

<b>Timberlane Regional School District</b>	<b>Policy Code: JFAB</b>
<b>Adopted: 05-21-87</b> <b>Reaffirmed: 06-06-91</b> <b>Revised: 05-02-96, 02-24-05</b> <b>11-03-05, 02-16-07, 06-04-09, 10-21-10,</b> <b>06-05-14, 07-25-19</b>	<b>Page 1 of 4</b>

## ADMISSION OF TUITION AND NON-RESIDENT STUDENTS

Related policies: JFABB, JFABD
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### I. Residency

Residency for the purpose of enrollment in the Timberlane Regional School District (hereafter referred to as the District) shall be defined by RSA 193:12. Any student who meets the RSA 193:12 definition of legal resident of this District is entitled to attend school in this District. A student who is not a legal resident of the District may attend school in the District only with the consent of the Superintendent. Disputes regarding residency shall be determined by the relevant laws in effect at the time.

### II. Admission of Non-Resident Students

Individual non-resident students may be considered for admission to the District and only under the following conditions:

1. A resident student who moves from the District during the school year may continue as a non-resident student through the end of the school year. The District of Residence must agree to pay the tuition rate (as calculated in Section III), prorated for the time that they are not legal residents of the District. However, if the resident student moves from the District after March 31, the tuition will be waived.
2. Students from other countries, who are the guests of District residents and participating in a federally recognized education exchange program, may be admitted if space is available. Admitted students will not be charged tuition.
3. Students from other countries not participating in federally recognized education exchange program may be admitted if space is available. Admitted students shall be charged full tuition. The Timberlane Regional School District will follow Homeland Security guidelines of the federal government standards with regard to all foreign exchange students. Students must meet all of the required standards of the State of New Hampshire and the federal government in order to be accepted into the school district. ESOL instruction shall be the responsibility of the parent or guardian.
4. Children of non-resident parents, who will be moving into the District during the school year, may be admitted prior to actual establishment of residency, provided a written request and verification of the anticipated date of residency are submitted to and approved by the Superintendent. There must also be an agreement between the District and the student's school district of residence and/or parents or legal guardian regarding payment of tuition (as calculated in Section III), prorated, and special education costs for the period of time that the student is not a resident of the District. Such request shall be supported by appropriate documentation such as a

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bona fide lease or purchase and sales agreement, properly executed. If the lease or purchase and sales agreement indicate that residency will be established within 60 school days of the date the student is enrolled, the need for an agreement with District of Residence will be waived. Tuition will also be waived for the 60 days.

5. A student who has been identified homeless by the District McKinney-Vento (Homeless) Liaison shall be allowed to attend a District school pursuant to Policy JFABD (Admission of McKinney-Vento (homeless) Students).
6. Children of non-resident faculty and staff members, who are employed for at least 181 days annually, may be accepted on a space-available basis with a reduction in tuition of \$10,000. Applications may be made in writing to the Superintendent of Schools; the date of receipt of the application will determine eligibility in instances where space is restricted.
7. If a student's parents are divorced and the student lives primarily out-of-district, the student may nonetheless attend schools within the District and be considered a resident of the District for school attendance purposes provided: (1) the divorce decree allows the student to attend the District; (2) or provided the parents have agreed in writing that the student may attend the District and such written agreement is provided to the District. Students in this situation will not be charged tuition.

In a divorce decree, or parenting plan developed pursuant to RSA 461-A, a child's legal residence for school attendance purposes may be the school district in which either parent resides, provided the parents agree in writing to the district the child will attend and each parent furnishes a copy of the agreement to the school district in which the parent resides. Transportation will not necessarily be provided for students admitted under this provision and under corresponding law. The Superintendent or designee will make all determinations as to whether transportation will be provided in such circumstances.

Admission may be denied to any non-resident student who has been suspended or expelled, or involved in suspension or expulsion proceedings, in another district or whose behavior while a student in the District has had, in the sole judgment of the Superintendent, a negative impact on the resident students of the District. The decision to admit each non-resident student shall be made annually by the Superintendent.

Upon the admission of a non-resident student to the District, the Superintendent or designee will immediately notify the student's school district of residence of the student's name, date of birth, address, and grade assignment of the student. This notification shall also be made at the beginning of each school year for which the student is enrolled.

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**III. Tuition of Non-Resident Students**

The tuition rate will be approved by the School Board. A signed tuition confirmation letter, approved by the Superintendent, shall be on file in the SAU 55 office prior to attendance. Tuition, where applicable, shall be prepaid in monthly or quarterly payments by the district of residence or parent responsible for payments, or if appropriate, through payroll deduction. Tuition shall not be reimbursed if the student leaves the District, voluntarily or involuntarily, during the period for which payment has already been made. Failure to pay tuition as due shall be grounds for revoking the admission of non-resident tuition students. When a district of residence is responsible for tuition, approval must be that district's school board. Section IV below outlines limited special circumstances under which tuition may be waived.

**IV. Responsibility for Services not Included in the Calculation of Tuition Rate**

The District will not provide transportation to any non-resident student. The Board acknowledges the provisions of RSA 193:3 which state that the district in which the student resides shall retain all responsibility for the provision of special education and related services pursuant to RSA 186-C. The District's decision on whether to enroll a non-resident student will not be based, in whole or in part, on whether that student is a student with a disability, as defined by applicable state or federal law. Section V and VI below outline limited special circumstances under which this Section IV requirement for an agreement with the district of residence may be waived.

**V. Tuition Agreements with other School Districts**

The District may enter into one or more agreements with other school districts or agencies for the admission of non-resident students with payment of tuition by the sending district or agency. The admission of such students under these circumstances shall be governed by the terms of said agreements.

**VI. Other Situations**

Families who are enrolled as non-resident students at the time of the adoption of this policy will be "grandfathered" and allowed to continue attendance until they have completed their education in this District. However, the Superintendent may discontinue a student's attendance based upon the existence of disciplinary issues.

The provisions of this policy may be modified on a case-by-case basis, as needed, pursuant to separate contracts, agreements and other binding arrangements. It is not possible to anticipate all situations that may arise, thus, notwithstanding any provisions of this policy, the Timberlane Regional School District reserves the right to charge tuition or to deny admission to any non-resident student. The Timberlane Regional School District also reserves the right to admit non-resident students who don't meet the seven conditions. The Board also reserves the right to waive tuition in situations not discussed in this policy.

JFAB - ADMISSION OF TUITION STUDENTS

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**Statutory References:**

*193:3 Change of School or Assignment*

*RSA 193:12 Legal Residence Required*

*RSA 186-C:13 Special Education: Liability for Expenses*