

## **Students**

### **NON-RESIDENT SCHOOL ATTENDANCE IN THE FAIRFIELD PUBLIC SCHOOLS**

**5118(a)**

#### **Resident Students**

Children who are residents of Fairfield shall be entitled to school accommodations provided by the Fairfield Board of Education without payment of tuition. Children shall be deemed residents of Fairfield if they permanently reside with their parents or a parent (and/or legal guardian(s)) in Fairfield.

In order to determine whether a child's residence in Fairfield is "permanent," the following factors, as well as any other relevant facts, may be considered:

1. Where the majority of the student's clothing and personal possessions are located;
2. The address listed on the student's driver's license;
3. The town of issue of the student's library card;
4. The location of the child's place of worship;
5. The location of club affiliations, e.g. cub scouts, girl scouts, etc.;
6. The residence of the child's immediate family;
7. Where the student spends substantial time when school is not in session;
8. The age and emancipation status of the child; and
9. The number of days that the child is actually in residence in the district.

Note that neither any single factor nor combination of factors guarantees a finding of residency.

#### **Children of Non-Resident Parents**

Children who are living in the Fairfield school district with relatives and/or non-relatives and whose parents are not Fairfield residents may be entitled to school accommodations provided by the Fairfield Public Schools without payment of tuition. However, pursuant to Conn. Gen. Stat. 10-253(d), the child's residence in Fairfield must meet the following conditions:

- A. The child's residence in Fairfield must be permanent;
- B. The child's residence in Fairfield must be provided by the Fairfield resident without payment or compensation; and
- C. The child's residence in Fairfield must not be for the sole purpose of receiving an education in the Fairfield Public Schools.

In order to determine whether the residence is being provided "without payment or compensation," the Board may consider the following factors, in addition to any other relevant facts:

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**5118(b)**

1. Payment does not include the maintenance by a parent of his or her child on a health insurance policy;
2. Payment does not include claiming the child as a dependent for income tax purposes by his or her parent;
3. Payment does not include child support payments pursuant to a court order; and Payment shall include any monetary remuneration from a parent or legal guardian for the support of a child either to the relative or non-relative or to the child. It shall not include gifts to the child for purposes other than support.

The Board of Education may require documentation from the parent\* that the residence is to be permanent, provided without payment or compensation and not for the sole purpose of obtaining school accommodations provided by the Fairfield Public Schools. Such documentation may include affidavits as provided by law, provided that prior to any request for documentation of a child's residency from the child's parent\* the Board of Education shall provide the parent\* with a written statement specifying the basis upon which the Board has reason to believe that such child, emancipated minor or pupil 18 years of age or older is not entitled to school accommodations.

\* For the purpose of the above paragraph, "parent" includes guardian, relative or non-relative, emancipated minor or pupil 18 years of age or older, as applicable.

The determination of whether a student qualifies for accommodations provided by the Fairfield Public Schools shall be determined based on the factual circumstances of each case.

### **Former Students**

Regularly enrolled children of families who have moved out of the school district and who have completed the first semester may complete the school year without tuition. No transportation shall be provided to former students continuing to attend the Fairfield Public Schools under these circumstances.

### **Students Moving to Fairfield**

Families planning to move to Fairfield during any semester may enter their children in the public schools prior to moving and no tuition shall be charged. If the family is not residing in Fairfield on or before the last day of said semester, the Board of Education may assess tuition pursuant to the section of this policy titled "Denial of Accommodations."

**Students**

**NON-RESIDENT SCHOOL ATTENDANCE IN THE  
FAIRFIELD PUBLIC SCHOOLS  
(continued)**

**5118(c)**

**Denial of Accommodations**

If the Administration determines that any student is not a resident of Fairfield or that the student is otherwise not entitled to accommodations provided by the Fairfield Public Schools, it shall so notify that student and/or the student's parent(s) and/or legal guardian.

Any child, parent, or guardian may request a hearing before a hearing officer as appointed by the Board of Education in accordance with Conn. Gen. Stat. 10-186 if they believe they have been denied accommodations by the Fairfield Public Schools.

In the event it is determined that a child is not legally entitled to be provided school accommodations by the Fairfield Board of Education without payment of tuition, the Fairfield Board of Education may, pursuant to Connecticut General Statute 10-186, assess the child's parent or guardian for tuition for that period of time that the child was not legally entitled to attend Fairfield Public Schools and may seek civil remedies to collect any unpaid assessments of tuition.

Legal References:     Conn. Gen. Stat. § 10-186  
                              Conn. Gen. Stat. § 10-253(d)  
                              Connecticut State Department of Education Guidelines for Residency  
                              Requirements

Adopted 7/19/2005

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