

ALLOWAY TOWNSHIP SCHOOL DISTRICT
Alloway, New Jersey

FILE CODE: 5118

☐ **Monitored**

☐ **Mandated**

☒ **Other Reasons**

Policy

NONRESIDENTS

The Alloway Township 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.

Any person who knowingly violates these statutes may be found guilty of a disorderly person's offense and subject to prosecution by legal authorities.

Nonresident students are defined as those students whose parents or legal guardians are domiciled outside the school district. Domicile means a person's true and permanent home. The school district is only obligated to educate residents and those nonresidents who fall within certain narrow categories that are listed below. Nonresident students shall not be permitted to attend public school unless they fall into one of the following categories:

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.

Transportation shall be the responsibility of the parent/guardian.

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.

Transportation shall be the responsibility of the parent/guardian.

Children of Nonresident Staff Members

All staff of Alloway Township School District will be extended the professional courtesy of having their children enrolled in Grades K-8 on an annual basis as tuition-free students, provided that:

- A. They are not students who require additional educational services outside of the school district;
- B. They are not high school students;

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- C. Their enrollment will not necessitate any additional classroom personnel;
- D. All requests must be submitted to the board of education for approval annually, in writing; a response will be given following the next regularly scheduled board meeting;
- E. Transportation is the responsibility of the parent/guardian.
- F. ***The enrollment of Alloway Township resident students will take precedence.***
- G. Special education needs and Section 504 accommodations, modifications, and supports that incur any additional cost cannot be made. This includes any programs or services that require Child Study Team evaluation, classification, programming, or instruction by a special education teacher or certified therapist. If, after enrollment, it is determined by the district that a Special Education referral, classification, and/or 504 modifications are necessary: 1. The Board may, at its discretion, allow the student to remain enrolled on the condition that the parents or guardians (a) agree to enter into an additional contract with the Alloway Township Board of Education and (b) pay the full cost of all testing and additional services required and recommended to meet the students' needs within thirty days of the determination date; or 2. The parents or guardians agree to withdraw the students from the District.

Foreign Exchange Students

The board may admit foreign exchange students into the school 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. Transportation will be provided to foreign exchange students but tuition shall not be paid by the district.

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

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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: April 27, 1999

Revised: October 22, 2002, April 29, 2014, October 21, 2014, November 17, 2015,
October 25, 2016, December 20, 2016, January 2, 2018, November 28,

2023

NJSBA Review/Update: January 2020

Readopted:

Key Words

Nonresidents, Tuition Student, Affidavit Student, Homeless Student

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-14 <u>et seq.</u>	<u>Interdistrict Public School Choice Program Act of 1999</u>
	<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:38-1.1, 38-2, 38-3, 38-8, 38-9	
	<u>N.J.S.A.</u> 18A:46-20	Receiving students 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>	Interdistrict Public School Choice
	<u>N.J.A.C.</u> 6A:17-1.1 <u>et seq.</u>	Education for homeless children and students in state facilities
	<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

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

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)

Every Student Succeeds Act of 2015, Pub. L. 114-95, 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: 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.