

NONRESIDENTS

The Bordentown Regional Board of Education shall operate the schools of this district for the benefit of all children residing in the district and such others as may be admitted, pursuant to the 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 shall be enrolled for a period not to exceed 30 days previous to the anticipated date of residency without tuition charges. 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 in grades K to 11, whose parents/guardians have moved out of the school district after April 1st, shall be permitted to finish the school year without payment of tuition. Seniors scheduled for graduation whose parents move out of the school district after December 1st, may be permitted to complete the year. Parents are responsible for their children's transportation.

Residents Who Move Within the District

Residents who move within the district may apply to the board for permission for their child(ren) to remain in their current school for the balance of the school year. The board shall consider requests on an individual basis and render decisions based on factors which include, but are not limited to, space availability, program availability and transportation issues. Regularly enrolled children in grades kindergarten through three whose families have moved within the school district after April 1st may be permitted to finish the school year at their current elementary school. Parents are responsible for their child(ren)'s transportation.

Children of Nonresident Staff Members

Children of teaching staff members shall be permitted to attend without payment of tuition and shall be included as resident students on the October 15 A.S.S.A. count.

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.

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.

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.

Adopted: March 2008
NJSBA Review/Update: June 2014
Readopted:

Key Words

Nonresidents, Tuition Student, Affidavit Student, Homeless Student

Legal References:

N.J.S.A. 18A:7F-45
N.J.S.A. 18A:11-1
N.J.S.A. 18A:36B-14 et seq.

Definitions

General mandatory powers and duties
Interdistrict Public School Choice Program Act of 1999

NONRESIDENTS (continued)

<u>N.J.S.A.</u> 18A:38-1 <u>et seq.</u> <u>See particularly:</u> <u>N.J.S.A.</u> 18A:38-2, 38-3, 38-8, 38-9 <u>N.J.S.A.</u> 18A:46-20	Attendance at school free of charge
<u>N.J.S.A.</u> 18A:54-20 <u>N.J.A.C.</u> 6A:12-1.3 <u>et seq.</u> <u>N.J.A.C.</u> 6A:17-1.1 <u>et seq.</u>	Receiving students from outside district; establishment of facilities Powers of board (county vocational schools) Interdistrict Public School Choice Students at Risk of Not Receiving a Public Education
<u>N.J.A.C.</u> 6A:22 <u>See particularly:</u> <u>N.J.A.C.</u> 6A:22-3 <u>N.J.A.C.</u> 6A:22-3.1 <u>N.J.A.C.</u> 6A:23A-19.2	Student residency Eligibility to attend school Students domiciled within the school district Method of determining the district of residence
<u>N.J.A.C.</u> 6A:23A-19.3 district of residence	Address submission for determining the district of residence
8 <u>U.S.C.</u> 1101 - <u>Illegal Immigrant and Immigration Responsibility Act of 1997</u>	
<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)	
<u>No Child Left Behind Act of 2001</u> , Pub. L. 107-110, 20 <u>U.S.C.A.</u> 6301 <u>et seq.</u>	
<u>J.A. v. Board of Education of South Orange/Maplewood</u> , 318 <u>N.J. Super.</u> 512 (App. Div 1999)	

Possible

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

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