

**ELIGIBILITY OF NON-RESIDENT PUPILS  
(Regulation)**

I. Documentation

When District-wide re-evaluation of tuition-free enrollment eligibility is authorized by the Board, the Superintendent shall require submission of copies of the following documents from the parent(s)/guardian(s)/host(s) of every student subject to re-evaluation.

A. A copy of the student's official birth certificate;

B. A notarized lease, effective during the current school year, showing residency within the Borough of Rutherford;

OR

A recorded deed showing ownership of a residence within the Borough of Rutherford and current property tax bill/ statement;

AND

C. One of the following additional forms of documentation:

1. a bank statement with resident's current address
2. PS E&G bill or telephone bill to resident at current address;

D. An affidavit and supporting documentation of dependency for the current or upcoming school year pursuant to Policy 5118.

At his/her discretion, the Superintendent may require additional reasonable documentation, in addition to that required by A-D above.

II. Notice

A. The Superintendent shall develop a written Notice of Re-evaluation which shall be sent to the parent(s)/ guardian(s)/host(s) of all students subject to re- evaluation. The Notice of Re-evaluation shall be sent via first class mail to the most recent addresses on file with the Board. All notices of Re-evaluation shall be mailed on the same day.

B. The Notice of Re-evaluation shall describe the reason(s) for and nature of the re-evaluation, specify the documentation required, and state the last date on which the documentation may arrive at the Superintendent's office.

C. The Notice of Re-evaluation shall also contain a statement which shall be signed by the parent/guardian/host of each student subject to re-evaluation and returned to the Superintendent along with the documentation required pursuant to Regulation 5118 (I) above.

The statement shall contain:

i. The most recent residence address of the parent(s)/ guardian(s)/ host(s) on record with the Board;

ii. The name(s) of the student(s) on record with the Board as residing with the parent(s)/guardian(s)/ host(s);

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- iii. A list of required documentation;
  - iv. An affirmation of the relationship between the listed student(s) and the parent(s)/guardian(s)/host(s) and that the attached documentation is true and accurate proof that each listed student resides and/or will reside with the parent(s)/guardian(s)/host(s) within the Borough of Rutherford during the current and/or upcoming school year;
  - v. An acknowledgement that making a false affirmation and/or submitting false documentation may subject the parent(s)/ guardian(s)/host(s) to legal penalties.
- D. The Superintendent may, before imposing the penalties set forth below, send additional re-evaluation notices to any parent(s)/guardian(s)/hosts who have failed to respond to earlier re-evaluation notice(s). If the Superintendent sends additional re-evaluation notices, the final notice shall be clearly marked as such.
- III. Penalty
- A. Any student whose eligibility for tuition-free enrollment is not re-established on or before the date specified in the (final) notice of re-evaluation shall be recommended for removal or transfer from the district's schools pursuant to Policy 5118.
  - B. The parent(s)/guardian(s)/host(s) of any student whose tuition-free eligibility is re-established by false or fraudulent means, shall be obligated to pay tuition pursuant to Policy 5118. The Board may also pursue any additional administrative and legal rights and remedies available against any parent(s)/guardian(s)/host(s) who use such false or fraudulent means.
  - C. Students who have been removed or transferred from school and who have not subsequently re-established their tuition-free enrollment eligibility may be re-enrolled on a tuition-paying basis pursuant to Policy 5118.

Adopted: October 14, 1996  
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