

Concord School District Policy #511

Non Resident Student Admission

1. Except as provided below, no person shall attend school or send a student to school under the jurisdiction of the School District unless the student is an inhabitant of the District or receives the written, prior approval of the District or the Superintendent. For purposes of this policy, a student will not be considered a Concord "inhabitant" if the primary purpose of the student's presence in Concord is to give the student merely an ostensible residence in an attempt to entitle the student to attend a school under the jurisdiction of the District.
2. 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 one parent is a resident of Concord and provided 1. the divorce decree allows the student to attend the District, or provided 2. 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 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 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 whether transportation will be provided in such circumstances. The Superintendent or designee's decision will be final.

3. Exceptions to this policy may be approved under the following conditions:
 - a. To bring into the school system, on occasion, students from other countries who are the guests of District residents, under exchange programs, and who have been approved by the District.
 - b. Students whose families move after April 15, or seniors whose families move during the second semester, may continue to attend, tuition free, for the rest of that school year. The District will not provide transportation in these circumstances.
 - c. Students may be accepted based on the availability of space and staff following an interview and assessment of each student's program needs. No student will be accepted or continued as a student whose conduct has demonstrated an unwillingness to follow the rules and regulations of past or present school systems.

The Superintendent is authorized to accept or reject tuition students and to enter into agreements with students and parents of students.

Tuition so charged will be due in advance for the following year and shall be nonrefundable in any event.

4. School District Non Resident Referrals

The Superintendent shall review any requests by another district for reassignment of a non

resident student to a school in the District based on the following factors:

- a. The reason for the referral must be a factor(s) related to the student's unique educational needs, exclusive of those needs which arise from factors common to other students in the sending district such as inadequate buildings or facilities, curriculum or course offerings, lack of arts, sports, or other specialized programs, or other factors common to other students in the sending district. Such educational needs also exclude those that could be readily provided by the sending district with an increase in funding or modifications of the curriculum or modifications of other portions of the educational program.
 - b. The factors in "a." above are also exclusive of those needs of the student which arise from the student's residential circumstances, such as a difficult home life or deficient housing.
 - c. Prior to acceptance of a non resident student referred by another district, the Superintendent, in consultation with the building Principal, must determine that the non resident student may be accommodated without prejudicing or compromising the educational program of resident students and without jeopardizing the health or safety of resident students, the transferring student, or staff. In order to make this assessment, the Superintendent shall review all educational records maintained by the sending District. Appropriate authorizations from the student's parents or guardians shall be provided for this purpose.
 - d. When calculating tuition pursuant to **RSA 193:3**, the Superintendent shall include in the negotiated tuition figure all costs of the student's educational program including, but not limited to, special education costs, costs of all related services, costs of due process proceedings, and costs of any §504 program or any other costs required by state or federal law. The tuition shall increase or decrease as the required program or services changes during the school year.
 - e. For the purpose of considering a waiver of all or part of the student tuition pursuant to **RSA 193:3, III(e)**, the term "good cause" shall apply to only those cases where the sending district and this district have negotiated either reciprocal tuition agreements or some other arrangement which provides mutual or offsetting benefits.
 - f. Any acceptance of a student pursuant to this policy shall be limited to no more than one school year. Acceptance of a student for all or part of a year shall not be construed as a guarantee of continued enrollment in the District beyond the year of acceptance.
5. The Superintendent is authorized to take any necessary actions to carry out the terms of tuition agreements between the District and other school districts or agencies.

Legal References:

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

RSA 193:3 III(e) – Title XV Education, Chapter 193 Pupils, School Attendance, Change of School or Assignment

RSA 193:12 – Title XV Education, Chapter 193 Pupils, School Attendance, Legal Residence
Required

Adopted December 2, 1985.

Revised January 4, 1993; October 7, 1996; August 5, 2002; September 3, 2013; January 7, 2019.

Corresponds to NHSBA Policy JFAB