

Policy

NON-RESIDENT TUITION STUDENTS

The Spring Lake Board of Education ("Board") is authorized by *N.J.S.A. 18A: 38-3* to admit students who are not residents of the Spring Lake School District upon such terms and conditions as established by the Board.

For the purpose of encouraging and enhancing the academic and social emotional environment, the Board may agree to accept non-resident students to attend grades kindergarten through five, subject to the following requirements, terms, and conditions:

- A. The Chief School Administrator ("CSA") will review all applications for admission pursuant to admission guidelines as stated hereinafter. All applicants recommended by the CSA for acceptance shall be presented to the Board for approval. The parent/guardian ("parents") of the applicant must confirm in writing the intended enrollment of the student to the School Business Administrator/Board Secretary within ten (10) days of the receipt by the parents of notice of Board approval.
- B. A non-refundable one hundred and fifty dollar (\$150) fee will be collected with each original application. The fee will not be applied to any tuition due or that becomes due.
- C. Any child whose parents are domiciled outside the school district shall be considered non-resident. Non-resident students may be admitted on a tuition basis upon the following conditions:
 1. The CSA certifies:
 - a. In consultation with the Board that class size, with the admission of the non-resident student applicant, can accommodate additional students without any impact on student performance, staffing, and resources; and
 - b. That the educational needs of the non-resident student applicant are such that no additional expenditures beyond the tuition charged by the Board will be required.
 2. The parents of the non-resident student applicant will complete, sign, and submit an Application Form (Forms A, B, C attached to this policy) to the CSA;
 3. The non-resident student applicant will be interviewed by the CSA;
 4. The non-resident student will be administered a placement/screening assessment by school personnel;
 5. All prior school records of the non-resident student applicant shall be presented upon request and prior to acceptance of the student; and
 6. The parents of the non-resident student applicant will submit two letters of recommendation; one from a teacher and one from a school administrator of the school last attended by the non-resident student applicant.
- D. The Board reserves the right to remove any student admitted under this policy for reasons of discipline, code of conduct infractions, attendance, appropriate academic progress, and/or failure to pay tuition. If this removal occurs, the student's home district will be notified.
- E. Students are admitted under this policy upon the assumption that their educational needs can be addressed at an incremental cost to the school district equal or less than the amount of tuition they

are required to pay. Should it be determined at any time that this is not so, the Board reserves the right to remove the non-resident student or request supplemental fees for the program the non-resident student is attending.

- F. The parents of non-resident students will be responsible for transportation. The Board shall not be responsible for the transportation of any non-resident student.
- G. Non-resident students shall maintain and adhere to school discipline, attendance, and code of conduct requirements. In the event a student fails to do so, the Board may terminate the enrollment of the student in the HW Mountz Elementary School.
- H. The Board will not accept students who are classified to receive special education. Non-resident students who, after enrollment, are classified by the child study team and who require placement in another school setting outside the Borough of Spring Lake, shall be released and removed to the non-resident student's resident school district. Tuition paid by the parents to the Board shall be refunded on a prorated basis.
- I. Non-resident tuition students shall be afforded the same program opportunities as resident students. However, if the district determines special services, additional personnel, equipment, and/or materials are required for a non-resident tuition student to continue their enrollment, the parents will be notified in writing by the CSA. Payment for any special services, additional personnel, equipment, and/or materials will be in addition to previously stated tuition and will be due within thirty (30) days after the billing date. Failure to pay the additional cost will constitute cause for removal of the pupil from the HW Mountz Elementary School.
- J. The Board will accept students into the regular education program. Special education needs and Section 504 accommodations, modifications and supports that necessitate additional costs cannot be met at regular tuition rates. This includes any programs or services that require a child study team evaluation, classification, programming or instruction by a special education teacher. Additionally, enrichment programs beyond the regular HW Mountz School gifted and talented program will be the responsibility of the parent.
- K. In accordance with law and Board policy, the decision to admit, decline admission, or readmit a non-resident tuition student shall not be based upon gender, race, religion, economic status or social status.
- L. The CSA shall report to the Board each marking period regarding the non-resident tuition program. The Board shall evaluate the program during the first quarter of each calendar year.
- M. Tuition for all non-resident students enrolled in grades pre-kindergarten through five shall be in accordance with a schedule approved by the Board. The schedule may be modified by the Board annually. Rates will be established each April of the preceding school year and notification of the rates will be provided to all non-resident tuition and prospective students. The following governs the Pupil Tuition Contract ("contract") between the Board and the parents of the non-resident tuition students:
 - 1. A completed contract (Form A Attached to this policy) and a \$250.00 non-refundable acceptance fee must be remitted to the School Business Administrator/Board Secretary within ten (10) days of written notification of acceptance of the student and will be applied toward the first tuition payment.
 - 2. Grades Prekindergarten-through 5th grade parents of enrolled non-resident students shall agree to pay annual tuition, as approved by the Board. Tuition payments will be made in two equal installments and are due on the first day of September and January. At the discretion of the School Business Administrator/Board Secretary, alternative or advance payment plans may be requested due to individual circumstances.
 - 3. Parents shall agree to comply with all requirements set forth in the policy of the Board

governing non-resident tuition students, a copy of which is incorporated and made part of the contract. All fees and payments are non-refundable. In the event of non-payment of any charge or fee when due, parents will agree the non-resident student's enrollment may be canceled and the pupil shall be removed from the HW Mountz School immediately upon notice from the CSA.

4. All laws, regulations, and requirements applicable to resident student shall apply to non-resident student.
5. The contract is subject to the approval of the Board and shall have no force or effect until approved.
6. In the event a student fails to maintain appropriate academic and/or social standards or fails to adhere to school code of conduct, attendance, or discipline requirements, the Board may determine to void this contract in which case the student shall immediately be removed from the HW Mountz School.
7. In the event acceptance of non-resident tuition student is rendered invalid by law, judgment or legal decision or otherwise, the Board's only liability shall be for the return of any pro-rated tuition payments
8. Tuition paid will be refunded under the following conditions:
 - a. Should non-resident parents withdraw their child, tuition will not be reimbursed;
 - b. Should a non-resident parents move out of the area where it would be deemed unreasonable to expect continued enrollment at H.W. Mountz School, tuition paid will be reimbursed for each complete month the child(ren) are no longer enrolled; and
 - c. Should the CSA remove a non-resident tuition paying student from continued enrollment in the H.W. Mountz School as indicated above, the parent will be reimbursed paid tuition on a pro-rated basis.

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Key Words

Admission, Resident, Pupil Records, Affidavit Pupil, Homeless Pupil, Student Records, Affidavit Student, Homeless Student

<u>Legal References:</u>	<u>N.J.S.A.</u> 18A:7B12	District of residence; determination
	<u>N.J.S.A.</u> 18A:7B-12.1	Homeless child; responsibility for education; determination of placement; payment of costs
	<u>N.J.S.A.</u> 18A:7C	High School Graduation Standards
	<u>N.J.S.A.</u> 18A:7C-12	Juvenile detention centers, transfer of credit
	<u>N.J.S.A.</u> 18A:3619a	Newly enrolled students; records and identification
	<u>N.J.S.A.</u> 18A:3625.1	Proof of child's identity required for enrollment; transfer of record between districts
	<u>N.J.S.A.</u> 18A:381	Attendance at school free of charge
	<u>N.J.S.A.</u> 18A:382	Free attendance at school by nonresidents placed in

<u>N.J.S.A.</u> 18A:383	district under court order
<u>N.J.S.A.</u> 18A:384	Attendance at school by nonresidents
<u>N.J.S.A.</u> 18A:385	Free attendance to persons over age
<u>N.J.S.A.</u> 18A:385.1	Admission of students under age
	No child to be excluded from school because of race, etc.
<u>N.J.S.A.</u> 18A:386	Time of admission of students; first school year
<u>N.J.S.A.</u> 18A:387.7	Legislative findings and declarations
<u>N.J.S.A.</u> 18A:388	Duty to receive students from other districts
<u>N.J.S.A.</u> 18A:3825	Attendance required of children between six and 16; exceptions
<u>N.J.S.A.</u> 18A:4020	Immunization at public expense
<u>N.J.S.A.</u> 18A:441	Establishment of nursery schools or departments; eligibility for admission
<u>N.J.S.A.</u> 18A:442	Establishment of kindergarten; eligibility for admission
<u>N.J.S.A.</u> 26:1A9.1	Exemption of students from mandatory immunization
<u>N.J.S.A.</u> 26:46	Prohibiting attendance of teachers or students
<u>N.J.A.C.</u> 6A:12-3.1	Choice district application procedures
<u>N.J.A.C.</u> 6A:14-1.1 <i>et seq.</i>	Special Education
<u>N.J.A.C.</u> 6A:16-2.2	Required health services
<u>N.J.A.C.</u> 6A:16-2.4	Required student health records
<u>N.J.A.C.</u> 6A:17-1.1 <i>et seq.</i>	Students at Risk of Not Receiving a Public Education
<u>N.J.A.C.</u> 6A:22-1.1 <i>et seq.</i>	Entitlement to Attend School Based on Domicile or Student Residency
<u>See particularly:</u>	
<u>N.J.A.C.</u> 6A:22-3.1, 3.2, 3.3, 3.4	
<u>N.J.A.C.</u> 6A:23A-19.2, -19.3	Method of determining the district of residence
<u>N.J.A.C.</u> 6A:32-8.2	School enrollment
<u>N.J.A.C.</u> 8:57	Communicable diseases
<u>See particularly:</u>	
<u>N.J.A.C.</u> 8:572	
<u>N.J.A.C.</u> 8:611.1	Attendance at school by students or adults infected by Human ImmunoDeficiency Virus (HIV)

Tepper v. Board of Education of the Township Hackensack, Bergen County, 1971 S.L.D. 549

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

Plyler v. Doe, 457 U.S. 202 (1982)

Plainfield Board of Education v. Cooperman, 105 NJ 587 (1987)

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

Possible

<u>Cross References:</u>	3240	Tuition income
	*5118	Nonresidents
	5119	Transfers
	*5120	Assessment of individual needs
	*5141	Health
	*5141.2	Illness
	*5141.3	Health examinations and immunizations
	*6164.4	Child study team
	*6171.4	Special education
	6174	Summer school
	6178	Early childhood education/preschool

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

Form A

Spring Lake Board of Education
Non-Resident Tuition Student Application

_____ New Application
_____ Returning Student Application

Student's Name _____ D.O.B. _____

Parent/Guardian Name(s) _____

Address _____

Home Phone _____ Cell Phone _____

Work Phone _____

THE SECTION BELOW IS NOT NECESSARY FOR CURRENT NON-RESIDENT SPRING LAKE SCHOOL STUDENTS

Student's Current or Last School _____ Grade Level _____

Address of School

Phone # of School

Student's Most Recent Report Card Grades for Grades K-5*

Subject	Grade
_____	_____
_____	_____
_____	_____
_____	_____
_____	_____
_____	_____

- *Please attach the following:
Most Recent Report Card
Letter of Recommendation from Most Recent Teacher
Letter of Recommendation from Most Recent Principal
Prior School Records (including health records)

PARENT/GUARDIAN SECTION

Please sign on the space provided to acknowledge that you have read, understand and agree to all of the following:

- a. Spring Lake Board of Education Policy #5111.01 and procedures from forms A, B, and C.
- b. Transportation of the student is the parent/guardian's responsibility and costs are not reimbursable by the Spring Lake Board of Education ("Board") or any other public school.
- c. Tuition payments are to be made September 1 and January 1. The Board reserves the right to remove a student from enrollment for failure to pay tuition.
- d. The Spring Lake Board of Education will not provide child study team and/or special education services for non-resident tuition students unless the Board and parent/guardian enter into a separate agreement to provide services. The parent/guardian agrees to withdraw and remove the non-resident student should in the opinion of the Board through its staff a special education referral or classification be indicated.

Date _____

Parent/Guardian

Date _____

Parent/Guardian

STUDENT SECTION

Please sign on the space provided acknowledging that you have read and agree to all of the following:
(Not applicable for students in Grades PreK-2)

- a. As a Spring Lake School District student I will obey all school rules and the directions of teachers and staff members.
- b. As a Spring Lake School District student I will do my best to become involved in student activities.
- c. As a Spring Lake School District student I will do my best to succeed academically.

Date _____ Student Signature _____

Administrative Section (to be filled out by HW Mountz Administration only):

	<u>Initial</u>	<u>Date</u>
Completed Application Received	_____	_____
\$150 Application Fee Received	_____	_____
Academic Record Received	_____	_____
Principal Interview Completed	_____	_____
Testing Completed	_____	_____
Recommendation to Admit	_____	_____
Board Action	_____	_____

Form B

Spring Lake Board of Education
Non-Resident Tuition Student Admission Form

1. Admission as a non-resident tuition student shall be by administrative recommendation and approval by the Board of Education. It is recognized that these are subjective decisions to a degree. Staff members are directed to give all applicants fair and equitable consideration in accordance with Board Policy #5111.01 and the conditions set forth in Forms A, B & C.
2. Applicants may be submitted to the principal at any time. They will be collected and retained until April of the year preceding the desired admission date. Admission decisions for September will be made by the end of April or as determined by the CSA as recommended to the Board of Education and the decisions are to be communicated by the Superintendent, in writing, to parents of the applicants.
3. Students who are admitted shall have:
 - a. A strong record of academic success;
 - b. A letter of recommendation from the prior school principal and a teacher which documents a consistent record of excellent school citizenship and behavior; and
 - c. Completed a district assessment instrument and performed satisfactorily as assessed by the administration.
4. All applicants shall be interviewed by the Chief School Administrator, who may require additional interviews, testing or records.
5. Students seeking admission during the school year shall be subject to the same admissions criteria and their applications shall be reviewed on a case by case basis. Regardless of the initial admission date, admission is for that school year only.

RE-ADMISSION

1. Re-admission for the following school year is not automatic. If there remains room in the sections of the class into which the student would go in a successor year, the non-resident student may apply for consideration for re-admission.
2. Students who have not maintained an 85 average (based upon all subjects with no failing grades) shall not be re-admitted. The principal may waive this condition if in his/her judgment, extenuating circumstances contributed to an academic average below 85.

Form C

**Spring Lake Board of Education
Non-Resident Tuition Students Revocation of Status Form**

Attendance by non-resident tuition students is a privilege, not a right. The intention of the non-resident tuition program is to enhance enrollment without increasing costs or staff time because of the needs of non-resident tuition students. Non-resident tuition students are expected to be academically successful and to demonstrate excellent behavior.

1. Re-admission procedures establish general criteria that will be applied in re-admission decisions (see Form B). However, the non-resident tuition student's status may be revoked at any time if, in the opinion of the Board of Education, such action is warranted.
2. The administration may recommend revocation of non-resident tuition student status for the following reasons.
 - a. Non-resident tuition students in the possession of and/or distributing controlled, dangerous substances or in possession of alcohol.
 - b. An incident in which excessive violence (in the Superintendent's opinion) was used by/or involved the non-resident tuition student.
 - c. Possession of a gun, knife or other item deemed by the principal to be a weapon.
 - d. Assault of any kind upon a teacher, staff member, or other student.
 - e. Any other very serious misbehavior, including but not limited to Harassment, Intimidation, and Bullying.
 - f. Failure of the non-resident student or parent/guardian to respond to staff interventions intended to address behavior or academic issues.
 - g. Failure to fully pay tuition owed.
3. The principal may at his/her discretion establish a "probationary" period prior to a recommendation for revocation of non-resident student status. The terms and conditions of the probation shall be reduced to writing and presented to the student and his/her parent/guardian at a conference conducted for that purpose. Probation may be established for academic or behavioral reasons.
4. Revocation of non-resident student status requires action by the Spring Lake Board of Education. Parents shall be notified that such an action has been recommended and invited to be present to discuss the recommendation with the Board prior to Board action.

I have read Form C "Private Tuition Student – Revocation of Status" and agree to the provisions therein.

Parent/Guardian

Date

Parent/Guardian

Date

Student's Name

Date