

The Newport School Committee, in accordance with state law, has enacted a policy for students whose residency in the City of Newport may be questionable. When a student is reported to the principal of the building and/or his/her designee as having questionable residency, the student will be allowed to remain in school until the following procedures are implemented or a final decision has been arrived at. The following procedures are to be followed at the building level:

- All applicants or students whose residency comes into question must be reviewed by the school principal.
- The school principal will explain the law to the applicant and provide appropriate forms.
- The school principal shall review data. Student, parent, and representative of their choice may attend.
- Evidence is reviewed by the school principal in an effort to arrive at a conclusion of either (1) to admit the student; (2) to require further documentation; (3) to forward data for review to the Superintendent and/or his/her designee.
- If the principal admits a student who meets the requirements of residency, a copy of all pertinent data shall be forwarded to the Superintendent. If the student does not meet the residency requirements in the judgment of the principal, all supporting data (forms) shall be forwarded to the Superintendent in the event the student wishes to appeal the principal's decision.
- If the Superintendent and/or his/her designee determines from a review of the evidence that the student is eligible to attend the Newport school system, the student shall be admitted

If the Superintendent determines from a review of the evidence that the student is not eligible to attend the Newport school system, the student shall be disenrolled and/or not enrolled and the Superintendent shall recommend denial to the Newport School Committee if a hearing is requested by the applicant. If a hearing is requested, the Superintendent at his/her discretion in the case of a previously enrolled student, may allow the student to remain in school pending completion of the hearing.

If the Superintendent is unable to determine from a review of the evidence submitted that the student is eligible to attend the Newport school system, the Superintendent may enroll the student pending a hearing before the Newport School Committee.

No tuition shall be charged from the time the residency review process begins to its conclusion where the student is enrolled pending conclusion of the proceedings except that retroactive tuition may be charged up to the time the residency review process begins if the School Committee finds after a hearing there has been a willful and intentional violation of the residency rules of the School Department.

- Nothing shall prohibit the School Committee, in its discretion, from continuing the enrollment of a student in the Newport school system before the student has established technical residency within the city of Newport.
- The principal and/or his/her designee, the Superintendent and/or his/her designee, and the School Committee in the case of a denial must inform the student of his/her right of appeal to the next level.
- The student if enrolled must appeal within seven (7) school days; failure to do so shall result in his/her immediate disenrollment.
- The Superintendent is authorized to make attendance reciprocity decisions in conjunction with the superintendents of Middletown and Portsmouth for students when the Superintendent deems the best interest of the student is served by attending school in Newport even if the student is not a resident of Newport.

References

[RI Gen. Laws § 16-64-1, et seq.](#)

[RI Gen. Laws § 16-64-2](#)

[RI Gen. Laws § 16-64-8](#)

[Commissioner's Decision: Jeanne McCarthy v. Cumberland School Committee](#)

[Commissioner's Decision: Residency of Student D.R. Doe](#)

[Commissioner's Decision: Jason R. v. East Greenwich School Committee..](#)

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Policies

Newport Public Schools Students – Administrative Policies – Procedures for Questionable Residency

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Commissioner's Decision: In the Matter of Justin E. \download/
Residency_Student_D_R_Doe_062600.doc

Commissioner's Decision: Smithfield School Committee v. Providence
School Committee

History: JECB, 1987; JECB-R-1, 1987, 12/8/92