Guilford County Board of Education
Board Policy

Descriptor Term: **SCHOOL ADMISSION**		**Descriptor Code:** **JBC**
Presented to Board: **1st Reading: December 4, 2007** **2nd Reading: January 8, 2008** **1st Reading: March 20, 2008** **2nd Reading: April 24, 2008** **February 26, 2009**	**Adopted by Board:** **April 19, 1993** **January, 8, 2008**	**Revised by Board:** **November 16, 1993** **September 9, 1997** **April 11, 2000** **April 6, 2004** **June 13, 2006** **April 10, 2007** **September 25, 2007** **April 24, 2008** **February 26, 2009**

The Guilford County Board of Education requires that all students meet the eligibility requirements of the State of North Carolina, and the Guilford County School System, including age, immunization and residence regulations.

AGE REQUIREMENT

Kindergarten: All domiciled students who have passed the fifth anniversary of their birth on or before August 31 of the year in which they enroll and who have not attained the age of 21 years are eligible to enroll in the Guilford County Schools. A birth certificate or other satisfactory evidence of date of birth is required for admission for the first time in kindergarten or first grade at any school. Guilford County Schools will follow state guidelines on the early admission of students who turn four (4) on or before April 16.

Pre-Kindergarten: All students meeting the pre-kindergarten requirements for entry must be four years of age on or before August 31.

HEALTH, VISION AND IMMUNIZATION REQUIREMENTS

Within thirty (30) days of their first enrollment date, all pupils must show evidence of immunization against diseases as outlined in state law. A list of the immunizations required will be distributed to students who are registered. Such evidence of immunizations must be shown in the form of a certificate furnished by a licensed private health care provider or by the health department. Additionally, all kindergarten students must present a Kindergarten Health Assessment Report within thirty (30) days; this form, to include vision screening, may also be completed at a private health care provider's office or for students who meet financial eligibility criteria, through other public or private agencies in the county that conduct kindergarten health assessments.

School principals are required to refuse admittance to any child whose parent/guardian does not

present a birth certificate or other satisfactory evidence of birth, a medical certification of proper immunizations, and for entering kindergarten students, a Kindergarten Health Assessment Report, within the allotted time. Exceptions to these requirements are made only for bona fide religious reasons or in the case of immunizations, for medical reasons approved by a physician.

DOMICILE REQUIREMENTS

A. Students Domiciled in Guilford County

A student who is domiciled in Guilford County and who otherwise qualifies for admission to its schools is entitled to be admitted without payment of tuition.

1. Domicile of Students Generally

The domicile of a student under 18 years of age is presumed to be the domicile of his/her parents, legal guardian or legal custodian as defined by the General Statutes of North Carolina and the law of North Carolina.

2. Domicile of Emancipated Students

If the student is at least 18 years of age or married or abandoned by his/her parents, or if the Court declares a student to be emancipated, the student may establish a domicile independent from that of his/her parents, legal guardian or legal custodian. A student who establishes domicile as a result of being emancipated shall be considered a domiciliary of Guilford County and shall be entitled to the same rights and privileges of other students domiciled in Guilford County.

3. Domicile of Students with Divorced or Separated Parents

In the event that the parents are divorced or separated and legal custody has been given to only one parent, a student's domicile follows that of the parent who has been granted legal custody. In the event that the parents are divorced or separated and legal custody (1) has not been determined, (2) has been granted jointly to both parents, or (3) the custodial parent wishes the student to attend school in the non-custodial parent's district of residence, then and in either of these events, the parents must jointly agree on which of their two residences will be used to determine the child's domicile for the purpose of school attendance. The parents shall submit the selected residence in writing to the Superintendent or designee (Director of Student Assignment) at the beginning of each school year. The selection may not be changed during the school year unless the parents satisfy the Board's policies on transfers and releases. In the event the parents cannot agree on which residence shall be used to determine the child's domicile for school attendance purposes, the residence of the parent with physical custody of the child at the beginning of the school year shall prevail.

B. Students Not Domiciled in Guilford County

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1. Homeless Students

A homeless student does not have to be technically domiciled in the district to attend the district's schools. A student is considered homeless if he/she lacks a fixed, regular, and adequate nighttime existence or has primary nighttime residence at a shelter designed to provide temporary living accommodations. A student living with a friend or relative may be considered homeless if the parent, legal guardian, or legal custodian has lost his/her home or cannot afford adequate housing of his/her own. A homeless student shall be assigned to a school in the attendance area where he/she is physically located on the first day of enrollment for that school year. If after the school year begins, a student becomes homeless or moves from one homeless situation to another, the student must be allowed to remain at the school where enrolled if the parent/legal guardian wishes. In these situations, the school system is responsible for providing transportation. However, if the parent/legal guardian wishes to enroll the student at the correct school based on the new living situation, the parent may do so.

Any parent, guardian of a student who is believed to be homeless or any unaccompanied youth who believes himself/herself to be homeless shall be enrolled immediately in the school of origin or appropriate school as defined by state and federal law and outlined in the procedure as related hereto. Parents, guardians or unaccompanied youth who have complaints about enrollment may file an appeal with the School District Homeless Liaison. The Homeless Liaison will ensure that any student meeting the definition of homeless is enrolled in school pending resolution of the dispute. The school in which the student seeks to enroll, if disputing the status of homelessness, must:

a. Provide notice to the parent, guardian or unaccompanied youth that the status of homelessness is being challenged;

b. Provide forms and information about the procedure of challenging the status of homelessness; and

c. At a hearing before the Homeless Liaison or the State Homeless Education Coordinator, the school has the burden of proof to establish that the student is not a homeless student or unaccompanied youth.

The Superintendent shall develop procedures and forms consistent with this policy and State and federal law.

2. Non-Domiciled Students

A Non-Domiciled Student is defined as a student who: (a) does not meet the definition of homeless; and (b) is domiciled outside of the school administrative unit (including a student who resides in the school administrative unit with someone other than a parent, legal guardian or legal custodian but whose parent, legal

guardian or legal custodian is domiciled outside of the school administrative unit).

a. Non-Domiciled Resident Students

A Non-Domiciled Student who resides in Guilford County may attend the Guilford County Schools only under all of the following conditions:

i. The student resides with a caregiver adult domiciled in Guilford County because of any of the following:

(a) The death, serious illness or incarceration of a parent or guardian,

(b) The abandonment by a parent or legal guardian of the complete control of the student as evidenced by the failure to provide substantial financial support and parental guidance,

(c) Abuse or neglect by the parent or legal guardian as adjudicated,

(d) The physical or mental condition of the parent or legal guardian is such that he or she cannot provide adequate care and supervision of the student,

(e) The relinquishment of physical custody and control of the student by the student's parent or legal guardian upon the written recommendation of the department of social services or the Division of Mental Health, or

(f) The parent or legal guardian is on active military duty and is deployed out of the local school administrative unit in which the student resides. (For purposes of this affidavit, the term "active duty" does not include periods of active duty for training for less than 30 days. Assignment under this section is only available if some evidence of the deployment is submitted with this affidavit.)

(g) The loss or uninhabitability of the student's home as the result of natural disaster; AND

ii. The student is not currently under a term of suspension or expulsion from a school for conduct that could have led to suspension or expulsion from the Guilford County School; AND

iii. The student's parent and the caregiver adult domiciled in Guilford County with whom the student resides submit separate affidavits to the Guilford County Schools Student Assignment Office which attest that:

(a) The student meets the qualifications in sections (i) and (ii) above,

(b) The student's claim of residency is not primarily related to attendance at a particular school within Guilford County,

(c) The adult with whom the student is residing has been given and accepts responsibility for educational decisions for the child, including receiving and responding to notices of discipline, attending conferences with school personnel, acting as parent in all special education matters, granting permission for emergency medical care, granting permission for school related activities, and taking appropriate action in connection with school records, and

(d) The affiant is aware that providing false information in the affidavit is a Class 1 misdemeanor, that the Guilford County Schools will remove from its schools any student admitted under this policy because of false information in an affidavit, and that an affiant who provides false information in an affidavit will be required to repay any amount spent by the Guilford County Schools in educating any child admitted to its schools because of that false information.

iv. If a student's parent, guardian, or legal custodian is unable, refuses, or is otherwise unavailable to sign the affidavit, then the caregiver adult with whom the student is living shall attest to that fact in his/her affidavit, and the requirement that the student's parent, guardian or legal custodian submit a separate affidavit shall be waived.

v. Upon submission of the required affidavits to the Guilford County Schools, a Non-Domiciled, Resident Student shall be assigned to a school in the attendance area in which he/she resides.

vi. After a Non-Domiciled, Resident Student has been admitted to the Guilford County Schools, the student shall be treated in all respects under these policies as if he/she were domiciled at his/her place of residence, and as if the adult with whom the student is residing were the parent, guardian or legal custodian of the student.

b. Non-Domiciled, Non-Resident Students

The Superintendent or his/her designee (Director of Student Assignment) shall have the responsibility to approve or deny requests for admission to the Guilford County Schools by Non-Domiciled Students who do not reside in Guilford County. A Non-Domiciled, Non-Resident Student may be admitted and enrolled, at the discretion of the Superintendent or his/her designee (Director of Student Assignment), if the following conditions are met:

i. An application form is completed by the parent, legal guardian, or legal custodian which explains why, in the opinion of the parent, legal guardian, or legal custodian, the student needs to attend school in the school administrative unit. An explanation of need may be considered when:

(1) there are compelling, specific circumstances indicating that the student should continue his/her education in the school administrative unit (as, for example, when the child is in his/her senior year when the parent, legal guardian, or legal custodian becomes domiciled outside the school administrative unit); or,

(2) there is an extraordinary, compelling, specific family need (as, for example, when a parent, legal guardian, or legal custodian is clearly unable to care for the child);

(3) other extraordinary, specific and compelling need or hardship is demonstrated.

Any reason having to do with athletics or participation in athletics is not a valid or sufficient explanation of need.

ii. Space is available in the school administrative unit and in the particular school or program in which the student seeks to enroll.

iii. The student demonstrates that he/she was in good standing in the previous school attended by that student, in terms of academics, discipline, and other measures of standing and progress in the school system.

iv. The student furnishes a transcript and other student record data, including evidence of compliance with the North Carolina

immunization requirements.

v. The student demonstrates that he/she has not completed the prescribed courses for graduation from high school.

vi. If the student is transferring from another school administrative unit in North Carolina, the student submits a release approved by the Board of Education of the other school administrative unit from which the transfer is being made.

vii. If the student resides with an adult who is not the student's parent, legal guardian, or legal custodian, the student furnishes the school administrative unit with a written document showing that the parent, legal guardian or legal custodian consents to the student attending school in the school administrative unit, authorizes the adult with whom the student lives to make all decisions relating to the student's education, including but not limited to any decisions relating to placement, services, field trips, medical treatment, grading and reporting, discipline, participation in extracurricular activities, participation in athletics and any other decision affecting the child's education.

viii. The student pays the tuition then being charged by the school administrative unit, unless exempted or waived because the student meets one of the following criteria:

(1) A student who resides within the school administrative unit with a parent, legal guardian, or legal custodian who is a student, employee, or faculty member of a college or university, or a visiting scholar at the National Humanities Center.

(2) A student who is placed in or assigned to a group home, foster home, or other similar facility or institution within the school administrative unit.

(3) A student who is admitted to the school administrative unit pursuant to an agreement between the Guilford County Board of Education and another Board of Education, where the agreement specifies that the payment of tuition by the individual shall not be required.

(4) A homeless student living within the school administrative unit who otherwise qualifies for admission.

(5) The parent, legal guardian, or legal custodian is a fulltime employee of Guilford County Schools.

(6) Admission has been granted under section b1 above and the student qualifies for free or reduced lunch or demonstrates extraordinary financial hardship.

The Superintendent or his/her designee (Director of Student Assignment) shall develop and administer a procedure to implement this policy. In all instances if a non-domiciled student resides outside the boundaries of the local administrative unit, no transportation will be provided.

3. Appeal to the Board of Education

An applicant for admission to the school administrative unit as a Non-Domiciled, Non-Resident Student shall be notified in writing of the decision of the Superintendent or designee (Director of Student Assignment) within 10 working days of submitting all the information required under this policy. An applicant admitted to the school administrative unit as a Non-Domiciled, Resident student shall be notified immediately if at any time the Superintendent or designee (Director of Student Assignment) determines that the student is ineligible for admission under the terms of this policy, and the ineligible student shall be removed from the Guilford County Schools. A final decision regarding admission, removal, or payment of tuition may be appealed to the Board of Education. An appeal to the Board of Education must be received in writing no later than five (5) working days following receipt of the decision of the Superintendent or designee (Director of Student Assignment).

LEGAL REFERENCE: G.S. ll5C-8l, ll5C-231, ll5C-364, ll5C-366, McKinney-Vento 2001 Reauthorization Act