

## TOWN OF STRATTON – SCHOOL DISTRICT

### STRATTON VERIFICATION OF STUDENT RESIDENCY POLICY

For reference, Vermont state statute 16 V.S.A § 1075 Legal Residency Defined; Responsibility and Payment of Education of Student (this section will reflect the most current version of 1075 and will be updated as necessary):

*For the purpose of this title, except as otherwise set forth, the legal residence or residence of a student shall be as follows:*

(a) *For the purposes of this title, "resident" of the State and of a school district means a natural person who is domiciled in the school district and who, if temporarily absent, demonstrates an intent to maintain a principal dwelling place in the school district indefinitely and to return there, coupled with an act or acts consistent with that intent. The term "temporarily absent" includes those special cases listed in 17 V.S.A. § 2122(a). The term "residence" is synonymous with the term "domicile." A married person may have a domicile independent of the domicile of his or her spouse. If a person removes to another town with the intention of remaining there indefinitely, that person shall be considered to have lost residence in the town in which the person originally resided even though the person intends to return at some future time. A person may have only one residence at a given time.*

1. The Stratton School Board (the Board) is responsible for the education of pupils who are residents of the Stratton School District. The Board has a responsibility to the taxpayers of this District to be assured that the District is educating only those pupils whose parents, legal guardians or custodians are legal residents of the District, or who meet the statutory exceptions to the residency requirements. Accordingly, the District shall, consistent with State Statute, deny tuition for pupils who are not legal residents of the District. The Stratton School Board shall authorize the payment of tuition only after residency has been determined and approved. **It should be noted that you are not considered a resident, and therefore ineligible for tuition, if you move to the District to educate your child(ren) and intend to leave the District once they've completed their schooling.** 16 V.S.A § 1075 *For the purposes of this title, "resident" of the State and of a school district means a natural person who is domiciled in the school district and who, if temporarily absent, demonstrates an intent to maintain a principal dwelling place in the school district indefinitely and to return there, coupled with an act or acts consistent with that intent.*
2. In order to determine if and when a pupil became a legal resident of the Town of Stratton, as defined by Vermont law, the Town of Stratton must require proof of residency as described below. Applicants must submit a completed copy of the "Affidavit Concerning Pupil Residency" with all of the applicable associated documents. Only completed applications will be submitted to the Superintendent for a residency determination. Once the decision has been made, the applicant will be notified. Should the applicant disagree with the decision of the Superintendent, they may appeal to the Stratton School Board. Should the applicant disagree with the Board's decision, they may appeal directly to the Agency of Education at <https://education.vermont.gov/>.
3. Parents, legal guardians, and custodians of pupils and emancipated minors enrolling in Stratton School District schools for the first time, re-enrolling after withdrawal, or whose residency is being questioned, MUST submit to the following as proof of residency:
  - a. Completed "Affidavit Concerning Pupil Residency" (See attached or view online)
  - b. Vermont Vehicle registrations for all vehicles
  - c. The enrolling child(ren)'s birth certificate(s) or passports
  - d. Guardian's valid Vermont Driver's License (showing Stratton residence) The State of Vermont requires that residents obtain this document within 60 days of establishing residency in Vermont.
  - e. Copy of a voided check or bank statement showing a local address
  - f. If applicable: Vermont driver's licenses for eligible students
  - g. If applicable: Divorce documents referencing custody agreements
  - h. A *current* utility bill in the name of the parent(s)/guardian/custodian with the local address.
  - i. A *current* packing slip (or copy) showing name, recent date and physical local address (i.e., UPS or Fed EX)
  - j. The following required property documents:

- i. If a Property Owner – Proof of Ownership with Homestead tax status or Proof of Ownership with a completed Homestead Declaration with PTTR.
    - ii. If Renting – Lease Agreement or Landlord’s Letter along with a copy of your most recent rent payment.
  - If Applicable: Guardianship and/or Foster Home Documentation
4. At the discretion of the Stratton School Board other documents may be requested or accepted as potential evidence of Stratton residency. These may include, but are not limited to, the following:
    - a. An approved Stratton Voter Registration
    - b. Valid Vermont automobile insurance card with current, local address
    - c. Proof of current place of employment
    - d. Most recent paystub
  5. If the student resides in Stratton with a legal guardian, the guardian must provide the following:
    - a. The court document granting legal custody and control of the pupil to the non-parent, including the date custody was obtained
    - b. Above-cited proofs of residency
  6. If the student resides in Stratton in a foster home through a licensed state agency placement, the foster parent or custodian must provide the following:
    - a. Documentation of the placement, including the date of placement
    - b. Above-cited proofs of residency
  7. If the pupil resides in Stratton as an emancipated minor, the minor must provide the above-cited proofs of residency. The natural parent or legal guardian, and the emancipated minor must complete an “Affidavit Concerning Pupil Residency.”
  8. Please provide to the Stratton School Board all of the appropriate above-stated documents and, a completed “Affidavit Concerning Pupil Residency” within thirty (30) days of notifying the Stratton School Board of your intent to enroll your child in school. Only completed packets will be accepted for Superintendent review. Failure to provide the appropriate documents and completed attached “Affidavit Concerning Pupil Residency” to the Stratton School Board in a timely manner may result in you being billed for tuition.
  9. It is required that in the event of changes to any information that you have provided within the “Affidavit Concerning Pupil Residency,” you shall contact the Stratton Town Office as soon as possible at (802) 896-6184 to provide the Town with the current information.
  10. It is required that you file a Homestead Declaration on the first and every subsequent April 15th that you own a home in Stratton. If you fail to file a Homestead Declaration, your property is viewed as “nonhomestead” by the state. Tuition payments cannot be made for nonhomestead applicants. The Declaration can be found online at <https://tax.vermont.gov/sites/tax/files/documents/HS-122.pdf>.
  11. The Stratton School District is responsible only for educational services provided on or after the established “Initial Date of Residency,” and until the time residency has been terminated. The “Initial Date of Residency” is defined as the date the student in question appears to have established their primary home in Stratton, as supported by the evidence submitted.
  12. The Stratton School Board may verify continuance of residency year to year for the parent, legal guardian or custodian of pupils attending school. This may be accomplished by reviewing the Town’s Grand List to confirm that Homestead Declarations continue to be filed and approved as required by the State each year, or by requesting the most recent lease documentation. The School Board may also request a new “Affidavit Concerning Pupil Residency” or other documentation, as the Board determines, in order to ensure that tuition is provided only for Stratton residents. Please refer to the most recent affidavit available at [www.townofstrattonvt.com](http://www.townofstrattonvt.com) as it is updated periodically.
  13. Residency for tuition purposes is mutually exclusive from the Homestead Tax, voter registration, driver’s license and income taxes and must have been granted separately. Additionally, being granted residency within the school district previously *in no way* guarantees you future approval. Your qualifications can be reviewed yearly, and those findings and determinations will be independent from anything previously decided.
  14. The above policy is in effect and primary. However, the board has the right to make case-by-case decisions.

Date Reviewed: January 7, 2020  
 Date Warned: January 8, 2020  
 Date Adopted: February 11, 2020