

NONRESIDENT STUDENTS

The Long Hill Township Board of Education (BOE) 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.

A. Eligibility

The Chief School Administrator (CSA), or his/her designee, is authorized to act on behalf of the Board in determining eligibility for enrollment of all non-resident students.

The Board will only accept responsibility for the education of those persons of legal school age who are legally domiciled within the geographic boundaries of the Township of Long Hill, and whose parents/guardians are legally domiciled within the geographic boundaries of the Township of Long Hill, with the exceptions only as permitted by this policy and as may be required to New Jersey state statute or the New Jersey Administrative Code.

B. Nonresidents Permitted

1. Supported Gratis by Another: Any student who lives in the home of and is supported gratis by an adult resident/residents; the resident(s) must file an affidavit that he/she resides within the district, is/are supporting the student gratis, will assume personal and school obligations for the student and is/are caring for the student beyond the school year. The legal parents(s)/guardian(s) of said pupil must sign an affidavit confirming the arrangement. All parties must satisfy same by producing such proofs as may be required by the district, including, but not limited to, an inspection of the domicile by the district attendance officer, and submitting of Internal Revenue Service form 8821 and the most recent state and federal income tax returns of the parent/guardian and the resident(s) supporting the pupil gratis.
2. Special Education: Any classified, handicapped students for whom another school district has requested and received Board approval for placement of such pupil in a special education program operated by the district, will be subject to the schedule of tuition rates established by the Board.

3. Moving from District – 8th Grade Year: When the parent(s)/guardian(s) of a member of the 8th grade class of the Long Hill Township School District shall take residence outside the district after the beginning of the student’s 8th grade year, but not prior to February 1, approval may be given subject to payment of the annual tuition prorated for the balance of the school year to be completed, for the completion of the eighth grade year, following receipt of satisfactory evidence that such a decision is in the best educational interest of the pupil. Under this circumstance, the pupil will be allowed to graduate with his/her class at the end of that school year and take part in 8th grade class graduation activities and ceremonies.
4. Moving from District – Years Kindergarten through 7th Grade: When the parent(s)/guardian(s) of a pupil enrolled in Kindergarten through 7th grade shall take residence outside the Long Hill Township School District after February 1, approval may be given subject to payment of the annual tuition prorated for the balance of the school year to be completed, for the completion of that grade only, following receipt of satisfactory evidence that such a decision is in the best educational interest of the pupil. If residency outside the Long Hill Township School District occurs before February 1, it is understood that the student will attend the school system of their residency.
5. Intent to Move into District: When the parent(s)/guardian(s) of a school age student reside outside of the Long Hill Township School District, but have signed a contract to buy, build, or rent any residence in the district, the student shall be enrolled for a period not to exceed sixth (60) school days prior to the anticipated date of residency without tuition charges. One additional extension of up to fifteen (15) school days may be considered. Requests for consideration for an extension must be presented in writing to the BOE and include a copy of a signed contract to buy, build, or rent a residence in the district. The document must show the revised expected date of occupancy. Submittal of the request does not automatically condition an approval. No extension will be granted beyond seventy-five (75) school days of tuition-free status. If the student and the student’s parent(s)/guardian(s) do not become residents of the District by the end of the period of free attendance, tuition shall be required as of the sixty-first (61st) or seventy-sixth (76th) school day, depending upon whether an extension had been granted and thereafter for each day for the remainder of the time until residency is established. Parent(s)/guardian(s) of students shall be required to demonstrate such proofs of the anticipated residency as may be administratively required.

6. Students of Nonresident Staff Members: If so negotiated with the collective bargaining unit, students of nonresident, full-time employees of the Board may be enrolled in the schools of this district on payment of tuition and in accordance with the policy for other nonresident students based on the recommendation of the CSA. Such enrollment shall be contingent on availability of space and compliancy with all district policies, procedures, and regulations.
7. Other Nonresident Students: Other nonresident students may be admitted to this district on payment of tuition, on availability of space and compliancy with all district policies, procedures and regulations.

The CSA shall develop procedures for the enrollment of nonresident children which admit 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, affectational or sexual orientation, atypical hereditary cellular or blood trait of any individual or ancestry; and make continued enrollment of any nonresident pupil 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 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.

8. Foreign Exchange 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 CSA or his/her designee shall recommend to the Board for its approval the admission of qualified applicants.

The Board shall annually determine tuition rates for nonresident pupils.

C. Terms and Conditions: Tuition Payments; Transportation

1. (a) Terms and Conditions: This arrangement shall continue for the approved period of time subject to the student maintaining regular attendance and punctuality; adhering to prescribed district and school building conduct standards; the availability of adequate classroom space; timely tuition payments; maintaining satisfactory academic standards.

(b) Continued Enrollment: The continued enrollment of a nonresident, tuition-paying student may be terminated at any time on a recommendation of the CSA based on concerns regarding: class size, enrollment, discipline, program delivery, academic performance, resident students' best interests, or for other reasons as a determined by the CSA. In such event, tuition shall be due to the district through the end of the last day of school attended.

2. Setting Tuition: The parent(s)/guardian(s) of a student enrolled in the district who have residence outside the district, and whose student has been accepted based upon a recommendation of the CSA for continuation or placement for any school year, shall be required to pay tuition based on rates, which shall be set by the Board prior to the start of each school year. The tuition rate(s) shall be derived from the current New Jersey State "Per Pupil Costs," and shall be calculated according to policy regulation 5118R. "Per Pupil Cost," as defined by the New Jersey Commissioner of Education, excludes capital fund expenditures and general fund expenditures related to special education costs and student transportation.
3. Transportation: The Board shall not be responsible to transport any nonresident pupil to and from school or to and from any school activity.

D. Tuition and Tuition Payment

1. Payment of Tuition: Tuition shall be due and payable on the first business day of the month preceding the month of attendance. EXAMPLE: Student attending for the four month period from March 1 to June 30 shall have tuition payments due February 1, March 1, April 1, May 1. No credit for payment of tuition will be given for any month in which attendance was for less than one month. Failure to pay tuition forthwith by the date established shall result in the termination of the pupil's enrollment.
2. Waiver of Tuition: In cases of financial hardship, the legally responsible adult(s) may petition the Board in writing through the CSA for a waiver or reduction of tuition. The final decision rests with the Board and shall be determined on a case-by-case basis with no case serving as a precedent for another.
3. Prorated Tuition Payments: Where the non-resident student begins attendance at a Long Hill school after the first day of the school year, or terminated attendance before the last day of the school year, the total tuition shall be prorated based on the number of days the school was in session from the first day of attendance through the last day of attendance, divided by the number of days in which the school is in session.

E. Development of Forms and Affidavits

The Board authorizes the CSA to develop any necessary forms or affidavits as may be required to implement the intent of Policy 5118.

F. Homeless Pupils

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.

Reviewed and readopted: November 25, 2013

First reading: January 14, 2008

Second reading: February 11, 2008

Legal References:

<u>N.J.S.A.</u> 18A:7F-45	Definitions
<u>N.J.S.A.</u> 18A:11-1	General mandatory powers and duties
<u>N.J.S.A.</u> 18A:36B-1 <u>et seq.</u>	Interdistrict Public School Choice Program Act of 1999
<u>N.J.S.A.</u> 18A:38-1 <u>et seq.</u>	Attendance at school free of charge
<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	Receiving pupils from outside district; establishment of facilities
<u>N.J.S.A.</u> 18A:54-20	Powers of board (county vocational schools)
<u>N.J.A.C.</u> 6A:12-1.3 <u>et seq.</u>	Inter-district Public School Choice
<u>N.J.A.C.</u> 6A:17-1.1 <u>et seq.</u>	Students at Risk of Not Receiving a Public Education
<u>N.J.A.C.</u> 6A:22	Student residency
<u>See particularly:</u>	
<u>N.J.A.C.</u> 6A:22-3	Eligibility to attend school
<u>N.J.A.C.</u> 6A:22-3.1	Students domiciled within the school district
<u>N.J.A.C.</u> 6A:23A-19.2	Method of determining the district of residence

N.J.A.C. 6A:23A-19.3

Address submission for determining the district of residence

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

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)

Possible Cross References:

- *5111 Admission
- *5114 Suspension and expulsion
- *6151 Class size

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