

POLICY GUIDE

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Eligibility of Resident/Nonresident Students

Dec 24

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[See POLICY ALERT Nos. 189, 208, 217, 220, 224, 231, and 234]

5111 ELIGIBILITY OF RESIDENT/NONRESIDENT STUDENTS

The Board of Education shall admit to its schools, free of charge, persons over five and under twenty years of age, pursuant to N.J.S.A. 18A:38-1, or such younger or older student as is otherwise entitled by law to a free public education.

Eligibility to Attend School – N.J.A.C. 6A:22-3.1, 3.2, and 3.3

The Board shall admit students eligible to attend school free of charge that are domiciled within the district as defined in N.J.A.C. 6A:22-3.1 and Regulation 5111 – Section B.

The Board shall also admit any student that is kept in the home of a person other than the student's parent, and the person is domiciled in the school district and is supporting the student without remuneration as if the student were their own child in accordance with N.J.A.C. 6A:22-3.2 and Regulation 5111 – Section C.

Pursuant to N.J.S.A. 18A:38-1.c., any person who fraudulently allows a child of another person to use their residence and is not the primary financial supporter of that child and any person who fraudulently claims to have given up custody of their child to a person in another district commits a disorderly persons offense.

A student is eligible to attend school in this school district free of charge pursuant to N.J.S.A. 18A:38-1.d. if the student's parent temporarily resides within the school district and elects to have the student attend the school district of temporary residence, notwithstanding the existence of a domicile elsewhere pursuant to N.J.A.C. 6A:22-3.1(a)4. and Regulation 5111 – Section B.

A student is eligible to attend this school district free of charge in accordance with N.J.A.C. 6A:22-3.2 and Regulation 5111 – Section C.

Notwithstanding the provisions of N.J.S.A. 18A:38-1 or any other law, rule, or regulation to the contrary, a student who moves out of the school district as a result of domestic violence, sexual abuse, or other family crises shall be permitted

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to remain enrolled in the school district for the remainder of the school year pursuant to N.J.S.A. 18A:38-1.1 and in accordance with the provisions of N.J.A.C. 6A:22-3.2(h) and Regulation 5111 – Section C.

Except as set forth in N.J.A.C. 6A:22-3.3(b), immigration/visa status shall not affect eligibility to attend school. Any student who is domiciled in the school district or otherwise eligible to attend school in the school district pursuant to N.J.A.C. 6A:22-3.2 shall be enrolled without regard to, or inquiry concerning, immigration status. A student's immigration/visa status and their eligibility to attend school shall be in accordance with N.J.A.C. 6A:22-3.3(b) and Regulation 5111 – Section D.

Proof of Eligibility – N.J.A.C. 6A:22-3.4

The Board shall accept a combination of forms of documentation from persons attempting to demonstrate a student's eligibility for enrollment in the school district in accordance with the provisions of N.J.A.C. 6A:22-3.4 and Regulation 5111 – Section E.

In the case of a dispute between the school district and the parent of a student in regard to the student's eligibility to enroll in the school district or to remain enrolled in the school district pursuant to the provisions of N.J.S.A. 18A:38-1, the school district may request from the New Jersey Motor Vehicle Commission the parent's name and address for use in verifying a student's eligibility for enrollment in the school district in accordance with the provisions of N.J.S.A. 18A:38-1.3.

Registration Forms and Procedures for Initial Assessment – N.J.A.C. 6A:22-4.1

Registration and procedures for initial determinations of eligibility will be in accordance with N.J.A.C. 6A:22-4.1 and Regulation 5111 – Section F.

Initial eligibility determinations shall be made upon presentation of an enrollment application, and enrollment shall take place immediately except in cases of clear, uncontested denials. Enrollment shall take place immediately when an applicant has provided incomplete, unclear, or questionable information, but the applicant shall be notified that the student will be removed from the school district if defects in the application are not corrected, or an appeal is not filed, in accordance with subsequent notice to be provided pursuant to N.J.A.C. 6A:22-4.2 and Regulation 5111 – Section F.

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When a student appears ineligible based on the information provided in the initial application, the school district shall issue a preliminary written notice of ineligibility, including an explanation of the right to appeal to the Commissioner of Education in accordance with N.J.A.C. 6A:22-4.1(c)2. and Regulation 5111 – Section F.

When enrollment is denied and no intent to appeal is indicated, applicants shall be advised they shall comply with compulsory education laws in accordance with N.J.A.C. 6A:22-4.1(d) and Regulation 5111 – Section F.

Enrollment or attendance at the school shall not be conditioned or denied pursuant to N.J.A.C. 6A:22-4.1(e) through (i) and Regulation 5111 – Section F.

Notices of Ineligibility – N.J.A.C. 6A:22-4.2

When a student is found ineligible to attend the school district pursuant to N.J.A.C. 6A:22 or the student's initial application is found to be deficient upon subsequent review or investigation, the school district immediately shall provide to the applicant notice that is consistent with Commissioner-provided sample form(s) and meets requirements of N.J.A.C. 6A:22-4.2 and Regulation 5111 – Section G.

Removal of Currently Enrolled Students – N.J.A.C. 6A:22-4.3

Nothing in N.J.A.C. 6A:22-4, this Policy, and Regulation 5111 shall preclude the Board from identifying through further investigation or periodic requests for revalidation of eligibility, students enrolled in the school district who may be ineligible for continued attendance due to error in initial assessment, changed circumstances, or newly discovered information pursuant to N.J.A.C. 6A:22-4.3 and Regulation 5111 – Section H.

When a student who is enrolled and attending school based on an initial eligibility determination is later determined to be ineligible for continued attendance, the Superintendent may apply to the Board for the student's removal in accordance with the provisions of N.J.A.C. 6A:22-4.3 and Regulation 5111 – Section H.

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Appeal to the Commissioner – N.J.A.C. 6A:22-5.1

An applicant may appeal to the Commissioner of Education the school district's determination that a student is ineligible to attend its schools in accordance with N.J.A.C. 6A:22-5.1 and Regulation 5111 – Section I.

Assessment and Calculation of Tuition – N.J.A.C. 6A:22-6

If no appeal to the Commissioner is filed by the parent, adult student, or district resident keeping an affidavit student following notice of an ineligibility determination, the Board may assess tuition for up to one year of a student's ineligible attendance, including the twenty-one day period provided by N.J.S.A. 18A:38-1 for appeal to the Commissioner in accordance with N.J.A.C. 6A:22-6.1 and Regulation 5111 – Section J. Tuition will be assessed and calculated in accordance with N.J.A.C. 6A:22-6.3 and Regulation 5111 – Section J.

If an appeal to the Commissioner is filed by the parent, adult student, or district resident keeping an affidavit student and the petitioner does not sustain the burden of demonstrating the student's right to attend the school district, or the petitioner withdraws the appeal, fails to prosecute, or abandons the appeal by any means other than settlement agreeing to waive or reduce tuition, the Commissioner may assess tuition in accordance with the provisions of N.J.A.C. 6A:22-6.2(a) and Regulation 5111 – Section J. Upon the Commissioner's finding that an appeal has been abandoned, the Board may remove the student from school and seek tuition in accordance with N.J.A.C. 6A:22-6.2(a)1. and Regulation 5111 – Section J.

Nonresident Students – N.J.S.A. 18A:38-3.a.

The Board shall receive the approval of the Executive County Superintendent (ECS) to establish a uniform tuition amount for any Board-approved nonresident student to be admitted to the school district.

[Select if Option 2(b) is selected below.

The Board shall set a tuition amount for nonresident students of teaching staff members, as defined in N.J.S.A. 18A:1-1, that may or may not align with the tuition amount approved by the ECS for other nonresident students.]

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[Option 2 - Select one of the following options if Option 1 above was not selected.

Children of Nonresident Teaching Staff Members

Option (b)

— For the purpose of this section of the Policy “teaching staff member” shall mean, a member of the professional staff of any district or regional Board of Education, or any Board of Education of a county vocational school, holding office, position or employment of such character that the qualifications, for such office, position or employment, require them to hold a valid and effective standard, provisional or emergency certificate, appropriate to their office, position or employment, issued by the State Board of Examiners and includes a school nurse and school athletic trainer, pursuant to N.J.S.A. 18A:1-1.

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A teaching staff member who does not reside in this school district will be permitted to enroll their children in the educational program of the school district with the payment of tuition if the child’s educational program can be provided in a school in the district. The amount charged for tuition shall be a uniform amount for children of all nonresident teaching staff members that shall be set at the Board’s discretion.

Children of Nonresident Non-Teaching Staff Members

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Students Who Anticipate Moving to or from the District During the School Year

- A nonresident student whose parent anticipates residency in this school district and has entered into a contract to buy, build, or rent a residence in this school district will, with Board approval, be enrolled with payment of a uniform tuition amount approved by the Executive County Superintendent for a period of time not greater than 8 weeks prior to the anticipated date of residency, pursuant to N.J.S.A. 18A:38-3.]

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- A student who is in grade 12 and in their graduation year of the school and whose parent has moved away from the school district on or before Nov. 1 will, with Board approval, be permitted to finish the school year in the school district with the payment of a uniform tuition amount as approved by the Executive County Superintendent, pursuant to N.J.S.A. 18A:38-3.
- A student whose parent has moved away from the school district on or after May 1 will, with Board approval, be permitted to finish the school year in the school district with the payment of a uniform tuition amount as approved by the Executive County Superintendent, pursuant to N.J.S.A. 18A:38-3.]

F-1 Visa Students

- The school district is not required to, but may permit the attendance of F-1 Visa students into the school district only with the payment of full tuition and a signed tuition contract. The district may require advance payment of full tuition before providing the requested I-20 Form, in accordance with the provisions of Federal regulation 8 CFR 214.3. A F-1 Visa is granted to a foreign student through an application process that must include, but is not limited to, signed approval by the receiving school district exhibiting the receiving school district will accept the foreign student for enrollment and the foreign student's proof of financial means to pay the full tuition to the receiving school district for the academic year. The host family must be domiciled in the school district and shall submit a request to the Superintendent of Schools with supporting documentation



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as determined by the Superintendent or designee. A student with a F-1 Visa must be approved by the Board for attendance in the school district. The student's continued attendance in the school district shall be conditioned on a satisfactory attendance and disciplinary record.]

J-1 Visa Students

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Eligibility of Resident/Nonresident Students

The Board of Education recognizes intercultural and international education as an important part of a school program. The Board may admit foreign exchange students into district schools in order to promote cultural awareness and understanding among students.

The school district is not required to, but may permit the attendance of J-1 Visa students into the school district. The host family must be domiciled in the school district and shall submit a request to the Superintendent of Schools with supporting documentation as determined by the Superintendent or designee. A student with a J-1 Visa must be approved by the Board for attendance in the school district and shall not pay tuition. The student's continued attendance in the school district shall be conditioned on a satisfactory attendance and disciplinary record.

The Board may accept exchange students on a J-1 Visa who reside within the district as participants in group-sponsored exchange programs approved by the Board. The Exchange Program must demonstrate that it is approved from the United States Department of State (Form IAP-66) and provide the necessary documentation to demonstrate its foreign exchange student has sufficient funds or adequate arrangements to cover expenses; sufficient knowledge of English to undertake the proposed program; compliance with the requirements of Section 212(j)INA. Only those students who possess a J-1 visa as part of an exchange program as recognized by the Director of the United States Information Agency will be considered.

All potential organizations or individual applying for admission shall forward the request to the High School Principal by February 1 preceding the school year of attendance and obtain written approval from the District for admission by July 1. Foreign exchange students shall comply with all immunization requirements for students of the district. The High School Principal shall be responsible for screening applications and making recommendations to the Superintendent as to



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whether the applicant meets the criteria to be accepted as a foreign exchange student applying for admission. Admission is subject to Board approval.

In the interest of balancing the needs of Hackensack Public Schools students with the needs of foreign exchange students, the high school may accept a maximum of 2 foreign exchange students per year. The students may attend school for a maximum of one year. Exchange students are ineligible for enrollment into the senior year and shall hold no expectation of receiving a Hackensack High School Diploma.” Due to the potential disruption to ongoing programs, no student will be accepted for mid-year enrollment.

N.J.S.A. 18A:38-1; 18A:38-1.1; 18A:38-1.3; 18A:38-3;
18A:38-3.1; 18A:7B-12
N.J.A.C. 6A:14-3.3; 6A:17-2.1 et seq.; 6A:22-1.1 et seq.
8 CFR 214.3

Adopted:



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Academic Integrity
Dec 24

[See **POLICY ALERT No. 234**]

5701 ACADEMIC INTEGRITY

The Board of Education is committed to require a high level of ethical standards for students in the school district that include honesty and integrity in all aspects of their academic program. The Board expects all students to embrace the highest standards of academic integrity in all assignments. Acts of academic dishonesty by students will not be accepted. Students are responsible for complying with the provisions of this Policy and may be subject to disciplinary action for any violation.

Students are expected to be honest in their studies and academic work. Students shall not engage in any of the following prohibited acts that include, but not be limited to:

1. Plagiarizing term papers, themes, essays, reports, images, take-home examinations, and other academic work required of a student in their education program. Plagiarism is presenting work from another source without full acknowledgment that it is not their own work;
2. The deliberate use of false information or the falsification of research or other findings with the intent to deceive. Fabrication includes, but is not limited to, citing information not taken from the source indicated; listing sources in a bibliography that are not used in the project; fabricating data or source information in experiments, research projects, or other academic exercises; and taking a test for another person or allowing others to take a test for one's self;
3. Providing false information to a teaching staff member in an academic assignment such as giving a false excuse for missing a deadline or falsely claiming to have submitted an assignment;
4. Cheating on examinations by any means and obtaining copies of an examination;



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Academic Integrity

5. Preventing other students from completing their assignments including, but not limited to, removing pages from books, willfully disrupting the experiments or work of other students, misrepresenting the contributions of others in a group to give more credit to one particular student for one's personal gain; and compromising and/or damaging the school district's technology;
6. Using generative artificial intelligence (AI) in violation of Policy 2365 and the district's AI Plan;
7. Selling, for any fee, or other remuneration, prepare, offer to prepare, cause to be prepared, sell or offer for sale any term paper, thesis, dissertation, essay, report or other written recorded, pictorial, artistic or other assignment knowing, or under the circumstances having reason to know, that said assignment is intended for submission either in whole or substantial part under a student's name in fulfillment of the requirements for a diploma at any school or any educational institution in accordance with N.J.S.A. 18A:2-3.; or
8. Any other conduct determined by the Principal that compromises the academic integrity of a student's work.

Any violation of this Policy shall be addressed in accordance with Policy and Regulation 5600.

A student may appeal a violation of this Policy in accordance with Policy 5710.

Students shall be informed of the conduct prohibited by this Policy at the beginning of the school year.

N.J.S.A. 18A:2-3

Adopted:



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Student Grievance
Dec 24

[See POLICY ALERT No. 234]

5710 STUDENT GRIEVANCE

The Board of Education believes students possess the right to request redress of grievances **and** disputes. Accordingly, the Board will establish and observe procedures by which the grievances of students will be heard.

For the purposes of this Policy, a student grievance means any complaint that arises out of the acts or policies of this Board or the acts of its employees. **The procedure outlined in this Policy shall be used to address a student grievance that is not elsewhere in a Board policy, regulation, and/or grievance with a procedure specifically designed to address the conduct in question.**

A student grievance **shall** be heard in the following manner:

1. First Level

- a. **The student or parent may submit a grievance to the teaching staff member most closely related to the policy or act giving rise to the grievance, within five school days of the conduct.**

2. Second Level

- a. **If the grievance is not resolved at the first level, the student or parent may appeal the teaching staff member's decision by submitting a written appeal of the decision to the Principal or designee within five school days of receipt of the teaching staff member's written decision.**

(1) The written grievance shall include:

- (a) **The specific nature of the grievance and a brief statement of the facts giving rise to it;**

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Student Grievance

- (b) Any documentation the student or parent has supporting their request; and
 - (c) The remedy sought by the student or student's parent.
 - b. The Principal or designee will inform the student and parent, in writing, of the Principal's or designee's decision regarding the appeal within five school days of receiving the written appeal from the student or parent and their right to appeal the Principal's or designee's decision to the Superintendent of Schools or designee.
- 3. Third Level
 - a. If the grievance is not resolved at the second level, the student or parent may appeal the Principal's or designee's decision by submitting a written request to the Superintendent or designee. This written request for an appeal must be submitted to the Superintendent or designee by the student or parent within five school days of the student's or parent's receipt of the Principal's or designee's written decision and must include the same information the parent or student submitted in the written grievance outlined in 2.a.(1) above.
 - b. The Superintendent or designee will review the written request for an appeal and supporting documentation submitted by the school staff members and the student or parent to inform the student and parent of the decision regarding the appeal within ten school days of receiving the written request for an appeal.
 - c. A student or parent may appeal the Superintendent or designee's decision to the Board. An appeal that proceeds to the Board will be determined promptly and the Board will issue a decision in no more than thirty calendar days. The student will be informed of the right to appeal a decision of the Board to the Commissioner of Education.

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Student Grievance

The Superintendent shall direct all staff members to respect the right of students to seek redress of grievances by lawful procedures without fear of reprisal.

Adopted:

