

Policies

Newport Public Schools Students – Administrative Policies - Student Residency

No. 5120

Page 1 of 3

Except as may otherwise be provided by these policies or by specific action of the School Committee only residents of Newport may attend the Newport schools.

RI Gen. Laws § 16-64-1, requires that except as otherwise provided by law or by agreement, a child shall be enrolled in the school system of the town wherein he or she resides. A child shall be deemed a resident of the town where his or her parents or guardians reside. If the child's parents reside in different towns, the child shall be deemed a resident of the town in which the parent having actual custody of the child resides. In cases where a child has no living parents, has been abandoned by his or her parents, or when parents are unable to care for their child on account of parental illness or family break-up, the child shall be deemed to be a resident of the town where the child lives with his or her legal guardian, natural guardian, or other person acting *in loco parentis* to the child.

An emancipated minor shall be deemed a resident of the town wherein he or she lives. Children placed in group homes, in foster care, in child caring facilities, or by a Rhode Island state agency or a Rhode Island licensed child placing agency shall be deemed to be residents of the town where the group home, child caring facility, or foster home is located for the purposes of enrollment, and this town shall be reimbursed or the child's education be paid for in accordance with RI Gen. Laws § 16-64-1.1.

In all other cases, a child's residence shall be determined in accordance with the applicable rules of the common law.

Where a child is a resident in a dwelling which lies in more than one municipality, the parent(s) or guardian shall choose which school district the child shall attend without payment of costs as tuition.

The Newport School Department, from time to time, shall investigate the residency of persons indicating that they reside in Newport and are claiming care, custody, control, and/or domicile of school-age children.

The School Department may require individuals to provide official documents in order to support residency. Individuals in question may be required to provide two valid copies of documents from the following list:

- Rental lease or agreement
- Rent receipt

Policies

Newport Public Schools Students – Administrative Policies - Student Residency

No. 5120

Page 2 of 3

- Telephone bill
- Electric bill
- Any utility bill
- Other document acceptable to the School Department that may include a notarized letter, written by the person(s) claiming local residency.

Non resident students may enroll in Newport schools with the approval of the Superintendent if the student's parents or guardians pay tuition in the amount set from time to time by the School Committee and the student meets the following criteria:

- The student has attended Newport schools for at least one year as a Newport resident before term in which he or she wishes to enroll.
- The student's enrollment will not dislodge any Newport resident student or otherwise cause any classes to exceed approved sizes.

In accordance with [RI Gen. Laws § 16-64-8](#), a student who changes his or her residence during the course of a semester shall be allowed to complete the semester in his or her original town of residence. If the student is a senior or about to enter his or her senior year the student shall be allowed to complete his or her senior year in his or her original town of residence. However, in accordance with the law, the Newport School Department shall not provide transportation to a student exercising this option.

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.. \download/Residency_Student_D_R_Doe_062600.doc](#)

[Commissioner's Decision: In the Matter of Justin E. \download/Residency_Student_D_R_Doe_062600.doc](#)

Policies

Newport Public Schools

No. 5120

Students – Administrative Policies -

Student Residency

Page 3 of 3

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

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