

Board Policy JCB: Nonresident Students

Status: DRAFT

Original Adopted Date: 06/01/2001 | **Last Reviewed Date:** 11/11/2024

The Henry County Board of Education hereby establishes a policy for the enrollment of any nonresident student in a school of the Henry County School District. The Superintendent or designee is authorized to enroll nonresident students under the exceptions as stated in this policy provided that all conditions are met as specified herein.

A. DEFINITIONS

Home System - any public school system outside of Henry County, Georgia, that is the legal residence of a child and that child's parent, legal custodian or legal guardian.

Legal Custodian - a person who has been given custody of a child by a court of competent jurisdiction

Legal Guardian - the person to whom a court of competent jurisdiction has transferred statutory parental rights for the child.

Nonresident Student - a child eligible under the laws of the State of Georgia to enroll in public school and whose legal residence and that of the child's parent or legal custodian or legal guardian is outside of Henry County, Georgia. Other than students of full-time Henry County employees, non-resident students are accepted as tuition-paying students in Henry county School District.

Parent - the child's natural or adoptive mother or father. The term parent as used hereinafter shall be inclusive for the terms legal custodian and legal guardian.

B. WHO MAY ENROLL

1. Child of Henry County School District Employee

Other than students specifically exempted by rule or by law, children of full-time Henry County School District employees may be enrolled in the appropriate grade level school in the attendance area selected by the employee. Once enrolled, the child will be expected to attend that school for the duration of the school year unless extenuating circumstances warrant reconsideration of the parent's choice. This exception shall no longer apply once full-time employment in the Henry County School System ceases.

2. Construction or Purchase of a Permanent Residence in Henry County

The Superintendent or designee is authorized to enroll a nonresident student, for a four (4) month period, into the Henry County School District when:

- a. A nonresident parent purchases land within Henry County and commences construction of a permanent residence where the child and parent will reside, and the constructed residence of the nonresident parent and student will be completed within four (4) months after the date of enrollment;
- b. The nonresident parent enters into a valid, binding contract for the purchase of an existing permanent residence in Henry County in which possession, title and occupancy of the Henry County residence will be granted to the nonresident parent within four (4) months from the beginning of the school year or after the date of enrollment; and,
- c. The following conditions are met:
 - In the instance where land has been purchased: the parent delivers to the Superintendent (or designee) a recorded deed, building permit and a valid contract for construction showing a completion date within said four (4)-month period;
 - In the instance where the nonresident parent is purchasing an existing permanent residence:

- The parent delivers to the Superintendent (or designee) a valid, binding contract for the residential property;
- The parent pays four (4) months' tuition in advance based on the daily rate set by the Board of Education;
- The child attends the school located in the attendance area in which the permanent residence is or is to be located; and,
- The nonresident parent provides all transportation of said child to and from school until such time as the child and parent reside in said permanent residence.

If the nonresidential parent of the child does not obtain an occupancy permit and reside in the Henry County residence with the child by the completion or closing date set forth in the closing paperwork provided to the Superintendent or designee, the child shall be removed from the Henry County School District. In the event that extraordinary circumstances occur which prevent the child and the parent from occupying a permanent residence in Henry County within the time set forth in the residential sales contract or the stated construction completion date, the parent may apply to the Superintendent or designee for an extension of time of enrollment for the child. The Superintendent or designee may grant up to an additional sixty (60) days of enrollment to the child, if sufficient evidence is presented to authorize the extension for enrollment beyond the four (4) month period.

Nonresident parents seeking a sixty (60) day enrollment extension must pay an additional two (2) months of tuition and all other related expenses in advance. Nonresident parents who seek an additional extension for enrollment, beyond the sixty (60) day extension granted by the Superintendent or designee, must apply to and receive approval for continued enrollment from the Henry County Board of Education. In the event that the permanent Henry County residence is occupied by the nonresident parent and child, as provided above, prior to the expiration of said four (4) month period or any extension thereof, and there is a balance of unearned tuition, the unearned tuition shall be reimbursed to the parent of said child by the Henry County Board of Education.

Rentals, leases, options to purchase or contracts for deed are not considered as meeting the exceptions contained in this policy.

C. TUITION

The Henry County Board of Education sets forth the rate of tuition for the enrollment of nonresident students into the Henry County School District. Tuition applies to each child in the family attending Henry County Schools for non-resident students. Acceptance of one student does not assure acceptance of other siblings. Tuition must be paid in advance. No diploma, report card, or transcript of credits is to be released to non-resident students who have an unpaid tuition balance.

D. OTHER CONDITIONS

- Once a nonresident student is enrolled into the Henry County School District pursuant to this policy, the school system reserves the right to terminate the enrollment of a non-resident student at any time, for any reason, including, but not limited to, failure to pay tuition on time, poor academic performance, poor attendance, excessive tardiness, uncooperative working relationships between school and home, or poor behavior as determined by the Superintendent (or designee).
- If a nonresident student is under suspension in another school or school system, the student must complete the suspension before being allowed to attend any school or program of the Henry County School District.
- A nonresident student seeking enrollment under the provisions set forth herein who has a pending felony criminal charge, as defined by Georgia law, will be ineligible for enrollment into the Henry County School System until there is a final adjudication of the nonresident student's felony criminal charge by a court of competent jurisdiction.

- A nonresident student who has a felony conviction for a criminal offense, as defined by Georgia law, is ineligible for enrollment under this policy and the provisions set forth herein.
 - The Henry County School System does not discriminate on the basis of race, color, national origin, sex or disability in determining admission of students who reside outside of Henry County.
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