MERCHANTVILLE BOARD OF EDUCATION 130 South Centre Street Merchantville, New Jersey 08109	File Code: 5118 Proposed: Adopted: 02/17/87 Revised: 07/28/2015 Reviewed: 06/03/2024

NON-RESIDENTS

The board 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 pupil 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.

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 90 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 pupil whose claim cannot be verified.

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.

Children of Nonresident Staff Members

Non-resident children of employees of the board may be enrolled in the school of this district without payment of tuition as per the Merchantville Education Association contract.

Non-resident grandchildren of employees of the board may be enrolled in the school of this district with payment of tuition when space is available and in preschool and kindergarten only. Tuition shall be recommended by the business administrator and approved by the board. Tuition shall not exceed the estimated cost per student, according to the procedures detailed in law (N.J.A.C. 6A:23A-17.1f).

Non-resident grandchildren of employees admitted to the preschool and kindergarten programs may apply for acceptance in the district choice program in grades 1 through 8 but shall not receive preference in the lottery for admission to the choice program. Non-resident grandchildren of employees that are not admitted to the choice program shall not be enrolled in grades 1 through 8.

Foreign Exchange Students

The board may admit foreign exchange students into district schools 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. Tuition may be waived for students on a J-1 visa.

The board may accept privately sponsored exchange students on an F-1 visa for attendance only in secondary schools upon payment of tuition at the established district rate. Tuition cannot be waived for students on an F-1 visa, and attendance in district schools shall not exceed 12 months. Students attending the schools of this district on an F-1 visa may not participate in any adult-education programs sponsored by the board under any circumstances.

All potential organizations or individuals applying for admission shall forward the request to the chief school administrator by July 1 proceeding the school year of attendance. Foreign exchange students shall comply with all immunization requirements for students of this district. The chief school administrator shall be responsible for determining the visa status and eligibility of foreign exchange students applying for admission.

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 Pupils

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 Pupils

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 chief school administrator or his/her designee shall recommend to the board for its approval the admission of qualified applicants. Any deviation from policy will require board approval.

The board shall not be responsible for the transportation to or from school of any nonresident pupils, except as may be required by state or federal law.

The board shall annually determine tuition rates for nonresident pupils.

Key Words

Nonresidents, Tuition Pupil, Affidavit Pupil, Homeless Pupil

Legal References:

N.J.S.A. 18A:7F-45	Definitions
N.J.S.A. 18A:11-1	General mandatory powers and duties
N.J.S.A. 18A:36B-14 et seq.	Interdistrict Public School Choice Program Act of 1999
N.J.S.A. 18A:38-1 et seq.	Attendance at school free of charge
See particularly:	
N.J.S.A. 18A:38-1.1, 38-2, 38-3, 38-8, 38-9	
N.J.S.A. 18A:46-20	Receiving pupils from outside district; establishment of facilities
N.J.S.A. 18A:54-20	Powers of board (county vocational schools)
N.J.A.C. 6A:12-1.3 et seq.	Interdistrict Public School Choice
N.J.A.C. 6A:17-1.1 et seq.	Students at Risk of Not Receiving a Public Education
N.J.A.C. 6A:22	Student residency
See particularly:	
N.J.A.C. 6A:22-3	Eligibility to attend school
N.J.A.C. 6A:22-3.1	Students domiciled within the school district
N.J.A.C. 6A:23A-19.2	Method of determining the district of residence
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)

No Child Left Behind Act of 2001, Pub. L. 107-110, 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.