (6), and nine (9) and during other times as determined by the Superintendent or his/her designee, as well as an address recertification on a yearly basis. Students who are enrolled in the Milton Public Schools but who attend an educational program outside of the town shall be required to re-establish residency on an annual basis. This does not include students on an IEP who attend an out-of-district placement.

If a family enrolled in Milton Public Schools using a Property Owner Certificate, a new Property Owner Certificate will need to be submitted each year and may be subject to a home visit.

Should a question arise concerning any student's residency in the Town of Milton, while they are attending the Milton Public Schools, the student's residency will be subject to further inquiry and/or investigation. Additionally, Milton Public Schools reserves its right to request a variety of documentation to confirm residency. Questions concerning residency may arise on the basis of incomplete, suspicious, or contradictory proofs of address; anonymous tips (posted on the Milton Public Schools website); correspondence that is returned to the Milton Public Schools because of an invalid or unknown address; statements made by students that they are moving or have moved; or other grounds. When they become aware of a question regarding a student's residency, the building Principal or other member of the Administration (or their designee) shall contact the Superintendent.

Investigations and recertifications may also require a home visit, which will be conducted by the Milton Police's School Resource Officer. Residency home visits may be completed for reasons including, but not limited to, a student(s) and/or their family are living within another household, the Landlord Living Agreement remains unsigned, or documented information is received from a valid source concerning a possible non-resident. Residency home visits can be conducted at any time throughout the school year.

The Milton Police's School Resource Officer may use, but is not limited to, the following methods to conduct their investigation and will report their finding to the Principal/Superintendent:

- A. Investigator will visit the residence without an advanced notice.
- B. Investigator may attempt to contact/interview parent to gather documentation to either confirm residency or prove non-residency.
- C. Investigator may interview landlord and neighbors when possible.
- D. Investigator may keep residence under surveillance to establish patterns of occupancy.
- E. Investigator will leave evidence of their visit by leaving a dated letter and business card with contact information.

- F. The investigation will continue until residency or non-residency is confirmed and supported with appropriate documentation.

V. Penalties

Persons who are found to temporarily reside in the Town of Milton for the purpose of attending the public schools in the Town of Milton or who do not reside in the town of Milton may be dismissed immediately from the Milton Public Schools and the parent(s), guardian(s) or others may be jointly and severally liable to the Milton Public Schools for the student's tuition and other costs and fees. Milton Public Schools reserves the right to recover restitution based upon the costs of educational services provided for the duration of non-residency.

V. Exceptions

The Milton Public Schools will honor non-resident students for any of the following reasons:

- A. A student who has been legally enrolled in the Milton Public Schools and whose family moves out of Milton on or after April 1 of the school year may, with the permission of the Superintendent, continue to attend the schools for the remainder of the current school year. The family must inform the Superintendent in writing of their move and request to stay enrolled in Milton Public Schools within five business days of moving. Parents or guardians are responsible for the students' transportation to and from school, as no transportation will be provided under this exception. The Milton Public Schools reserve the right to seek reimbursement or contributions from the town where the student actually resides.
- B. Continued enrollment at the Milton Public Schools for grade 12 of a student who has completed grade 11 and whose family moves on or after July 1 before the student enters grade 12 is subject to the approval of the Superintendent. The family must inform the Superintendent in writing of their move and request to stay enrolled in the Milton Public Schools within five days of moving. Parents and guardians are responsible for the students' transportation to and from school, as no transportation will be provided under this exception. The Milton Public Schools reserve the right to seek tuition reimbursement or contribution from the town where they actually reside.
- C. Students whose families are renovating their primary residence in Milton may remain enrolled in MPS if the family has obtained a building permit from the Town of Milton and provide a letter stating their intent to return and an approximate timeframe. Any special circumstance under this section, including an extensive home renovation, will be reviewed by the Superintendent's Office.

- D. The Milton Public Schools follows all rules and regulations with regard to the McKinney Vento Act and the Milton School committee Policy JLG, Homeless Students.

LEGAL REFERENCE: M.G.L. c. 76§§ 5, 6, 12; 42 U.S.C. § 11431 et seq.; 105 CMR 220

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