

WESTLAKE ACADEMY

WA RESOLUTION 23-08

A RESOLUTION OF THE WESTLAKE ACADEMY BOARD OF TRUSTEES APPROVING AN AMENDMENT TO THE WESTLAKE ACADEMY PROOF OF RESIDENCY POLICY 1.01

WHEREAS, Westlake Academy’s mission is to support students as they become compassionate, life-long learners through an internationally-minded, balanced education that empowers students to contribute to our interconnected world; and

WHEREAS, The proposed resolution supports updating the Proof of Residency Policy; and

WHEREAS, The updates will simplify the language and standardized the process of establishing residency for new home construction, purchasing a home and leasing in the Town of Westlake for enrollment purposes at Westlake Academy; and

WHEREAS, the Board of Trustees finds that the passage of this Resolution is in the best interest of the citizens of Westlake as well as the students, their parents, and faculty of Westlake Academy.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF TRUSTEES OF WESTLAKE ACADEMY:

SECTION 1: That, all matters stated in the recitals herein above are found to be true and correct and are incorporated herein by reference as if copied in their entirety.

SECTION 2: That, the Board of Trustees Westlake Academy, hereby approves the Westlake Academy Residency Policy attached to this resolution as *Exhibit “A”*.

SECTION 3: If any portion of this resolution shall, for any reason, be declared invalid by any court of competent jurisdiction, such invalidity shall not affect the remaining provisions hereof and the Council hereby determines that it would have adopted this Resolution without the invalid provision.

SECTION 4: That this resolution shall become effective from and after its date of passage.

PASSED AND APPROVED ON THIS 27th DAY OF MARCH 2023.

Sean Kilbride, President

ATTEST:

Amy M. Piukana, Board Secretary

Sean Wilson, Head of School

APPROVED AS TO FORM:

Janet S. Bubert, School Attorney

Res 23-08
Exhibit "A"

Section 1 - Admissions

**TOWN OF WESTLAKE
WESTLAKE ACADEMY
BOARD OF TRUSTEES POLICY**

Policy No. 1.01:

Date Board Adopted: April 3, 2017
Date Board Amended: March 27, 2023
Effective Date: March 27, 2023

Policy Category: Admissions

Policy Name: Proof of Residency

Policy Goal: Clear and concise communication for students and parents regarding the criteria to establish residency status for individuals seeking admission to Westlake Academy.

Policy Description: If, during the enrollment period, Westlake Academy receives more applications from eligible applicants than there are spaces available in a class, then admission shall first be offered to eligible applicants residing within the Academy's Primary Boundary, which is consistent with the geographic boundaries of the Town of Westlake. The parent, legal guardian, or other person having lawful control of an applicant seeking admission as a resident of the Primary Boundary must provide proof of residency within the boundaries of the Town of Westlake.

Required Documentation to Establish Residency in the Primary Boundary

An applicant's parent, legal guardian, or other person having lawful control shall provide one or more of the following documents as proof of residence within the boundaries of the Town of Westlake:

- Tax receipt from the current year indicating homestead property ownership
- Fully executed building permit signed by the town of Westlake's Planning and Development department
- Current lease agreement (subject to additional requirements below); or
- Valid, fully executed real estate earnest money contract to purchase or build residential structure (subject to additional requirements below).

In addition to one of the documents identified above, the parent, legal guardian, or other person having lawful control must also provide:

- a photo identification card that includes the person's photograph, name, and address that matches the address included on the document provided from the list above. Acceptable photo identification cards shall include
 - a current and valid state-issued driver's license; or
 - a state of Texas identification card; or
 - a military or government-issued identification card; or
 - or a consular card.

Westlake Academy will not accept a credit card, debit card, or any club or retail membership card for proof of residency, even if such card includes a photograph; and

- Current utility bill for the primary residential structure in the name of the applicant's parent, legal guardian or other person having lawful control

Applicants must provide all updated documents within 30 days from the first day of school. If all documents have not been provided within the set timeframe, students will be administratively disenrolled.

Purchase of an Existing Home

Applicants relying upon a contract to purchase an existing home to establish residency within the Primary Boundary must submit proof of residency within the Secondary Boundary at the time an enrollment application is submitted.

For a student to start school on the first day of school, an applicant relying upon a contract to purchase an existing home to establish residency must also provide additional documentation of a closing date and inhabit the residence within the first 90 days of the school year.

Failure to provide the required Primary Boundary residency documentation may result in a student's immediate disenrollment from the Academy.

New Construction

Applicants relying upon a contract to build a home to establish residency within the Primary Boundary must submit proof of residency within the Secondary Boundary at the time an enrollment application is submitted.

In addition, an applicant relying upon a contract to build a new residence to establish residency must also provide documentation of an approved building permit from the Town of Westlake and written notice from the builder confirming the slab/foundation was poured prior to August 1st of the school year in which they are seeking enrollment.

The applicant must also provide documentation from the builder of the estimated completion date for the new residence, which must occur within two years of the school year the student seeks to enroll.

In addition to these initial documentation requirements, the applicant will be required to submit verification, according to a schedule identified by the Town, of the completion of major construction milestones for the home including, but not limited to, framing, dry wall, masonry, roofing, plumbing, and electrical work. Responsibility for providing documentation of the milestones identified by the Town shall be the homeowner's sole responsibility. Failure by the homeowner to submit any or all of the milestone verifications may result in the Academy administratively disenrolling the student.

Failure to provide the required Primary Boundary residency documentation or may result in a student's immediate disenrollment from the Academy.

Lease

An applicant relying on a residential lease to establish residency must provide a copy of a fully executed lease with a lease-term that extends for the entire time period the applicant intends to rely upon the lease to document residency. A residential lease shall be considered acceptable documentation to establish residency only if the leased premises is the primary residential structure on a property. Any family/person who executes and submits a lease to document residency in the Primary Boundary without occupying the leased property for as long as the applicant's child attends the Academy, shall subject their child(ren) to immediate removal from the school and such action may be considered fraudulent activity, unless documentation of another Primary Boundary residence is provided.

For a single-family residence, only one structure shall be recognized per legal address. Secondary structures such as garages, garage apartments, cabanas, pool houses, or cottages that are co-located on the property where the primary residential structure is located but are not recognized with a separate legal address are not eligible to establish residency under this policy. Further, a lease shall be accompanied with a utility bill showing that the utility service for the leased residential premises is in the name of the person leasing the primary residential structure.

Primary Boundary Students Enrolled Prior to August 1, 2015 – For families with students enrolled in the Academy based on Westlake residency status prior to August 1, 2015, any subsequent changes to the residency policy do not apply. If these students attended Westlake Academy for at least two years prior to moving to an approved secondary boundary, the students can remain enrolled at the Academy.

Nonresident Student in Grandparent’s After-School Care:

A student seeking admission to Westlake Academy, **after August 1, 2015**, as a grandchild of a resident in the primary boundary due to a grandparent providing substantial after- school care for the student shall provide the required proof of residency based on the grandparent's Westlake residence and will be subject to the admission policy applicable to all Westlake residents regarding their continued enrollment. The grandparent must annually provide a notarized affidavit, on a form provided by Westlake Academy, confirming the extent of after-school care to be provided by the grandparent. Students applying for admissions based on the grandparent provision must live in one of the Academy’s secondary boundaries.

The Superintendent shall have authority to approve such admission applications in accordance with the following criteria: a minimum of ten (10) hours per week of documented after-school care provided by the grandparent at the grandparent's Westlake residence.

Required Documentation to Establish Residency in Secondary Boundary

If all eligible applicants from the primary boundary are admitted and the Academy chooses to admit transfer students from the secondary boundaries, the same types of documentation identified above shall be used to establish residency within the Academy’s secondary boundary.

Residency Review

A Westlake Academy representative may make periodic visits to a residence to verify that the student is actually living at the address provided on the enrollment application or is entitled to enrollment as a resident because of after-school care provided by a grandparent. A person who presents false information or false records to obtain admission to Westlake Academy commits a criminal offense and is subject to prosecution under Texas Penal Code Section 37.10.

Proof of residency shall be waived when a student is homeless as defined by law.

Dates Amended:

- 08/03/09**
- 12/06/10**
- 08/13/12**
- 06/03/13**
- 11/17/14**
- 06/01/14**
- 4/3/2017**