

ADMISSION

Eligibility

The Board of Education shall admit to its schools free of charge all children over the age of five until the age required by law and by the available grade levels, including:

- A. Any student domiciled within the District;
- B. Any student kept in the home of a person other than the student's parent/guardian, where the person is domiciled in the school District and is supporting the student without remuneration as if the student were his/her own child;
- C. Any student kept in the home of a person domiciled in the District, other than the parent/guardian, where the parent/guardian is a member of the New Jersey National Guard or the reserve component of the United States armed forces and has been ordered into active military service in the United States armed forces in time of war or national emergency;
- D. Any student whose parent/guardian temporarily resides within the District, notwithstanding the existence of a domicile elsewhere if the parents/guardians are able to demonstrate that the purpose of the temporary residency is not solely for the purpose of attending school in that District;
- E. Any student whose parent/guardian moves to another District as the result of being homeless, subject to the provisions of administrative code;
- F. Any student placed in the home of a District resident by court order pursuant to statute;
- G. Any student previously residing in the District if the parent/guardian is a member of the New Jersey National Guard or the United States reserves and has been ordered to active service in time of war or national emergency pursuant to statute; and
- H. Any student residing on federal property within the state pursuant to statute.

Proof of Eligibility

The Board shall accept any of the forms of documentation that are listed in the administrative code when they are presented by persons attempting to demonstrate a student's eligibility for enrollment in the District. The Board shall consider the totality of information and documentation offered by an applicant and may accept other forms of documentation or information presented by a person seeking to enroll a student. The Board shall not require or request any information or document protected from disclosure by law or pertaining to criteria that are not legitimate bases for determining eligibility to attend school.

Kindergarten

Any eligible child shall be admitted to the kindergarten provided:

- A. The child will have attained the age of five years on or before October 1 of that school year;

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- B. The child is currently enrolled in an accredited public kindergarten in another district and the child's parent/guardian has moved into and is domiciled in the District at least one month after the opening of school;
- C. Proof shall be furnished of immunization against the communicable diseases at the time of enrollment or such immunization shall be completed within 30 days from date of entry into the school, or the student is exempted from immunization in accordance with policy 5141.3 Health Examinations and Immunizations;
- D. The child shall have been examined by either the school or a private physician, and the results shall be furnished to the school on the form provided;
- E. The District reserves the right to screen underage applicants to provide appropriate placement.

Grade One

Any eligible child residing in the District shall be admitted to grade one provided:

- A. The child will have attained the age of six years on or before October 1 of that school year;
- B. He/she has been in the first grade in an accredited public school or he/she has completed kindergarten in an accredited public school and is recommended for entrance into first grade by his/her teacher;
- C. Proof has been furnished of immunization against communicable diseases, or the student is exempted from immunization in accordance with policy 5141.3 Health Examinations and Immunizations;
- D. The District reserves the right to screen underage applicants to provide appropriate placement.

Exceptions

Exceptions can be made when:

- A. The underage student is already enrolled in and is attending an accredited public kindergarten or first grade program before moving to the District.
- B. The child has already completed an accredited public kindergarten program.
- C. The screening process suggests a need for special placement.

Transfers Into Grades Two through Eight

Students transferring into the District are expected to present copies of records from the previously attended school (or district) to aid in placement. Also required are proof of immunization and proof of identity.

Within the time prescribed by law, the Superintendent shall request in writing from the school or district of previous attendance, the student's records.

Initial placement shall be made on the basis of the records, but adjustment may be made at the discretion of the administration when assessment indicates that such adjustments would be beneficial to the child. Parents/guardians shall be informed of this policy on registration.

ADMISSION (continued)**Placement**

A student, in any grade, new to the District, shall be assessed by staff during the first marking period to ensure appropriate placement. A student's placement may be changed as a result of this assessment.

Students with Parents Who are divorced or Otherwise Live Separately in Different School Districts

If there is a court order or written agreement between the parents designating the district for school attendance, then that document will establish the student's domicile for school eligibility purposes. In the absence of any such order or agreement, the student's domicile is the district of the parent with whom the student lives for the majority of the school year, regardless of which parent has legal custody.

When divorced parents/guardians have joint custody of (a) minor child(ren), admission shall be based on the present address of the parent/guardian with whom the child(ren) resided as of the date required by administrative code or, if the child is not in residence with either parent on that date, in accordance with the requirements of the administrative code.

Affidavit Students

When there is any doubt as to whether a child is entitled to free public education in the District schools, all procedures of law and code shall be followed.

Nonresidents

The District is obliged to educate children of appropriate age residing in the District. The mere owning of any property whatsoever does not qualify a parent/guardian to send children to school in this District. See policy 5118 Nonresidents.

Homeless Students

The District will determine the educational placement of homeless students in each child's best interest and respond to appeals concerning them made by parents/guardians or other parties in accordance with New Jersey statutes and administrative code.

Students Returning from County Detention

The District shall accept all days of attendance and courses studied by a student at a county juvenile detention center and apply them toward district requirements for elementary, or middle school promotion or graduation.

The Board shall make this policy available to parents and the public.

<u>Legal References:</u>	<u>N.J.S.A.</u> 18A:7B-12	District of residence; determination
	<u>N.J.S.A.</u> 18A:7B-12.1	Homeless child; responsibility for education; determination of placement; payment of costs
	<u>N.J.S.A.</u> 18A:36-19a	Newly enrolled students; records and identification
	<u>N.J.S.A.</u> 18A:36-25.1	Proof of child's identity required for enrollment; transfer of record between Districts
	<u>N.J.S.A.</u> 18A:38-1	Attendance at school free of charge
	<u>N.J.S.A.</u> 18A:38-2	Free attendance at school by nonresidents placed in District under court order
	<u>N.J.S.A.</u> 18A:38-3	Attendance at school by nonresidents
	<u>N.J.S.A.</u> 18A:38-4	Free attendance to persons over age
	<u>N.J.S.A.</u> 18A:38-5	Admission of students under age
	<u>N.J.S.A.</u> 18A:38-5.1	No child to be excluded from school because of race, etc.
	<u>N.J.S.A.</u> 18A:38-6	Time of admission of students; first school year
	<u>N.J.S.A.</u> 18A:38-7.7	Legislative findings and declarations
	<u>N.J.S.A.</u> 18A:38-8	Duty to receive students from other Districts

ADMISSION (continued)**Legal References: (continued)**

<u>N.J.S.A.</u> 18A:38-25	Attendance required of children between six and 16; exceptions
<u>N.J.S.A.</u> 18A:40-20	Immunization at public expense
<u>N.J.S.A.</u> 18A:44-1	Establishment of nursery schools or departments; eligibility for admission
<u>N.J.S.A.</u> 18A:44-2	Establishment of kindergarten; eligibility for admission
<u>N.J.S.A.</u> 26:1A-9.1	Exemption of students from mandatory immunization
<u>N.J.S.A.</u> 26:4-6	Prohibiting attendance of teachers or students
<u>N.J.A.C.</u> 6A:10A-2.1 <u>et seq.</u>	Preschool program general provision
<u>N.J.A.C.</u> 6A:12-3.1	Choice District application procedures
<u>N.J.A.C.</u> 6A:14-1.1 <u>et seq.</u>	Special Education
<u>N.J.A.C.</u> 6A:16-2.2	Required health services
<u>N.J.A.C.</u> 6A:16-2.4	Required student health records
<u>N.J.A.C.</u> 6A:17-1.1 <u>et seq.</u>	Students at Risk of Not Receiving a Public Education
<u>N.J.A.C.</u> 6A:16-2.2	Required health services
<u>N.J.A.C.</u> 6A:22-1.1 <u>et seq.</u>	Entitlement to Attend School Based on Domicile or Student Residency
<u>See particularly:</u>	
<u>N.J.A.C.</u> 6A:22-3.1, 3.2, 3.3, 3.4	
<u>N.J.A.C.</u> 6A:23-5.2, -5.3	Method of determining the District of residence ...
<u>N.J.A.C.</u> 6A:32-8.2	School enrollment
<u>N.J.A.C.</u> 8:57	Communicable diseases
<u>See particularly:</u>	
<u>N.J.A.C.</u> 8:57-2	
<u>N.J.A.C.</u> 8:61-1.1	Attendance at school by students or adults infected by Human Immuno-Deficiency Virus (HIV)

P.L. 2005, c. 265 concerning students returning to public schools from county detention centers

Tepper v. Board of Education of the Township Hackensack, Bergen County, 1971 S.L.D. 549

No Child Left Behind Act of 2001, Pub. L. 107-110, 20 U.S.C.A. 6301 et seq.
Plyler v. Doe, 457 U.S. 202 (1982)

Plainfield Board of Education v. Cooperman, 105 NJ 587 (1987)

"Student Residency": Who is Eligible for a Free Public Education," by Donna Kaye, Esq. In N.J. School Leader (July-August 2002).

Cross References:	3240	Tuition income
	*5118	Nonresidents
	5119	Transfers
	*5120	Assessment of individual needs
	*5141	Health
	*5141.2	Illness
	*5141.3	Health examinations and immunizations
	6142.5	Travel and exchange programs
	*6164.4	Child study team
	*6171.4	Special education
	6174	Summer school
	6178	Early childhood education/preschool

*Indicates policy is included in the Critical Policy Reference Manual.

Key Words

Admission, Resident, Student Records, Affidavit Student, Homeless Student, Student Records, Affidavit Student, Homeless Student

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