

**AUBURN SCHOOL DISTRICT
RESIDENCY**

Residency for the purpose of enrollment in a district school shall be defined by RSA 193:12.

Legal Residence of Pupils

The new law defines a student's legal residency, in the case of a minor, legal residence is where his/her parents reside, except that:

1. If the parents live apart and are not divorced, legal residence is the residence of the parent with whom the child resides.
2. In a divorce decree where parents are awarded joint legal custody, the legal residence of a minor child is the residence of the parent with whom the child resides. If a parent is awarded sole or primary physical custody by a court of competent jurisdiction in this or any other state, legal residence of a minor child is the residence of the parent who has sole or primary physical custody. If the parent with sole or primary physical custody lives outside the state of New Hampshire, the pupil does not have residence in New Hampshire.
3. If the minor is in the custody of a legal guardian appointed by a New Hampshire court of competent jurisdiction or a court of competent jurisdiction in another state, territory, or country, legal residence is where the guardian resides. If the Department of Health and Human Services has been appointed legal guardian, the residence of the minor is where the child is placed by the department or the court. Legal guardianship shall not be appointed solely for the purpose of allowing a pupil to attend school in a district other than the district of residence of the minor's parent or parents.

Legal resident of a school district means a person who lives in a district and who, if temporarily absent, demonstrates an intent to maintain a principal dwelling place in the school district indefinitely. A married person may have domicile independent of the domicile of his/her spouse. A person may have only one legal residence at a given time.