

Students

Residency Requirements

Any child who is a resident of the Town of Lisbon is entitled to school accommodations in the Town of Lisbon. Students are eligible for school accommodations if they reach the age of five on or before January 1st 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 Town of Lisbon is required to provide school accommodations to students who are residents of Lisbon. 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 Town of Lisbon. Parents/guardians of students transferring to the Lisbon schools for the first time, or registering for the first time, must submit evidence of Lisbon residency on the Enrollee Verification of Residence form, two-most recent utility bills, and one of the following:
 - a. Deed to home or dated rental agreement;
 - b. Escrow papers or signed mortgage commitment;
 - c. Letter from landlord or owner acknowledging parent/guardian’s and student’s residence; OR
 - d. Three pieces of mail with the parents’/guardians’ names and addresses, including:
 - i. cable bill,
 - ii. insurance bill (homeowners or automotive), or
 - iii. paystubs
2. The parent/guardian must establish that his or her child resides in Lisbon with “another person” under the following conditions:
 - a. Residency with another person is intended to be permanent;
 - b. Residency is not for the sole purpose of obtaining school accommodations in Lisbon Public Schools;
 - c. Residency is provided without pay,
 - d. The other person signs a notarized affidavit (Host’s Statement) that your child is residing with them;
3. The student is placed in the Town of Lisbon 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.

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

If, in the opinion of the superintendent/designee, a student does not meet the eligibility requirements to receive school accommodations in Lisbon, that student's parents/guardians shall be notified in writing of the District's denial of school accommodations, the basis for its determination, their right to request a hearing to challenge the determination, and the specific date that the child should be withdrawn from school or a request for the hearing should be received.

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. Residence of child's immediate family;
4. Where the child spends substantial time when school is not in session;
5. 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.;
6. Number of days the child is residing in town;
7. The purpose for which the child has come to Lisbon;

Homeless Children and Youth

In accordance with federal law, the Lisbon 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 and Children 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 § 10-186.

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Rights of Appeal for Denial of Residency (cont)

Entitlement to free school accommodations for students applying for enrollment or attending the Lisbon Public Schools shall be determined in accordance with state law and Lisbon 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, 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 Lisbon 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 close 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 Lisbon 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 within twenty (20) days of written notification of the Board's decision. A copy of an appeal shall be served on the Lisbon Board of Education. If an appeal to the State Board of Education is not taken within

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Rights of Appeal for Denial of Residency (cont)

twenty (20) days of the mailing of the finding to the aggrieved party, the decision of the Lisbon Board of Education shall be final.

6. Where a student who is already enrolled in the district, but whose eligibility for school accommodations within the district is being challenged, the parents/guardians have the right to elect to have their child(ren) remain in Lisbon Public Schools while a residency hearing is in progress and during any subsequent appeals.
7. Any party (including the Lisbon 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 Lisbon, Lisbon 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.

Requirements for Non-Resident Student Enrollment

The Lisbon Board of Education will consider granting admission to non-resident students without tuition into the Lisbon Public Schools for compelling reasons as recommended by the Superintendent of Schools. Dissatisfaction with another school system shall not be considered a compelling reason. A non-resident student is defined as any student who has not met the above residency requirements. Enrollment of non-resident students will be limited to the following:

1. Students attending the Lisbon Public Schools by special action of the Lisbon Board of Education.
2. Parents/guardians who provide evidence that they are in the process of building or buying a home within the town of Lisbon and expect to move in prior to November 1st of that school year who wish to enroll their children in one of the districts' schools at the beginning of the school year will be permitted to do without payment of tuition for the months of September and October. If the parents/guardians have not become permanent residents by October 31st, their child's continued enrollment may be approved only upon payment of the tuition rate based upon the District's per pupil expenditure minus the cost of transportation or at the discretion of the administration. Payment will be required starting November 2nd.
3. In cases where occupancy of a newly built or purchased home in Lisbon is not expected to occur until after November 1st, parents/guardians may also enroll their children in a district school at the beginning of the school year at a tuition rate established by the Lisbon Board of Education.

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Requirements for Non-Resident Student Enrollment (cont)

4. Pupils whose parents/guardians move from Lisbon to another community after April 15th. In such cases enrollment in the Lisbon Public Schools will be permitted for the balance of the school year without payment of tuition.
5. High School seniors whose parents/guardians move from Lisbon to another community after October 15th, and will have successfully completed their junior year at a Lisbon designated high school will be permitted to continue at their chosen high school for the balance of the school year without payment of tuition, provided that continued enrollment is approved by the superintendent/designee.

In the event that the Superintendent approves such a request, the parent or guardian shall be solely responsible for providing transportation to and from school for the student.

Procedures for Tuition Payment Where Appropriate

1. Tuition is established by the Board of Education and billing will be carried out beginning December 1 for the amount due from November 1st through that date, and each month thereafter for those in the process of building or purchasing a home.
2. If payment is not received within 30 days after billing, notice of impending exclusion of the child will be sent by registered mail to the parent/guardian.
3. Status reports of tuition charges for out-of-town students will be made quarterly to the superintendent/ and/or his or her designee.

(cf. [0521](#) - Nondiscrimination)

(cf. [5112](#) - Ages of Attendance)

(cf. [5118.1](#) Homeless Students)

(cf. [5141](#) - Student Health Services)

(cf. [6171](#) - Special Education)

(cf. [6146](#) - Graduation Requirements)

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Legal Reference: Connecticut General Statutes
[4-176e](#) to [4-180a](#) Agency hearings
[4-181a](#) Contested cases. Reconsideration. Modifications.
[10-15](#) Towns to maintain schools
[10-15c](#) Discrimination in public schools prohibited. School attendance by five-year olds, as amended by P.A. 97-247
[10-76a](#) - [10-76g](#) re special education
[10-184](#) Duties of parents (re mandatory schooling for children ages five to sixteen, inclusive) as amended by P.A. 98-243, PA 00-157 and P.A. 09-6 September Special Session and P.A. 18-15
[10-186](#) Duties of local and regional boards of education re school attendance. Hearings. Appeals to state board. Establishment of hearing board. Readmission, as amended by P.A. 19-179.
[10-220h](#) Transfer of student records, as amended
P.A. 11-115 An Act Concerning Juvenile Reentry and Education
P.A. 19-179 An Act Concerning Homeless Students' Access to Education
Appeals to state board. Establishment of hearing board
[10-233a](#) - [10-233f](#) Inclusive; re: suspend, expel, removal of pupils
[10-233c](#) Suspension of pupils
[10-233d](#) Expulsion of pupils
[10-233k](#) Notification of school officials of potentially dangerous students.
[10-261](#) Definitions
State Board of Education Regulations
[10-76a-1](#) General definitions (c) (d) (q) (t)
[10-76d-7](#) Admission of student requiring special education (referral)
[10-204a](#) Required immunizations
McKinney-Vento Homeless Assistance Act, 42 U.S.C. §11431 et seq.
Plyler vs. Doe, 457 U.S. 202 (1982)

Policy adopted: 9/16/96 – Lisbon Board of Education

Policy amended: 11/28/11

05/19/14

11/28/16

02/29/20

AFFIDAVIT OF RESIDENCE

_____ is seeking enrollment at
Name *D.O.B.*
_____ effective _____. This student currently resides
School *Date*
with _____ (*Name(s)*) _____ (*Telephone No.*)

Street *City* *State* *Zip Code*
who is (check one):
_____ Parent(s) _____ Legal Guardian _____ Foster home _____ Friend
_____ Family relative (indicate relationship): _____ Other
if other, please explain _____

Please explain in detail the circumstances under which the student is residing permanently in Lisbon, including the relationship with the Lisbon resident in whose home the student will be residing.

Last school attended _____ Grade _____

I understand that if residency is not granted, I have the right to appeal and may submit my appeal in writing to the Superintendent of Schools.

A copy of verification of legal residency is required, which may include: lease, deed, homeowner's insurance receipt or rental agreement.

I attest that the above statements are accurate and true and that the student resides at the above address. If the student resides with anyone other than his/her parent(s), I attest that I am freely allowing the above named student to reside with me and that the residence indicated above is (1) permanent; (2) provided without pay; and (3) not for the sole purpose of obtaining school accommodations.

Parent / Legal Guardian Signature / Responsible Party *Date*

Subscribed and sworn to before me
this _____ day of _____ 20 _____

(Notary Public/Seal)
(Commissioner of Superior Court)

HOST'S STATEMENT

I hereby certify that _____ is my _____
(Student's Name) (Relationship)

and that he/she legally resides with me at _____
(No. and Street)

I further certify that this is intended as a bona fide address, that this child will be living with me _____ days and _____ nights per week, and that I am not receiving payment for having this child reside with me. I certify that this child is residing with me because _____

As the host of the student named on this form, and as a resident of the Town of Lisbon, I attest to the accuracy of the information contained in this form. Further, I certify that, as a resident of the Town of Lisbon, the student is eligible for free school privileges. I agree to notify school officials immediately regarding the termination of the student's residency in the Town of Lisbon in which event the student will no longer be eligible for free school privileges. Finally, I understand that, should the student be found to be attending Lisbon Public Schools illegally, the Lisbon Public Schools reserves the right to recover the costs of such education from me, the undersigned.

I understand that a perjured or fraudulent statement may lead to my prosecution under the criminal statutes of the State of Connecticut.

I also understand that this document may be used in a court of law as evidence against me.

* * If you are the guardian of the student, please indicate the date and source of your authority:

Date _____ Authority _____

OPTIONAL: I, _____, understand that I have full
(Name of Person)
responsibility for this student concerning any and all school disciplinary, administrative, and medical matters.

Host's Signature

Date

Witnessed By:

Witness (Notary Public)

Date