

POSITIONS AND POLICIES ON EDUCATION

Nonresidents

FILE CODE

5118

Children in State Facilities

- A. The NJSBA believes that school districts can face significant and disproportionate budgetary impacts caused by the educational costs of students being placed by the state in facilities for which school districts are legally responsible. The state should assume the full costs of educating those pupils placed by the state in state facilities, institutions, or residential settings. *[Authority: DA 11/00-11]*
- B. The NJSBA believes that districts should not be required to make tuition payments for days in which a resident pupil does not actually reside in a state facility, or in any manner be overcharged for those pupils. *[Authority: DA 5/00-3]*
- C. The NJSBA believes that boards of education should be informed by the state facility of the placement of a child and billed for tuition charges incurred in the current school year by the last day of the current budget year. *[Authority: DA 5/00-3]*
- D. The NJSBA believes that unreimbursed education and transportation costs for students placed in facilities by the Division of Child Protection and Permanency (DCP&P) should be paid for by the state. *[Authority: DA 6/86-7, DA 6/88-12, DA 11/97-SR, DA 11/01-SR, DA 5/02-SR, DA 5/07-SR, DA 5/12-SR, DA 5/17-SR, DA 5/22-SR]*

Validating Affidavit Pupils

- A. The NJSBA believes in an expedited hearing process to determine a student's entitlement to a free education where such entitlement is a matter of dispute. *[Authority: DA 5/65-13, DA 12/92-3, DA 11/97-SR]*
- B. The NJSBA believes, if the Commissioner fails to render a decision in a timely fashion, the state should reimburse the cost of tuition to the district and assume the rights of the district against the parents/guardians for tuition reimbursement. *[Authority: DA 5/65-13, DA 12/92-3, DA 11/97-SR, DA 5/02-SR, DA 5/07-SR, DA 5/12-SR, DA 5/17-SR, DA 5/22-SR]*

Admission of Nonresident Students

The NJSBA believes that, upon objection by the district of residence, a neighboring district may only admit a non-resident student with the approval of the executive county superintendent in which the student resides. *[Authority: DA 1/80-6, DA 5/02-SR, DA 5/07-SR, DA 5/12-SR, DA 5/17-SR, DA 5/22-SR]*

Homeless Students

The NJSBA believes that, for the good of the educational continuity of the homeless student involved, DOE and DHS should minimize the frequent displacements of these students during any school year. *[Authority: DA 12/92-2, DA 11/97-SR, DA 5/02-SR, DA 5/07-SR, DA 5/12-SR, DA 5/17-SR, DA 5/22-SR]*

Proof of Residency

The NJSBA believes that students who reside within the boundaries of a school district are entitled to receive a free, thorough and efficient public education. Each school district should be entitled to confirm the residency status of each student using any appropriate and legal method while maintaining respect for each resident's right to privacy. *[Authority: DA 5/09-1, DA 5/17-SR, DA 5/22-SR]*

Nonresidents (continued)

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Cross References: 3240 Tuition income
5111 Admission
5117 School attendance areas
6171.4 Special education

Key Words: facilities, affidavit, nonresident, homeless