

ADMISSION OF TUITION AND NON-RESIDENT STUDENTS

Non-resident students may only attend district schools when their attendance has been approved by the Board. If the Board agrees to enroll a non-resident student, the District will either charge tuition to the parent or, alternatively, the Superintendent may seek to enter into an agreement for the payment of tuition with the school district in which the student resides.

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. The Superintendent or designee's decision will be final.

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.

The Board acknowledges the provisions of RSA 193:3 which states 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 Board'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.

Tuition rates will be charged at a rate set by the Board and billed quarterly in advance to the district of residence or parent responsible for payment. When a district of residence is responsible for tuition, approval must be that district's school board.

Under normal circumstances, the district will not provide transportation to and from school for non-resident and tuition students at district expense. However, the district may assist parents in finding and procuring transportation services for their children.

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.

NHSBA Note, September 2013: RSA 193:12 was again amended, effective 28, 2013, to clarify that pupils to are deemed "legal residents" for school attendance purposes pursuant to a divorce decree or parenting plan filed under RSA 461-A are not entitled to transportation beyond "designated attendance areas for which the child is assigned." This change is reflected in the third full paragraph above.

NHSBA Note, September 2012: RSA 193:12 was amended, effective June 2012, to state "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." This policy has been amended to reflect this new statutory language.

Legal References:

RSA 186-C:13, Special Education; Liability for Expenses

RSA 193:3, Change of School or Assignment

RSA 193:12, Legal Residence Required

Revised: September 2013

Revised: July 1998, November 1999, November 2007, September 2010, September 2012

Adopted: April 17, 2018