

THE SCHOOL DISTRICT OF SOUTH ORANGE AND MAPLEWOOD, NEW JERSEY

PUPILS
5111/page 1 of 7
Admission of Resident/
Nonresident Pupils

5111 ADMISSION OF RESIDENT/NON-RESIDENT PUPILS

The Board of Education will admit to its schools, free of charge, persons over five and under twenty years of age, ~~who are eligible to be admitted~~ pursuant to N.J.S.A. 18A:38-1 ~~or such younger or older student as is otherwise entitled by law to a free public education.~~
~~et seq. and N.J.A.C. 6A:28-2.1 et seq. A free appropriate public education is also available to all students with disabilities between the ages of three (3) and twenty one (21) according to Policy 2460, Special Education Services.~~

Purpose

~~The purpose of this policy is to describe the circumstances in which students are entitled to enrollment in the district, based on statute and board policy, and in which cases such enrollment is contingent on the payment of tuition.~~

~~The district's role in the registration process is to ascertain whether or not students are entitled to enrollment in our schools, to enroll them as appropriate, and to gather the necessary data that must be maintained on students in our schools. The District registrar will help applicants understand the process and the circumstances in which students are entitled to enrollment, thereby facilitating the process for all involved.~~

~~The registration and residency review process should be conducted in an efficient and effective manner which safeguards the interests of district taxpayers but which is also designed to minimize inconvenience to those new to our district, whether their entitlement to enrollment is eventually affirmed or denied.~~

~~The Board of Education will admit children of school age who reside in this district and will admit other children in accordance with law and this policy. The Board reserves the right to verify the residency or anticipated residency of any person who claims eligibility for enrollment.~~

Eligibility to Attend School

The Board will admit ~~pupils~~ students eligible to attend school free of charge that are domiciled within the district as defined in N.J.A.C. 6A:~~28~~22-3.1-2.4(a).

~~A child who is domiciled within the school district and resides with a parent or guardian who is a member of the New Jersey National Guard or a member of the reserve component of the armed forces of the United States who is ordered into active military service in a time of war or national emergency shall be permitted to remain enrolled in the school district in which the child is domiciled at the time of the parent or guardian being ordered into active military service, regardless of where the child resides during the period of active duty. Following the return of the child's parent or guardian from active military service, the child's eligibility to remain enrolled in the school district pursuant to N.J.S.A. 18A:38-3.1 shall cease at the end of the current school year unless the child is domiciled in the school district.~~

The Board will also admit any ~~pupil~~ student that is kept in the home of a person other than the ~~pupil's~~ student's parent(s) or legal guardian(s), where the person is domiciled in the school district and is supporting the ~~pupil~~ student without remuneration as if the ~~pupil~~ student were ~~his or her~~ their own child in accordance with N.J.A.C. 6A:~~28:2.4(a)~~22-3.2. A ~~pupil~~ student is only eligible to attend school in the district pursuant to N.J.A.C. 6A:~~28:2.4(a)~~22-3.2 ~~this provision~~ if the ~~pupil's~~ student's parent(s) or legal guardian(s) files, together with documentation to support its validity, a sworn statement that ~~he or she is~~ they are not capable of supporting or providing care for the ~~pupil~~ student due to family or economic hardship and that the ~~pupil~~ student is not residing with the other person solely

for the purpose of receiving a free public education. In addition, the person keeping the pupil student, hereinafter referred to as the "Supporting Domiciliary", must file, if so required by the Board of Education, a sworn statement together with documentation to support its validity that he or she is/they are: domiciled within the district; i is supporting the child without remuneration and intends to do so for a time longer than the school term; and will assume all personal obligations for the pupil student relative to school requirements; and provide a copy of his or her lease if a tenant, a sworn landlord's statement if residing as a tenant without a written lease, or a mortgage or tax bill if an owner. Pursuant to N.J.S.A. 18A:38-1.c, any person who fraudulently allows a child of another person to use his or her residence and is not the primary financial supporter of that child and any person who fraudulently claims to have given up custody of his or her child to a person in another district commits a disorderly persons offense.

THE SCHOOL DISTRICT OF SOUTH ORANGE AND MAPLEWOOD, NEW JERSEY

PUPILS
5111/page 2 of 7
Admission of Resident/
Nonresident Pupils

A pupil student is eligible to attend school free of charge pursuant to N.J.S.A. 18A:38-1.b if the pupil student is kept in the home of a person domiciled in the district, who is not other than the parent(s) or legal guardian(s), where and the parent(s) or legal guardian(s) is a member of the New Jersey National Guard or the reserve component of the United States armed forces and has been ordered into active military service in time of war or national emergency. Eligibility under this provision shall cease at the end of the current school year during which upon the parent(s) or legal guardian(s) returns from active military duty.

A pupil student is eligible to attend school free of charge pursuant to N.J.S.A. 18A:38-1.d if the pupil's student's parent(s) or legal guardian(s) temporarily resides within the district and elects to have the student attend the school district of temporary residence, notwithstanding the existence of a domicile elsewhere. When required by the Board of Education, the parent or guardian shall demonstrate that such the temporary residence is not solely for purposes of a pupil's student attending the school within the district of temporary residence. Where-When one of a pupil's student's parents or guardians temporarily resides in the school district while the other is domiciled or temporarily resides elsewhere, eligibility to attend school will shall be determined in accordance with the criteria of N.J.A.C. 6: 22-3.1(a)1.i. 28-2.4(a)1.ii. However, no pupil will be entitled to attend school based upon a parent's temporary residence in a district unless the parent(s) or legal guardian(s) demonstrates that such temporary residence is not solely for purposes of a pupil attending school within the district.

A pupil student is eligible to attend school free of charge:

1. If the student's parent or guardian pupil's parent(s) or legal guardian(s) moves to another district as the result of being homeless, subject to the provisions of N.J.A.C. 6:517-2 - Provisions for the Education of Homeless Children and Youth;
2. If the pupil student is placed by court order by a society, agency, or institution in the home of a school district resident by court order pursuant to N.J.S.A. 18A:38-2;
3. If the pupil student previously was a resident of resided in the school district and the parent(s) or legal guardian(s) parent or guardian is a member of the New Jersey National Guard or the United States reserves and has been ordered to active service in time of war or national emergency, resulting in the relocation of the pupil student out of the school district, pursuant to N.J.S.A. 18A:38-3.(b). The school district shall not be obligated for transportation costs; and and
- 3-4. If the pupil student resides on federal property within the State pursuant to N.J.S.A. 18A:38-7.7 et seq.

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Notwithstanding the provisions of N.J.S.A. 18A:38-1 or any other law, rule, or regulation to the contrary, a student who moves out of the school district as a result of domestic violence, sexual abuse, or other family crises shall be permitted to remain enrolled in the school district for the remainder of the school year in pursuant to N.J.S.A. 18A:38-1.1 and in accordance with the provisions of N.J.A.C. 6A:22-3.2(h). If the student remains enrolled in the school district for the remainder of the school year, the school district shall provide transportation services to the student, provided the student lives remote from school, and the State shall reimburse the school district for the cost of the transportation services. Nothing in N.J.S.A. 18A:38-1.1 shall be construed to affect the rights of homeless students pursuant to N.J.S.A. 18A:7B-12, N.J.S.A. 18A:7B-12.1, or any other applicable State or Federal law.

A student's eligibility to attend this school shall not be affected by the physical condition of an applicant's housing or his or her compliance with local housing ordinances or terms of lease.

Except as set forth in N.J.A.C. 6A:22-3.3(b)1, immigration/visa status shall not affect eligibility to attend school and the school district shall not condition enrollment in the school district on immigration status. A student's immigration/visa status and their eligibility to attend school shall be in accordance with N.J.A.C. 6A:22-3.3(b) and Regulation 5111. Immigration/visa status will not affect eligibility to attend school. However, the provisions of N.J.S.A. 18A:38-1 shall not apply to pupils holding or seeking a visa issued specifically for the purpose of limited study on a tuition basis in a United States public secondary school (F-1 Visa).

No child otherwise eligible shall be denied admission on the basis of the child's race, color, creed, religion, national origin, ancestry, age, marital status, affectational or sexual orientation or sex, gender identity and expression, social or economic status, or disability.

As described in NJAC 6A:28-2.4, eligibility to attend school is not dependent on the physical condition of an applicant's housing or an applicant's compliance with local housing ordinances or terms of lease.

THE SCHOOL DISTRICT OF SOUTH ORANGE AND MAPLEWOOD, NEW JERSEY

PUPILS
5111/page 3 of 7
Admission of Resident/
Nonresident Pupils

Proof of Eligibility

The Board of Education shall ~~district will~~ accept a combination of forms of documentation from persons attempting to demonstrate a ~~pupil's student's~~ eligibility for enrollment in the school district in accordance with ~~the provisions of N.J.A.C. —, 6A:28-2.5 et seq~~ 22-3.4. The Board of Education shall ~~district will~~ consider the totality of information and documentation offered by an applicant, and will not deny enrollment based on failure to provide a particular form of documentation, ~~or a particular subset of documents,~~ without regard to other evidence presented.

The Board of Education shall ~~district will~~ not condition enrollment on the receipt of ~~require or request any~~ information or documents protected from disclosure by law, or pertaining to criteria that are not a legitimate basis for determining eligibility to attend school as outlined in N.J.A.C. 6A:22-3.4(d). ~~The Board of Education may consider, in a manner consistent with Federal law, — These protected~~ documents or information ~~referenced in N.J.A.C. 6A:22-3.4(d) or pertinent parts thereof, may be if~~ voluntarily disclosed by the ~~person(s) applicant.~~ The Board of Education may ~~not seeking enrollment in the district. However, the district will not require or request,~~ directly or indirectly, ~~require or request,~~ such disclosure as an actual or implied ~~as a~~ condition of enrollment.

In the case of a dispute between the school district and the parent of a student in regard to the student's eligibility to enroll in the school district or to remain enrolled in the school district pursuant to the provisions of N.J.S.A. 18A:38-1, the school district may request from the New Jersey Motor Vehicle Commission(NJMVC) the parent or guardian's name and address for use in verifying a student's eligibility for enrollment in the school district in accordance with the provisions of N.J.S.A. 18A:38-1.3. The NJMVC shall disclose to a school district the information requested in accordance with procedures

established by the NJMVC. However, the school district shall not condition enrollment in the district on immigration status or on the fact that the NJMVC does not have the name or address of the parent on file.

Registration Forms and Procedures for Initial Assessment

Registration and initial determinations of eligibility will be in accordance with N.J.A.C. 6A:22-4.1. The Board of Education shall use Commissioner-provided registration forms or locally developed forms that are consistent with the forms provided by the Commissioner. A district-level administrator designated by the Superintendent shall be clearly identified to applicants and available to assist persons who experience difficulties with the enrollment process.

Initial eligibility determinations shall be made upon presentation of an enrollment application, and enrollment shall take place immediately except in cases of clear, uncontested denials. Enrollment shall take place immediately when an applicant has provided incomplete, unclear, or questionable information, but the applicant shall be notified that the student will be removed from the school district if defects in the application are not corrected, or an appeal is not filed, in accordance with subsequent notice to be provided pursuant to N.J.A.C. 6A:22-4.2.

When a student appears ineligible based on the information provided in the initial application, the school district shall issue a preliminary written notice of ineligibility, including an explanation of the right to appeal to the Commissioner of Education. Enrollment shall take place immediately if the applicant clearly indicates disagreement with the district's determination and an intent to appeal to the Commissioner of Education. An applicant whose student is enrolled pursuant to this provision shall be notified that the student will be removed, without a hearing before the Board, if no appeal is filed within the twenty-one day period established by N.J.S.A. 18A:38-1.

When enrollment is denied and no intent to appeal is indicated, applicants shall be advised they shall comply with compulsory education laws. When the student is between the ages of six and sixteen, applicants also shall be asked to complete a written statement indicating the student will be attending school in another school district or nonpublic school, or receiving instruction elsewhere than at a school pursuant to N.J.S.A. 18A:38-25. In the absence of this written statement, designated staff shall report to the school district of actual domicile or residence, or the Department of Children and Families, a potential instance of "neglect" for the purposes of ensuring compliance with compulsory education law, N.J.S.A. 9:6-1. Staff shall provide the school district or the Department of Children and Families with the student's name, the name(s) of the parent/guardian/resident, and the student's address to the extent known. Staff shall also indicate admission to the school district has been denied based on residency or domicile, and there is no evidence of intent to arrange for the child to attend school or receive instruction elsewhere.

Enrollment or attendance at the school shall not be conditioned on advance payment of tuition when enrollment is denied and an intent to appeal is indicated, or when enrollment is provisional and subject to further review or information. The Board of Education shall ensure the registration process identifies information suggesting an applicant may be homeless so procedures may be implemented in accordance with N.J.A.C. 6A:17-2, Education of Homeless Children. Enrollment or attendance in the school district shall not be denied based upon the absence of the certified copy of the student's birth certificate or other proof of a student's identity as required within thirty days of initial enrollment, pursuant to N.J.S.A. 18A:36-25.1.

Enrollment in the school district shall not be denied based upon absence of student medical information. However, actual attendance at school may be deferred until the student complies with student immunization rules set forth in N.J.A.C. 8:57-4.

When enrollment in the school district, attendance at school, or the receipt of educational services in the regular education program appears inappropriate, the student shall not be denied based upon the absence of a student's prior educational record. However, the applicant shall be advised the student's initial educational placement may be subject to revision upon the school district's receipt of records or further assessment of the student.

Initial Assessment and Enrollment

Registration, initial determinations of eligibility and enrollment will be in accordance with N.J.A.C. 6A:28-2.6 et seq. The district will use registration forms provided by the Commissioner of Education or locally developed forms that are consistent with the forms provided by the Commissioner. The Director of Planning and

Assessment will be available, and clearly identified to applicants, to assist persons who are experiencing difficulties with the registration/enrollment process.

Initial determinations of eligibility will be made upon presentation of an application for enrollment and enrollment shall take place immediately in all cases except those of clear, uncontested denials. Where an applicant has provided incomplete, unclear or questionable information, enrollment will take place immediately, but the applicant will be placed on notice that removal will result if defects in the application are not corrected, or an appeal is not filed, in accordance with subsequent notice to be provided pursuant to N.J.A.C. 6A:28-2.7 et seq.

Where an applicant appears ineligible based on the information provided in the initial application, a preliminary written notice of ineligibility will be provided, including an explanation of the right to appeal to the Commissioner of Education. Enrollment must take place immediately if the applicant clearly indicates disagreement with the district's determination and an intent to appeal to the Commissioner. A pupil enrolled pursuant to this provision will be notified that he or she will be removed, without a hearing before the Board, if no appeal is filed within the twenty-one day period established by N.J.S.A. 18A:38-1.

Where enrollment is denied and no intent to appeal is indicated, applicants will be advised that they must comply with compulsory education laws. In this case, the parent(s) or legal guardian(s) must provide a written statement that the pupil will be attending school in another district, attending a nonpublic school, or receiving instruction elsewhere than at a school. In the event this written statement is not provided, the Superintendent or designee, will contact the school district of actual domicile or residence, or an appropriate social service agency, with the pupil's name, the name(s) of the parent/guardian/resident, address to the extent known, denial of admission to the district based on residency or domicile, and absence of evidence of intent to attend school or receive instruction elsewhere, for purposes of ensuring compliance with such laws.

Enrollment or attendance in the district will not be denied based upon absence of the certified copy of birth certificate or other proof of a pupil's identity required within thirty days of initial enrollment pursuant to N.J.S.A. 18A:36-25.1.

THE SCHOOL DISTRICT OF SOUTH ORANGE AND MAPLEWOOD, NEW JERSEY

PUPILS
5111/page 4 of 7
Admission of Resident/
Nonresident Pupils

Enrollment in the district will not be denied based upon absence of pupil medical information, although actual attendance at school may be deferred as necessitated by compliance with rules regarding immunization of pupils, N.J.A.C. 8:57-4.1 et seq.

Enrollment in the district, attendance at school, or educational services where attendance in the regular education program appears inappropriate, will not be denied based upon absence of a pupil's prior educational record. However, the applicant will be advised that the initial educational placement of the pupil may be subject to revision upon receipt of records or further assessment of the pupil by the district.

Residency Checks

Once enrolled, a residency check will not occur until approved in advance by the Assistant Superintendent for Access & Equity, in consultation with the building principal or designee and, if applicable, the McKinney-Vento liaison. Such residency checks must be based on information giving reason to believe that the student is not eligible for enrollment in the district (such as, but not limited, to returned mail) and shall not be based on any protected characteristic, nor based on the student's neighborhood or type of housing (e.g., rented/owned or apartment/house). The District shall maintain records of residency checks that include demographic information of students whose residency is checked and the reason for the residency verification.

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Notice of Ineligibility

~~When a student is found if the district finds the applicant~~ ineligible to attend the school district pursuant to N.J.A.C. 6A:22 or the student's initial ~~s~~ of the district pursuant to N.J.A.C. 6A:28-2.1 et seq., or the application initially submitted is found to be deficient upon subsequent review or investigation, ~~the school district~~ notice will immediately ~~shall be~~ provided to the applicant consistent ~~notice that is consistent with Commissioner-provided sample form(s) and meets requirements of N.J.A.C. 6A:22-4 et seq. with sample form(s) to be provided by the Commissioner.~~ Notices ~~will shall~~ be in writing, in English and in the native language of the applicant, issued by the Superintendent, and directed to the address at which the applicant claims to reside. ~~The Notices~~ of Ineligibility ~~will shall be provided and will~~ include information as ~~required outlined~~ in accordance with N.J.A.C. 6A:28-2.7 et seq. ~~22-4.2.~~

Removal of Currently Enrolled Pupils/Students

Nothing in N.J.A.C. 6A:28-2.1 et seq. and this policy will preclude the Board of Education from ~~seeking to~~ identifying, through further investigation or periodic requests ~~for current~~ re-validation of ~~eligibility, students previously determined eligibility status, pupils~~ enrolled in the school district who may be ineligible for continued attendance due to error in initial assessment, changed circumstances or newly discovered information.

~~The Superintendent is directed to establish regulations to define the types of documents necessary for verifying all matters of fact related to a registrant's application for enrollment in the district. The information required of any applicant shall be limited to such information as is strictly necessary to verify the facts relevant to their circumstances.~~

~~Home visits to verify a pupil's entitlement to enrollment shall be carried out in strict accordance with the law. When used, such visits shall be limited to establishing the specific facts in question in a particular case.~~

When a ~~pupil/student, who is~~ enrolled and attending school ~~based on an initial eligibility determination in the district,~~ is later determined to be ineligible for continued attendance, the Superintendent may apply to the Board for ~~the student's removal of the pupil~~ in accordance with N.J.A.C. 6A: 22-4.3 ~~28-2.8(b)~~. No ~~pupil/student~~ shall be removed from school unless the parent, legal guardian, adult ~~pupil/student, or resident keeping an "affidavit student" (as defined in N.J.A.C. 6A-1-2) has been informed of their or Supporting Domiciliary as the case may be, has been informed of his or her~~ entitlement to a hearing before the Board of Education. Once the hearing is held, or if the parent, legal guardian, adult ~~pupil/student or resident keeping an "affidavit student", Supporting Domiciliary, as the case may be,~~ does not respond ~~to the Superintendent's notice~~ within the designated time frame ~~to the Superintendent's notice~~ or appear for the hearing, the Board of Education shall make a prompt determination of the ~~pupil's/student's~~ eligibility ~~and shall or ineligibility and will~~ immediately provide notice ~~thereof~~ in accordance with ~~the requirements of~~ N.J.A.C. 6A: 22-4.2 ~~28-2.7~~. ~~The h~~ Hearings required pursuant to N.J.A.C. 6A:28-2.1 et seq. ~~22-4.3~~ may be conducted by the full Board or a Board Committee, at the discretion of the full Board. ~~If the hearing(s) is conducted by a Board Committee, the~~ Committee ~~must shall~~ make a recommendation to the full Board for action. No ~~pupil/student~~ may be removed except by vote of the ~~full~~ Board taken at a meeting duly convened and conducted pursuant to N.J.S.A. 10:4-6 et seq., the Open Public Meetings Act.

THE SCHOOL DISTRICT OF SOUTH ORANGE AND MAPLEWOOD, NEW JERSEY

PUPILS
5111/page 5 of 7
Admission of Resident/
Nonresident Pupils

Appeal to the Commissioner

~~The district's determination that a pupil is ineligible to attend the schools of the district~~ An applicant may ~~appeal~~ be appealed to the Commissioner ~~of Education the school district's determination that a student is ineligible to~~

~~attend its schools. by the parent, legal guardian, adult pupil or Supporting Domiciliary, as the case may be. Such appeals shall proceed in accordance with N.J.S.A. 18A:38-1 and N.J.A.C. 6A:3-8.1 et seq. Appeals shall be initiated by petition which shall be filed in accordance with N.J.S.A. 18A:38-1 and N.J.A.C. 6A:3-8.1 and shall proceed as a contested case pursuant to N.J.A.C. 6A:3. Pursuant to N.J.S.A. 18A:38-1.b(1), appeals of "affidavit pupil/student" eligibility determinations shall be filed by the resident keeping the student. (as defined in N.J.A.C. 6A:28-2.2) eligibility determinations must be filed by the Supporting Domiciliary.~~

Fraud

~~If the Board has reason to believe a district resident has fraudulently allowed a child of another person to use his or her residence and is not the primary financial supporter of that child or that a parent or legal guardian has fraudulently claimed to have given up custody of his or her child, the Board shall report any such person to municipal authorities for prosecution as disorderly persons, and shall make all reasonable efforts to collect tuition from such person for the period when the child was ineligible for enrollment.~~

Assessment and Calculation of Tuition

~~If no appeal to the Commissioner is filed following notice of a ineligibility determination, ~~of ineligibility~~, the Board of Education may assess tuition for up to one year of a any period of a pupil's student's ineligible attendance, including the twenty-one day period provided by N.J.S.A. 18A:38-1 for appeal to the Commissioner. Tuition will be assessed and calculated in accordance with N.J.A.C. 6A:22-6.3 et seq. If the responsible party does not pay the tuition assessment, the Board of Education may petition the Commissioner pursuant to N.J.A.C. 6A:3 for an order assessing tuition, enforceable in accordance with N.J.S.A. 2A:58-10 through recording, upon request of the Board of Education pursuant to N.J.A.C. 6A:3-12, on the judgment docket of the Superior Court, Law Division. 28-2.10 et seq.~~

~~If an appeal to the Commissioner is filed and the petitioner does not sustain the burden of demonstrating the student's right to attend the school district, or the petitioner withdraws the appeal, fails to prosecute, or abandons the appeal by any means other than settlement agreeing to waive or reduce tuition, the Commissioner may assess tuition in accordance with the provisions of N.J.A.C. 6A:22-6.2(a). Upon the Commissioner's finding that an appeal has been abandoned, the Board of Education may remove the student from school and seek tuition in accordance with N.J.A.C. 6A:22-6.2.~~

Nonresident Students

~~The admission of a nonresident student to school free of charge must be approved by the Board. No student otherwise eligible shall be denied admission on the basis of the student's race, color, creed, religion, national origin, ancestry, age, marital status, affectational or sexual orientation or sex, social or economic status, or disability. The continued enrollment of any nonresident student shall be contingent upon the student's maintenance of good standards of citizenship and discipline.~~

Children Who Anticipate Moving to or from the District

~~A nonresident student otherwise eligible for attendance whose parent or guardian anticipates school district residency and has entered a contract to buy, build, or rent a residence in this school district may be enrolled without payment of tuition for a period of time not greater than ten (10) weeks prior to the anticipated date of residency. If any such student does not become a resident of the school district within ten (10) weeks after admission to school, tuition will be charged for attendance commencing the beginning of the eleventh week and until such time as the student becomes a resident or withdraws from school.~~

~~Students whose parent or guardian have moved away from the school district on or after April 15th and twelfth grade students whose parent or guardian have moved away from the school district on or after April 15th will be permitted to finish the school year in this school district without) payment of tuition.~~

Children of District Employees

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Children of Board of Education employees who do not reside in this school district may be admitted to school in this district with payment of tuition, provided that the educational program of such children can be provided within school district facilities.

N.J.S.A. 18A:38-1 et seq.; 18A:38-1.3;18A:38-3; 18A:38-3.1

N.J.A.C. 6A:14-3.3; 6A:17-2.1 et seq.; 6A:22-1.1 et seq.

8 CFR 214.3

Children Moving Out of the District

~~Students who were entitled to enrollment in district schools at the beginning of a school year and who move out of the district may apply, in writing, to the Superintendent to be allowed to continue to attend district schools for the balance of the semester. In cases where the student moves during the senior year, the requestor may ask that the student be permitted to complete the school year. The child's parent/legal guardian, or Supporting Domiciliary, must specify in writing, the date of the change of domicile and must submit a withdrawal request dated as of the last day of the semester at the time the request to complete the semester is made. Such request must be approved in writing by the Superintendent, who shall consider several factors, including the disciplinary history of the student in approving or denying such request.~~

~~The admission of a nonresident child to school free of charge must be approved by the Board.~~

Children Moving into the District

~~Students moving into the district within ten weeks (one quarter of the school year) may be admitted into district schools under the following conditions:~~

- ~~1. Request for admission must be made, in writing, to the Superintendent, and shall include the student's present address, anticipated address within the district, the expected date of establishing district domicile, and a copy of a lease or contract of sale, and the name, grade, and age of the student.~~

~~THE SCHOOL DISTRICT OF SOUTH ORANGE AND MAPLEWOOD, NEW JERSEY~~

PUPILS
5111/page 6 of 7
Admission of Resident/
Nonresident Pupils

- ~~2. If approved, the parents and school administrators shall be notified and parents will be billed for, and required to pay prior to admission of the student(s), tuition for the ten weeks of school dating from registration. Such tuition will be deposited with the understanding that a pro rata share will be refunded for any portion of that ten weeks during which the student may have established district domicile.~~
- ~~3. If a student has not established district domicile by the close of the ten week period, he/she may be allowed to continue on a temporary basis, if, in the opinion of the Superintendent, the delay has been unavoidable and district domicile will be established in the current school year. The same tuition payment procedure, for such extension, will be followed as in paragraph 2 above.~~

Tuition Students

~~Children who are not entitled to a free public education in district schools may enroll as tuition paying students. The parent or legal guardian or person who makes claim to be the Supporting Domiciliary shall, on an annual~~

basis, make written request for such enrollment to the Superintendent. The request may or may not be granted, at the discretion of the Superintendent. It should be further understood that:

1. No assurance can be given until after the opening of school in September that any tuition student will be admitted to a given school or class.
2. Tuition students who have been admitted, and wish to continue in a district school, can be given no assurance until after the opening of school in successive years that the student will be readmitted. Parents should take the initiative to request re-admittance of tuition students. A student will not be allowed to re-enter school until approval is requested and granted.
3. Neither the school, nor the Superintendent's office will maintain a "waiting list" for tuition students. However, first consideration will be given to those students who have completed the previous year as tuition students.

Foreign Exchange Students

Foreign exchange students who hold J-1 visas and who are domiciled within a South Orange-Maplewood residence may be admitted to school in this district without the payment of tuition provided the resident with who they are domiciled will execute an affidavit stating:

1. He/she does not receive remuneration for the care of the pupil; and
2. That the resident will assume all personal obligations for the pupil.

Foreign students who hold F-2 visas and who are domiciled within a South Orange-Maplewood residence may be admitted to school in this district without the payment of tuition provided the student satisfies the requirements for Resident Pupils in this policy.

THE SCHOOL DISTRICT OF SOUTH ORANGE AND MAPLEWOOD, NEW JERSEY

PUPILS
5111/page 7 of 7
Admission of Resident/
Nonresident Pupils

~~Foreign students who hold F-1 visas may not be admitted to an elementary school (K-8).~~

~~Foreign students who hold F-1 visas may be permitted to attend a secondary school (Grades 9-12) for a maximum of 12 months, provided the student reimburses the school district for the full, unsubsidized per pupil cost of education for the intended period of study. The cost of study to be paid to the Board may be calculated by dividing the sum of all public expenditures of the school or district by the number of students or by using the rate certified by the Board.~~

~~F-1 visa foreign students who were in a public school before November 30, 1996 and obtained F-1 status before November 30, 1996 may continue in the public school. However, if these students travel outside the United States, they will need to conform to the requirements above (12-month maximum and reimbursement for cost) to be readmitted.~~

Other Non-Resident Children

~~Other non-resident children, otherwise ineligible for attendance, may be admitted to school in this district with payment of tuition if their admission is warranted by the inaccessibility of school in their home district, the singular availability of an appropriate educational program in this district, the avoidance of transfer and readmission of a child whose legal custody is shared by a parent or legal guardian residing in this district, or other good cause.~~

~~N.J.S.A. 18A:38-1 et seq.~~

~~N.J.A.C. 6:5-1.1 et seq.; 6A:14-3.3; 6A:28-2.1 et seq.~~

Cross References: 5112, 5114

Initial Adoptions: February, 24, 2003 & July 18, 2011

First Reading: ~~June 20, 2011~~ June 14, 2021

Second Reading: ~~July 18, 2011~~ July 19, 2021

Latest Adoption: ~~July 18, 2011~~