



Book	Policies
Section	2000 - Student Services
Title	Nonresidents
Code	2105
Status	Active
Adopted	December 12, 2013
Last Revised	March 22, 2022

PURPOSE: To establish requirements for admission of nonresidents

Admission

A student who is not a *bona fide* resident of Stafford County shall not be permitted to enroll in Stafford County Public Schools, but, at the school board's sole discretion, may be admitted as a nonresident student on a tuition-paying basis if the Admission Criteria set forth below are satisfied and if the student is:

- Assigned to Stafford County Public Schools by a Virginia state agency or placed within Stafford County by a "sending agency" pursuant to the Interstate Compact on the Placement of Children, Va. Code § 63.2-1000.
- A foreign exchange student from an approved foreign exchange agency/program. The division does not accept students who are in the U.S. on I-20 visas.
- Approved by the superintendent/designee as a nonresident child of a full-time nonresident employee. As set forth below, the school board may, at its sole discretion, waive tuition for a nonresident child of a full-time nonresident employee.
- Establishing residency in Stafford County within 45 school days of enrollment. Upon providing documentation to establish residency such as a signed lease, the student may enroll in the appropriate school based on the attendance area of the residence.
- Currently enrolled in Stafford County Public Schools and is planning to move out of Stafford County within the last 45 school days of the school year. The student must still remain a Virginia resident.
- Currently enrolled in grade 12, attending a school in Stafford County Public Schools, and moving out of the county within the last semester of the school year. The student must still remain a Virginia resident.

Admission Criteria and Termination of Enrollment

When considering a nonresident student for enrollment, the school division may take into consideration the following non-exhaustive factors:

- space and program availability;
- whether the enrollment will result in additional costs to the school division or create any other significant disruption to school operations;
- the need for hiring additional staff;
- the disciplinary or behavioral record of the student;
- any civil or criminal charges or convictions against the student;
- the academic record of the student; and
- whether the student requires educational services that can be provided by teachers and staff of Stafford County Public Schools in its existing facilities and with existing programs and services.

The admission and enrollment of a student with disabilities under this policy does not create a legal obligation for the Stafford County School Board to provide such student with a free appropriate public education ("FAPE"). The obligation to provide FAPE remains the obligation of the school division of the city or county in which the student is a legal resident.

The student of a full-time nonresident employee who is admitted under this program will be enrolled in the school where the parent is employed, the school nearest the employee's work location, a school within the transportation feeder pattern of the employee's work location, or at another school location consistent with Policy 2103 - Student Transfers. (The transfer application shall list the school attendance options for each employee work location). The school where the student is enrolled pursuant to this paragraph shall be considered the base school for the transfer application process. In the event the parent/guardian is no longer a Stafford County Public Schools employee, the enrollment of the child shall be terminated effective the date of separation of employment.

The enrollment of any nonresident student (regardless of grade, school assignment, or the time of school year) shall be terminated upon graduation, expulsion, ineligibility to receive further services, becoming emancipated, attaining the age of 20 years on or before August 1, or voluntarily or involuntarily withdrawing from or otherwise terminating enrollment for any cause whatsoever including, but not limited to, withdrawal due to absenteeism as defined in Department of Education regulations. In addition, five unexcused absences or tardies and/or five discipline referrals within the school year will initiate a review and possible termination of the nonresident student's enrollment. Such terminations shall be without the possibility of re-enrollment.

Children of Persons on Active Military Duty

Any student who resides on a military installation or in military housing within the division is permitted to enroll in any school in the division upon request of the student's parent if space in the school is available. Some schools may be closed to enrollment due to having reached capacity.

If the military installation or military housing lies within two or more divisions, only those students who physically reside within that portion of the military installation or military housing that lies within the geographic boundaries of Stafford County shall be permitted to enroll in Stafford County Public Schools.

The enrollment application process shall include the following:

- service member parent shall provide the division with a copy of the relocation orders;
- parent or guardian shall provide transportation for the student attending a school outside the attendance zone in which the child resides;
- the student may be disqualified, as determined by a hearing, from attending a school in Stafford County if the student has been long-termed suspended or expelled from a previous school the student has attended;
- a prohibition on the recruitment of a student from one school to another by a school division employee; and
- in the event enrollment requests exceed grade level capacity or the school is a closed school, request for enrollment will be denied.

As used in this policy, "military installation" means a base, camp, post, station, yard, center, homeport facility for any ship, fort, or other activity under the jurisdiction of the Department of Defense, including any leased facility, that is located in whole or in part within the Commonwealth. "Military installation" does not include any facility used primarily for civil works, rivers and harbors projects, or flood control projects.

Virginia High School League Eligibility

Nonresident students, including those living in military housing or on military installations, who are admitted under this Policy may not be eligible to participate in Virginia High School League (VHSL) sponsored activities under VHSL eligibility rules.

Tuition

The tuition rate shall be set by the school board for each school year. The parent or legal guardian or the placing state agency of the nonresident student is responsible for payment of the established tuition rate.

The school board may, at its discretion, reduce or waive tuition for students of fulltime nonresident employees. Additional tuition costs, if any, in excess of the annual average per pupil cost (excluding capital outlay additions, contingencies, Head Start, and debt service) shall be determined in advance by the superintendent/designee based upon the nonresident student's program of study, special services, or supports.

Reporting

Staff shall provide an annual report to the board regarding nonresident student enrollment.

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Legal Refs.: Code of Virginia, 1950, as amended, §§22.1-1, 22.1-3, 22.1-3.1, 22.1-3.2, 22.1-3.4, 22.1-5, 22.1-7.1, 22.1-78, 22.1-79, 22.1-253.13:7, 22.1-255, 22.1-260, 22.1-270, 22.1-271.2, 22.1-276.01, 22.1-277.2, 22.1-287.02, 22.1-288.2, 32.1-46, 63.2-100, 63.2-900, and 63.2-1200.

VSBA Cross Ref.: JC