

Policy

NONRESIDENTS

The Passaic Board of Education 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

The board shall approve the enrollment of a nonresident child otherwise eligible for attendance whose parent/guardian has signed a contract to buy, build or rent a residence. Tuition charges may be waived only with board approval.

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 fourth or final marking period shall be permitted to finish the school year. 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 under the following conditions:

1. A contract for educational services must be signed;
2. Tuition fees will be announced at the annual school budget meeting, and will be calculated based on 25% of the annual per pupil cost;
  - a. Fees will be charged based on full-time enrollment. Students may not be enrolled on a part-time basis.
  - b. Fees will be inclusive only of the typical fees associated with the general education program. Any costs for related services may be billed separately. Students identified as in need of related services must contact their home district.

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- c. Fees may differ according to grade level, general education, special education, or bilingual/ESL programs.
- d. Fees may be charged for any before, after, weekend or summer programs; or extra-curricular or athletic activities; or preschool wrap around programs.
3. Responsibility for student transportation shall be assumed by the employee.
4. This benefit shall not interfere with before or after school responsibilities of the employee including the assignment of overtime hours to support staff; and
5. The board maintains the ability to discontinue providing the educational services at will. The district will provide a thirty (30) day notice of discontinuation of services. Should such discontinuation of service occur, the employee shall be reimbursed adjusted costs.

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 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.

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The superintendent shall develop regulations and 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.

First Reading: November 3, 2016  
Second Reading: November 21, 2016  
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Key Words

Nonresidents, Tuition Student, Affidavit Student, Homeless Student

<b><u>Legal References:</u></b> <u>N.J.S.A.</u> 18A:7F-45 <u>N.J.S.A.</u> 18A:11-1 <u>N.J.S.A.</u> 18A:36B-14 <u>et seq.</u>  <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  <u>N.J.S.A.</u> 18A:54-20	Definitions General mandatory powers and duties <u>Interdistrict Public School Choice Program Act of 1999</u> Attendance at school free of charge  Receiving students from outside district; establishment of facilities Powers of board (county vocational schools)
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<u>N.J.A.C. 6A:12-1.3 et seq.</u>	Interdistrict Public School Choice
<u>N.J.A.C. 6A:17-1.1 et seq.</u>	Students at Risk of Not Receiving a Public Education
<u>N.J.A.C. 6A:22</u>	Student residency
<u>See particularly:</u>	
<u>N.J.A.C. 6A:22-3</u>	Eligibility to attend school
<u>N.J.A.C. 6A:22-3.1</u>	Students domiciled within the school district
<u>N.J.A.C. 6A:23A-19.2</u>	Method of determining the district of residence
<u>N.J.A.C. 6A:23A-19.3</u>	Address submission for determining the district of residence

8 U.S.C. 1101 - Illegal Immigrant and Immigration Responsibility Act of 1997

Board of Education of the Borough of Englewood Cliffs v. Board of Education of the City of Englewood, 132 NJ 327; cert. denied, 510 U.S. 991 (1993); subsequent listing 333 N.J. Super. (App. Div. 2000)

No Child Left Behind Act of 2001, Pub. L. 107-110, 20 U.S.C.A. 6301 et seq.

J.A. v. Board of Education of South Orange/Maplewood, 318 N.J. Super. 512 (App. Div 1999)

The McKinney-Vento Homeless Assistance Act of 1987 (Pub. L. 100-77, July 22, 1987, 101 Stat. 482, 42 U.S.C. § 11301 et seq.)

**Possible**

**Cross References:**

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.