
Subject: Attendance Outside School District
Effective: January 1979
Revised: June 1994; September 1, 2001; June 1, 2006

1.0 PURPOSE

This policy clarifies the responsibilities of superintendents respecting the placement of a student in a school outside of the school district in which he/she resides.

This policy was previously numbered Policy 117.

2.0 APPLICATION

The policy applies to the placement of students in New Brunswick public schools.

3.0 DEFINITIONS

None

4.0 LEGAL AUTHORITY

[Education Act](#)

Section 9 - Determination of a pupil's residency

Subsections 11(1) and 11(4) (Placement of pupils):

11(1) The superintendent concerned shall determine the placement of pupils in classes, grades, programs, services and schools according to the needs of the pupils and the resources of the school district.

11(4) A decision made by a superintendent under subsection (1) shall be made

(a) subject to any policies or directives of the District Education Council concerned, and

(b) only with respect to pupils who are enrolled in a school in the school district or who reside in the school district for which the superintendent is appointed or reappointed.

Subsection 15(1) states that "a child is required to attend school in the school in which the child is placed by the superintendent concerned under section 11 ...".

Paragraph 36.9(6)(a) states that "a District Education Council may cooperate with another District Education Council to share school personnel and educational or administrative programs and services."

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5.0 GOALS / PRINCIPLES

- 5.1 The educational needs of a student should, in most circumstances, be addressed in the school district in which he/she resides.
- 5.2 The superintendent for the school district in which a student resides is, in accordance with any District Education Council policies, responsible for making appropriate placement and programming decisions such that the student's educational needs are met.
- 5.3 A school district is free to investigate arrangements with other school districts which will lead to a better quality of education for individual students or groups of students.

6.0 REQUIREMENTS / STANDARDS

- 6.1 Under section 11 of the [Education Act](#), decisions regarding a student's school placement are made by the superintendent responsible for the school district in which the student resides. A student may only be admitted in one school district at a time.
- 6.2 A superintendent may make an agreement with the superintendent of another school district, subject to any policies of the District Education Councils concerned, to place a student in a school in that other school district if
 - (a) the needs of the student can be better met in that other school district, and
 - (b) the parents of the student (or the student, if he/she is considered to be an independent pupil under section 1 of the [Education Act](#)) are in agreement.
- 6.3 Once a student has been placed in a school outside of the school district in which he/she resides, decisions regarding the student's class, grade, program and service placement are made by the superintendent responsible for the school in which the student has been placed.
- 6.4 The superintendent of the school district in which a student resides will regain responsibility for the placement of a student who had been placed in another school district in the event that
 - (a) the parents of the student (or the student, if he/she is considered to be an independent pupil under section 1 of the [Education Act](#)) request that the student be returned to a school in the school district in which he/she resides; or
 - (b) either of the superintendents is of the opinion that the needs of the student can be satisfactorily accommodated in the student's home district and the parents of the student (or the student, if he/she is considered to be an independent pupil under section 1 of the [Education Act](#)) are in agreement with the transfer.

7.0 GUIDELINES/RECOMMENDATIONS

None

8.0 DISTRICT EDUCATION COUNCIL POLICY-MAKING

A District Education Council may make policies regarding the conditions under and process by which its students may be placed in other school districts, or respecting the placement of students from other school districts in its schools.

9.0 REFERENCES

None

10.0 CONTACTS FOR MORE INFORMATION

Department of Education – Educational Programs and Services Branch
(506) 444-4654

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