

5055 (JFAB)

**Admission of Tuition and
NON-RESIDENT STUDENTS**

5055 (JFAB)

Residency for the purpose of enrollment in the Milford School District is pursuant to RSA 193:12.

Non-resident students may only attend District schools when their attendance has been approved by the Milford School 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 or (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 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 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 Board's decision on whether to enroll a non-resident student will not be based, in whole or in part, on whether the student has a disability, as defined by applicable state or federal law.

Tuition rates will be annually 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 made by that district's school board. The Board may

set different tuition rates for students enrolled under parent/guardian employment status, non-resident status, open enrollment, and student need. Tuition waivers or reductions may be granted at the discretion of the Board. Continued enrollment is contingent upon tuition payments remaining in good standing. The District reserves the right to pursue recovery of unpaid tuition through appropriate means, which may include billing actions, referral to a collection agency, or other legal remedies.

All other requests for tuition waivers will be at the discretion of the Board.

Children of non-resident parents who will be moving into the District within forty-five (45) school days of the start of the school year may enroll prior to actual establishment of residency, provided a written request and verification of the anticipated date of residency are submitted. Such a request shall be supported by appropriate documentation (lease, purchase agreement, etc.). If residency is not established by the 45th day, parents/guardians will incur tuition costs.

Under normal circumstances, the District will not provide transportation to and from school for non-resident and tuition students at District expense.

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.

The provisions of this policy may be modified by the Superintendent or designee on a case-by-case basis, as needed, pursuant to separate contracts, agreements, and other binding arrangements.

NH Statutes	Description
RSA 186-C	<u>Special Education</u>
RSA 186-C:13	<u>Special Education; Liability for Expenses</u>
RSA 193:12	<u>Legal Residency Required</u>
RSA 193:3	<u>Change of School or Assignment, Manifest Educational Hardship or Best Interest, Excusing Attendance</u>
RSA 461-A	<u>Parental Rights and Responsibilities</u>

Adopted: 9/1972
Revised: 7/1978, 6/1986, 7/1989, 5/1994, 10/1995, 4/1996, 5/2000, 11/2001, 9/2005, 12/2010, 4/2022, 5/2026