

ENROLLMENT OF RESIDENT STUDENTS

RSU 12 shall admit as students those whose parents or guardians with legal custody of the student legally reside within the district. Adequate proof of residence, birth certificate, and/or custody documentation shall be required. The RSU 12 Board of Directors reserves the right to verify residency and custody for any enrolled student or any family applying for enrollment.

Students of legal school age who live within RSU 12 with their parents or guardians with legal custody will be eligible for enrollment in RSU 12 if their parents or guardians with legal custody “reside” in the school unit. “Reside” is defined as living in and maintaining a “residence” in the school unit during the year for which a student’s admittance/enrollment is sought.

“Residence” means bona fide residence—one’s actual residence maintained in good faith—and does not include a temporary or superficial residence established for the purpose of free school attendance in this unit. It shall be considered the place where important family activity takes place—the place where the family eats, sleep, relaxes and plays. It is a place which can be called a “home.” While it is possible for an individual to maintain a property and pay taxes in more than one location, “residence” means the place where the parent or legal guardian maintains his/her and the student’s principal domicile. “Residence” does not include a temporary, superficial, uninhabited, or rented dwelling in the school unit such as, for example, a house, a “winter rental,” a temporary recreational vehicle, or a lease during the school year for the purpose only of attending school in the school unit while the student’s parent or guardian with legal custody maintains a home elsewhere. Residence requires more than just owning a home in a school unit, it signifies a place “where one lives with some degree of permanency”; it is the “actual place where a student lives, not where the student has a legal domicile.”

Adequate proof of residency, when seeking admittance and thereafter, will be required in all cases, the burden of proof of residency in the school unit is with the student’s parent or guardian with legal custody. The Superintendent is authorized to verify and determine residency in all cases, including having a parent/guardian and/or student as appropriate provide additional documentation, participate in an interview with the Superintendent or designee and/or sign a residency affidavit with specific questions unique to the situation. Parent or guardian will be notified of retroactive tuition assessed for any enrolled student who is determined to be ineligible for admittance or continued enrollment under this policy. The Superintendent’s determination of a student’s eligibility for admittance or enrollment under this policy shall be final, subject to appeal by the student’s parent or guardian with legal custody or town officials in writing to the Board within twenty (20) business days of notice of that determination being mailed to them.

Legal Guardianship shall be substantiated by a copy of a court order or a probated will appointing a person the guardian of the student, i.e., a person who has all the parental rights and

custody with respect to a minor child. No student shall be entitled to admittance or enrollment on the basis of a guardian's residency in the school unit if the guardianship is a limited guardianship (such as a guardianship for education purposes) or a guardianship established by a power of attorney.

Note: 20-A MRSA § 5205 outlines exceptions that apply in determining a student's right to attend a school in a school unit.

Resident students enrolling in RSU 12 for the first time shall be admitted upon presentation of an original birth certificate, along with a record of required immunizations and pertinent health records. Photocopies shall be made and retained in the student's file.

New resident students who are transferring into the school system shall be admitted on the basis of age, health and academic records received from the previous school. However, original documentation may be required if deemed necessary to appropriately determine a student's eligibility for enrollment and assignment.

A foreign national exchange student accepted by RSU 12 for admission with valid J-1 visa status shall be considered a resident student once approved for acceptance and if the student is attending the school at public expense, as set forth in 20-A M.R.S.A. § 5205 (9).

Students who are admitted to RSU 12 shall enroll in an RSU 12 school or RSU 12 will pay the approved tuition rate to approved schools as listed on the Maine Department of Education website for towns that have school choice at certain grade levels as described in the Sheepscot Valley Regional School Unit 12 Reorganization Plan.

Legal Reference:

18-A MRSA § 5201, et seq.
20-A MRSA §§ 5202 et seq., 6002
Maine Commissioner of Ed. Administrative Letter No. 13, 10/9/97

Cross Reference:

JFAB – Admission of Non-Resident Students
JFABB – International Students
EHA – Student Enrollment Information and Reports
Sheepscot Valley Regional School Unit 12 Reorganization Plan

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