

NONRESIDENTS

Only children domiciled in the District, or authorized to attend by the Superintendent, are eligible to attend Old Tappan schools.

The Old Tappan Board of Education reserves the right to verify the domicile of any student and validity of any affidavit of guardianship.

Former Residents

A student attending the Old Tappan Public Schools whose parents/guardians move out of Old Tappan after May 1 of the school year, and who has attended a District school for at least the three months prior to the move from Old Tappan, may be permitted to complete the school year in Old Tappan without payment of tuition.

Children of Military Personnel

Students whose parents/guardians are military personnel retaining ownership of a home in Old Tappan may be permitted, at the discretion of the Superintendent, to remain in school without payment of tuition.

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.

Affidavit Students

Students who are on affidavit with Old Tappan residents may be permitted, upon approval of the Superintendent, to attend the Old Tappan Schools without tuition payment.

Future Residents

A student whose family is moving into Old Tappan, but whose family is not currently domiciled in Old Tappan, may be accepted as a student with the understanding that if domicile is not established within a month of the start of the student's attendance at an Old Tappan School, tuition will be charged for the full month. Each month thereafter, if resident is not established within the first half that month, tuition will be due and payable for the full month. Tuition shall be based on the per-student cost established by the Board of Education.

Residents who Relocate during Renovation or Reconstruction

Residents who have been domiciled in Old Tappan for at least 6 months and are required to relocate from Old Tappan during reconstruction or renovation of their homes shall be permitted to enroll their children who are otherwise eligible for attendance, in the Old Tappan Schools tuition free for a period not to exceed 6 months. After the six (6) month period has expired, tuition must be remitted to the Old Tappan Business Administrator/Board Secretary by the beginning of each subsequent month of attendance. Students shall be charged the current Old Tappan Board established tuition rates.

Homeowners who are paying partial property taxes and/or homeowners who rent out their Old Tappan property are not eligible to enroll their children except under the requirements of this policy for Other Non-Domiciled Students.

NONRESIDENTS (continued)**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 Non-Domiciled Students

Other non-domiciled students may be admitted to this District on payment of tuition after inspection of the student's records and acceptance by the Superintendent, providing there is space available, no additional staff or facilities need to be provided to accommodate such students and the school program is considered to be appropriate for the student. In addition to the basic tuition, parents will be required to pay the District's costs of providing any necessary special services.

The Superintendent shall develop procedures for the enrollment of non-domiciled children that:

- A. Allow admission only if space is available in the grade level and in the existing program of instruction;
- B. Allow admission only on the proper application of parent/guardian;
- C. Require verification claims of domicile and submission of affidavits of guardianship;
- D. Deny admission where the educational program maintained for the children of this District is inadequate to meet the needs of the applicant;
- E. 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;
- F. Make continued enrollment of any non-domiciled student contingent upon timely payment of tuition and the maintenance by the student of good standards of citizenship and discipline.

The Old Tappan School District will not be obligated to transport any non-domiciled students nor will it incur any expense incidental to such transportation.

The Board shall annually determine tuition rates for non-domiciled students.

The Old Tappan Board of Education reserves the right to refuse admission and/or continuation of any non-domiciled student in the Old Tappan Schools.

<u>Legal References:</u>	<u>N.J.S.A.</u> 18A:7F-3	Definitions
	<u>N.J.S.A.</u> 18A:11-1	General mandatory powers and duties
	<u>N.J.S.A.</u> 18A:36B-1 <i>et seq.</i>	Interdistrict Public School Choice Program Act of 1999
	<u>N.J.S.A.</u> 18A:38-1 <i>et seq.</i>	Attendance at school free of charge
	<i>See particularly:</i>	
	<u>N.J.S.A.</u> 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)

NONRESIDENTS (continued)**Legal References: (continued)**

N.J.A.C. 6A:12-1.3 et seq. Interdistrict Public School Choice
N.J.A.C. 16A:17-1.1 et seq. Students at Risk of Not Receiving a Public Education
N.J.A.C. 6A:22 Student residency

See particularly:

N.J.A.C. 6A:22-3 Eligibility to attend school
N.J.A.C. 6A:23-3.1 Method of determining tuition rates for regular public schools
N.J.A.C. 6A:23-5.2 Method of determining the district of residence
N.J.A.C. 6A:23-5.3 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)

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

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

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.

Key Words

Nonresidents, Tuition Student, Affidavit Student, Non-Domiciled Students

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