

## **ADMISSION OF NON-RESIDENT STUDENTS**

No person shall attend school, or send a student to the school, unless the student is a legal resident of the Pittsfield School District, as defined by state law, or the student has been approved for admission by the School Board in accordance with this policy.

A non-resident student may attend Pittsfield schools upon application by either the non- resident student's parent/legal guardian or by the non-resident student's resident school district, but only if such application is recommended for approval by the Pittsfield School District Superintendent and approved by the Pittsfield School Board in accordance with this policy.

Any decision to admit a non-resident student for attendance in the Pittsfield School District is for one school year only, or for the remainder of a school year if application is approved part way through that school year. Non-resident students who are approved for admission at a Pittsfield School District school must re-apply for each successive school year through the admission process set forth in this policy.

Application for non-resident student attendance must be made to the Superintendent of Schools or his/her designee. The Superintendent of Schools shall apply the standards set forth in this policy in determining whether to recommend admission of any such applicant. Any recommendations for admission of non-resident students shall then be forwarded to the School Board or its designee to make the final admission determination in accordance with the standards set forth in this policy. A decision by the Superintendent not to recommend admission of a non- resident student may be appealed to the School Board. Any decisions by the School Board on non-resident student admissions shall be final.

### **Standards for Admission**

The following standards shall govern decisions regarding admission or readmission of non-resident students under this policy:

1. The availability of space in the program or grade for which the student seeks admission, considering both present enrollment in that program and likely future enrollment during the school year in question, based on expected enrollment patterns for that school year.
2. The non-resident student's likely ability to meet Pittsfield School District standards for both behavioral and academic performance in the program or grade for which the student seeks admission, based on consideration of the following:
  - a) Student transcripts, report cards, attendance records, grades, and student work product as made available for consideration at the time of application;
  - b) The student's discipline history at his/her recent schools of attendance;

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- c) A favorable recommendation by the building principal at the student's most recent school of attendance regarding the student's likely ability to meet behavioral standards in the program or grade for which the student is applying, including written consent by the student's parent/legal guardian to discuss the student's application with that building principal;

The Pittsfield School District shall not admit or re-admit a non-resident student when either the Superintendent of Schools or the School Board determines that the Pittsfield School District does not currently have in place the educational programming required by the student.

In no event shall a non-resident student be approved for admission or readmission in the Pittsfield School District if the student is currently suspended or expelled from the student's resident school district, or if Superintendent of Schools or the School Board concludes that the student presents a substantial likelihood of physical or emotional harm to him/herself or to others, or that the student has a history of excessive unexcused absences from school that is unlikely to be easily resolved.

Any decision to deny or discontinue non-resident student admission under this policy shall not be based, in whole or in part, on whether the student is a child with a disability under applicable special education laws or requires an accommodation under Section 504 of the federal Rehabilitation Act. [RSA 193:3(IV)(d)]

### **Terms of Attendance**

Any non-resident student admitted for attendance under this policy must comply with all school rules. Failure to comply with school rules will result in school discipline under the same standards that apply to resident students, up to and including suspension and expulsion.

The Pittsfield School District has no responsibility to provide transportation for any non-resident student admitted in accordance with this policy.

A non-resident student's attendance may be terminated part way through the school year through a decision by the School Board following notice and a hearing under RSA 193:13(I)(b), (II), or by decision of the Superintendent of Schools following notice and a hearing under RSA 193:13(I)(b).

A non-resident student must re-apply for admission in each school year subsequent to his/her initial enrollment, and decision on the student's readmission shall be governed by the same process and standards that applied to the student's initial admission.

### **Students with Disabilities**

Non-resident students with disabilities have available a free, appropriate public education through their resident school district, and the Pittsfield School District has no duty to

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provide special education and related services at no cost to any non-resident student admitted pursuant to this policy.

A resident school district or a sending parent/legal guardian may contract with the Pittsfield School District for the provision of available special education and/or related services to a non-resident student but shall be responsible for the costs of any such services as a supplemental tuition charge. Absent such a contract, the Pittsfield School District shall have no duty to provide special education and related services to a non-resident student. [RSA 193:3(IV)(c), 186-C(13)(IV)]

The Pittsfield School District shall provide at no charge to the parent/legal guardian any accommodations required by a non-resident student with a disability pursuant to Section 504 of the federal Rehabilitation Act if those accommodations can be made available to the student without a substantial increase in cost for the Pittsfield School District [34 C.F.R. § 104.39].

### **Costs for Attendance**

The Pittsfield School District shall charge tuition for any non-resident student admitted under this policy. The School Board shall endeavor to establish the tuition rate for the upcoming school year no later than May 30 of the current school year. The tuition rate shall be determined as follows:

1. A base tuition rate reflecting the current actual per-student expense of operation for the program or grade for which the non-resident student seeks admission, considering any estimation of such expenses by the state board of education for the most recent school year. The current expense of operation shall include all actual costs, except costs of transportation of students and costs of special education. [RSA 193:4]
2. A supplemental tuition charge for the actual per-student expense of any special education and related services that the student may receive, or any substantial expenses for accommodations that the student may receive.

For any non-resident student admitted under this policy based on application by the student's resident school district, the resident school district shall be responsible for payment of the base tuition rate, and also for a supplemental tuition charge for any special education and related services that the resident school district agrees in writing for the Pittsfield School District to provide.

For any non-resident student admitted under this policy through application by the student's parent/legal guardian, the parent/legal guardian shall be responsible for payment of the base tuition rate, and also for a supplemental tuition charge for any special education and related services that the resident school district declines to fund and that the parent/legal guardian agrees in writing for the Pittsfield School District to provide.

Tuition payments for non-resident students shall be due and payable in two installments for each school year. The first payment of 50% less an initial deposit of \$1000.00 shall be payable no later than September 1 of each school year. The second payment of 50% shall be payable no later than January 15 of the applicable school year. Failure to make timely tuition payments in accordance with this policy shall be a sufficient basis for discontinuing a non-resident student's attendance at Pittsfield School District schools.

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Admission to the Pittsfield School District is a privilege, not a right. The admission decision of the Pittsfield School Board is final and may not be appealed.

**Policy Revision History:**

Adopted: March 1, 1980

Amended: April 24, 1985

Revised: August 17, 1988; June 2, 1997

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Reviewed: August 14, 2025

Amended/Adopted: September 4, 2025

**Legal References:**

*RSA 193:3 (IV) (non-resident students) RSA*

*193:4 (tuition rates)*

*RSA 193:12 (legal residence) RSA*

*193:13 (student discipline)*

*RSA 186-C:13(IV) (non-resident students with disabilities) 34*

*C.F.R. § 104.39 (504 duties)*