

New Jersey Department of Education



Chapter 22 Readoption with Amendments

Division of Finance and Business Services

December 6, 2023





Purpose of N.J.A.C. 6A:22



- The rules establish procedures for districts to determine students' eligibility to attend school in a particular school district free of charge based on domicile, residency, or "affidavit student" status (living with, and supported by a person other than the parent or guardian for reasons not related to attending school).
- The rules detail what a district must include in its policies for determining residency and detail the process for charging tuition for students who are ineligible for free attendance.



Overview: Goals of Proposed Amendments



1. Update terminology, titles, and gendered language;
2. Replace or remove outdated references to statute and code;
3. Increase consistency in districts' residency standards for students; and
4. Implement newly enacted legislation, *P.L. 2023, c. 61*.



Summary of Proposed Amendments



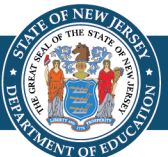
Purpose: Implement enacted legislation, *P.L.2023, c.61*

Two amendments are proposed to align the rules with P.L.2023, c.61, which eliminated a board of education's discretion, under most circumstances, to enroll nonresident students *without charging tuition*.*

Amendments:

- Amend *N.J.A.C. 6A:22-2.2* to eliminate the allowance for district boards of education to admit nonresident students free of charge.
- Repeal the rule at *N.J.A.C. 6A:22-3.2(h)8*, which states that a district board of education can admit nonresident students without the payment of tuition.

* Other sections at *N.J.A.C. 6A:22* set forth rules for nonresident students who are allowed under State or Federal law to attend school without the payment of tuition.





Summary of Proposed Amendments (cont.)

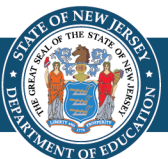


Purpose: Ensure consistent application of school districts' residency policies

A new rule is proposed at N.J.A.C. 6A:22-2.1(c) to clarify that a board of education must apply its residency requirements in a consistent manner for all students, whether the student is enrolled in the district's schools, a charter school, renaissance school project, or an out-of-district placement.

New rule:

(c) The district board of education shall apply the policies for determining a student's residency consistently for all students, regardless of the school of attendance, including charter schools, renaissance school projects, and out-of-district placements.



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