

## CHAPTER 61

AN ACT concerning public school tuition and amending N.J.S.18A:38-3.

**BE IT ENACTED** *by the Senate and General Assembly of the State of New Jersey:*

1. N.J.S.18A:38-3 is amended to read as follows:

Admission for nonresident of school district; parent on active duty.

18A:38-3. a. Any person not resident in a school district, if eligible except for residence, may be admitted to the schools of the district with the consent of the board of education upon such terms, and with payment of tuition, as the board prescribes. Each board of education, with the approval of the executive county superintendent, shall establish a uniform tuition amount for any nonresident student admitted to the schools of a district pursuant to this section.

b. Any person not resident in a school district, if eligible except for residence, and if that person previously was a resident of the district, shall be admitted to the schools of the district without payment of tuition if that person's parent or guardian is a member of the New Jersey National Guard or a member of the reserve component of the armed forces of the United States and has been ordered into active military service in any of the armed forces of the United States in time of war or national emergency, resulting in the relocation of the student out of the district. A school district admitting a student pursuant to this subsection shall not be obligated for transportation costs.

c. The provisions of subsection a. of this section shall not apply, regardless of residence, to the enrolled children of teaching staff members of the school district who are permitted, by contract or local district policy, to enroll their children in the educational program of the school district without payment of tuition.

d. Nothing in this section shall limit a school district's ability to charge tuition pursuant to any other federal law, State statute, regulation, or court order.

- e. The provisions of this section shall not apply to a county vocational school district.

2. This act shall take effect immediately and shall first apply to the first full school year following enactment.

Approved May 15, 2023.