

NONRESIDENTS

The board shall operate the schools of this district for the benefit of all children resident in the district and such others as may be admitted, pursuant to statute and policy of the board. The board reserves the right to verify the residency of any student and the validity of any affidavit of guardianship. Documentation required to prove eligibility to attend the schools of this district shall be in accord with policy 5111 Admission and the administrative code.

Future Residents

A child otherwise eligible for attendance whose parent/guardian has signed a contract to buy, build or rent a residence in this district may apply for admission to the district. It is understood that the anticipated date by which a certificate of occupancy is to be issued and permanent residency established will not be the last student day prior to October 16th in order for the student(s) to begin school as of September 1st. If the child has not become a resident of the district by the end of the period of free attendance, tuition shall be required for the remainder of the time until residency is established.

Parents/guardians of children who are future residents shall be required to demonstrate proof of the anticipated residency. The board reserves the right to verify such claims, and to remove from school a nonresident student whose claim cannot be verified.

Former Residents

Regularly enrolled children whose parents/guardians have moved out of the school district during the final marking period shall be permitted to finish the school year without payment of tuition. Regularly enrolled children whose parents/guardians move from the district at any other time during the school year may remain enrolled for the remainder of the school year on payment of tuition prorated.

Children of Nonresident Staff Members

Children of nonresident employees of the board may be enrolled in the schools of this district on payment of tuition and in accordance with policy for other nonresident students.

NOTE: BECAUSE IT IS A TERM OR CONDITION OF EMPLOYMENT, ALLOWING NONRESIDENT STAFF MEMBERS TO SEND THEIR CHILDREN TO DISTRICT SCHOOLS FOR ANYTHING LESS THAN FULL TUITION SHOULD BE NEGOTIATED.

Foreign Exchange Students

The board may admit foreign exchange students into district schools in order to promote cultural awareness and understanding among students.

The board may accept exchange students on a J-1 visa who reside within the district as participants in group-sponsored exchange programs approved by the board. Tuition may be waived for students on a J-1 visa.

The board may accept privately sponsored exchange students on an F-1 visa for attendance only in secondary schools upon payment of tuition at the established district rate. Tuition cannot be waived for

NONRESIDENTS (continued)

students on an F-1 visa, and attendance in district schools shall not exceed 12 months. Students attending the schools of this district on an F-1 visa may not participate in any adult-education programs sponsored by the board under any circumstances.

All potential organizations or individuals applying for admission shall forward the request to the superintendent by July 1 proceeding the school year of attendance. Foreign exchange students shall comply with all immunization requirements for students of this district. The superintendent shall be responsible for determining the visa status and eligibility of foreign exchange students applying for admission.

Illegal Admissions

Any person, residing outside this school district, who intentionally and illegally enrolls a child or children in the district schools is perpetrating a fraud upon the school system and the taxpayers of the community.

If and when fraud is discovered the student or students shall immediately be dropped from the school rolls, but the parents/guardians or the student himself/herself, if he/she is over the age of eighteen, shall be assessed a tuition charged for the number of days in which the student or students have attended the district schools. The assessment shall be based upon a per diem rate.

So as not to disrupt the educational continuity of the student, parents/guardians or the student if he/she is over the age of eighteen, shall have the opportunity to request of the board of education that they, the parents/guardians or the student, may pay tuition for the balance of the school year, or until the situation is ultimately resolved.

Victims of Domestic Violence

A child who moves out of a school district as a result of domestic violence, sexual abuse or other family crises shall be permitted to remain enrolled in that district for the remainder of the school year. If the child remains enrolled in the district for the remainder of the school year, the school district shall provide transportation services to the child, provided the child lives remote from school, and the State shall reimburse the school district for the cost of the transportation services.

Homeless Students

The district will determine the educational placement of homeless students in each child's best interest and respond to appeals concerning them made by parents/guardians or other parties in accordance with New Jersey statutes and administrative code, as well as pertinent federal law. The district will designate a "homeless student liaison" to help the homeless student enroll in school, make sure that the homeless student is enrolled and attending school, and see that the district meets federal and state requirements for educating homeless students.

Other Nonresident Students

Other nonresident students may be admitted to this district on payment of tuition and availability of space.

The superintendent shall develop procedures for the enrollment of nonresident children that allow admission of such children only on the proper application of parent/guardian; verify claims of residency and submission of affidavits of guardianship; deny admission where the educational program maintained for the children of this district is inadequate to meet the needs of the applicant; do not exclude any child, otherwise eligible, on the basis of such child's race, color, creed, national origin, affectional or sexual orientation, atypical hereditary cellular or blood trait of any individual or ancestry; and make continued enrollment of any nonresident student contingent upon maintaining good standards of citizenship and discipline.

NONRESIDENTS (continued)

When a child must either relocate to or from this district because his/her parent/guardian is a member of the New Jersey National Guard or a member of the reserve component of the armed forces of the United States and has been ordered into active service, the child shall be eligible to attend the schools of this district without paying tuition. The district shall not be responsible for transporting the child.

The superintendent or his/her designee shall recommend to the board for its approval the admission of qualified applicants.

The board shall not be responsible for the transportation to or from school of any nonresident students, except as may be required by state or federal law.

The board shall annually determine tuition rates for nonresident students.

The board shall charge and assess tuition for attendance in the schools of the district pupils not entitled to receive a free public education in this district and whose enrollment has been approved by the board.

Tuition may only be assessed for those students whose attendance has been approved by the board. The Board Secretary/Business Administrator or superintendent shall assess the tuition for approved students.

Tuition rates will be determined and approved annually and will represent the cost per pupil in average daily enrollment in accordance with law. Rates will be publishes to the sender before the beginning of the school year or before the pupil's attendance commences.

When a student is in attendance for more than fifteen days in a month, the sender will be charged for a full month's tuition. Fifteen days or less will be assessed at 50% of the monthly charge.

Tuition payments must be made either as a lump sum by September 1st of the school year that the student is attending or advance monthly payments equal to 1/10 of the annual rate set by the board of education. Monthly payments must be made by the 5th day of each month for the month the student attends the school. If a payment has not been made by the end of the month attended, the superintendent may issue a transfer card for the student. Once a student has been transferred out due to nonpayment, readmittance will be subject to Board approval and an agreement on payment arrangements.

The Board Secretary/Business Administrator shall be responsible for the assessment and collection of tuition. Tuition billing will be made annually in advance of the period for which the billing is made with payment on an approved schedule.

Greenwich:

Adopted: July 5, 1990
Revised: December 4, 2008, November 20, 2014, April 18, 2016, December 15, 2016

NJSBA Review/Update: August 2022
Readopted:

Stow Creek:

Adopted: August 25, 2008
Revised: November 18, 2014, April 16, 2016, December 13, 2016
NJSBA Review/Update: August 2022
Readopted:

NONRESIDENTS (continued)

Key Words

Nonresidents, Tuition Student, Affidavit Student, Homeless Student

<u>Legal References:</u>	<p><u>N.J.S.A.</u> 18A:7F-45</p> <p><u>N.J.S.A.</u> 18A:11-1</p> <p><u>N.J.S.A.</u> 18A:36B-14 <u>et seq.</u></p> <p><u>N.J.S.A.</u> 18A:38-1 <u>et seq.</u></p> <p><u>See particularly:</u></p> <p><u>N.J.S.A.</u> 18A:38-1.1, 38-2, 38-3, 38-8, 38-9</p> <p><u>N.J.S.A.</u> 18A:46-20</p> <p><u>N.J.S.A.</u> 18A:54-20</p> <p><u>N.J.A.C.</u> 6A:12-1.3 <u>et seq.</u></p> <p><u>N.J.A.C.</u> 6A:17-1.1 <u>et seq.</u></p> <p><u>N.J.A.C.</u> 6A:22</p> <p><u>See particularly:</u></p> <p><u>N.J.A.C.</u> 6A:22-3</p> <p><u>N.J.A.C.</u> 6A:22-3.1</p> <p><u>N.J.A.C.</u> 6A:23A-19.2</p> <p><u>N.J.A.C.</u> 6A:23A-19.3</p> <p>8 <u>U.S.C.</u> 1101 - <u>Illegal Immigrant and Immigration Responsibility Act of 1997</u></p> <p><u>Board of Education of the Borough of Englewood Cliffs v. Board of Education of the City of Englewood</u>, 132 <u>NJ</u> 327; cert. denied, 510 <u>U.S.</u> 991 (1993); subsequent listing 333 <u>N.J. Super.</u> (App. Div. 2000)</p> <p><u>Every Student Succeeds Act of 2015</u>, Pub. L. 114-95, 20 <u>U.S.C.A.</u> 6301 <u>et seq.</u></p> <p><u>J.A. v. Board of Education of South Orange/Maplewood</u>, 318 <u>N.J. Super.</u> 512 (App. Div 1999)</p>	<p>Definitions</p> <p>General mandatory powers and duties</p> <p><u>Interdistrict Public School Choice Program Act of 1999</u></p> <p>Attendance at school free of charge</p> <p>Receiving students from outside district; establishment of facilities</p> <p>Powers of board (county vocational schools)</p> <p>Interdistrict Public School Choice</p> <p>Education for homeless children and students in state facilities</p> <p>Student residency</p> <p>Eligibility to attend school</p> <p>Students domiciled within the school district</p> <p>Method of determining the district of residence</p> <p>Address submission for determining the district of residence</p>
---------------------------------	---	--

Possible

<u>Cross References:</u>	<p>3240 Tuition income</p> <p>*5111 Admission</p> <p>*5114 Suspension and expulsion</p> <p>6142.5 Travel and exchange programs</p> <p>*6151 Class size</p>
---------------------------------	--

*Indicates policy is included in the Critical Policy Reference Manual.