

Alloway Township Board of Education District Policy Manual

**Students
Admission**

**Series 5000
Policy 5111**

**Date Adopted: August 24, 1999 Date Revised: October 22, 2002
November 21, 2006, April 22, 2008,
August 19, 2014, February 23, 2016
June 27, 2017**

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Eligibility

The Board of Education shall admit to its schools free of charge the following persons over five and under 20 years of age:

- 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 if family or economic hardship has been documented;
- 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;
- 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 combination of the forms of documentation that are listed in the New Jersey Administrative Code (NJAC 6A:22-3.4) when they are presented by persons attempting to demonstrate a student's eligibility for enrollment in the district, and as deemed appropriate, valid, and acceptable by the Superintendent of Schools, including:

- Property tax bills; deeds; contracts of sale; leases; mortgages; signed letters from landlords; and other evidence of property ownership, tenancy, or residency;
- Voter registrations; licenses; permits; financial account information; utility bills, delivery receipts; and other evidence of personal attachment to a particular location;
- Court orders; State agency agreements; and other evidence of court or agency placements or directives;

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- Receipts; bills; cancelled checks; insurance claims or payments; and other evidence of expenditures demonstrating personal attachment to a particular location or to support the student;
- Medical reports; counselor or social worker assessments; employment documents; unemployment claims; benefit statements; and other evidence of circumstances demonstrating family or economic hardship, or temporary residency;
- Affidavits, certifications, and sworn attestations pertaining to statutory criteria for school attendance from the parent, guardian, person keeping an "affidavit student," adult student, person(s) with whom a family is living, or others, as appropriate;
- Documents pertaining to military status and assignment; and
- Any other business record or document issued by a governmental entity.

The Board of Education may accept forms of documentation not listed above and shall not exclude from consideration any documentation or information presented by an applicant.

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 a legitimate basis for determining eligibility to attend school, including, but not limited to:

- Income tax returns;
- Documentation or information relating to citizenship or immigration/visa status, except as set forth in NJAC 6A:22-3.3(b);
- Documentation or information relating to compliance with local housing ordinances or conditions of tenancy; and
- Social Security numbers.

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 NJAC 6A:22-4.2.

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When a student appears to be ineligible based on information provided in the initial application, the district shall issue a preliminary written notice of ineligibility, including an explanation of the right to appeal to the Commissioner of Education. Enrollment shall take place immediately if the applicant clearly indicates disagreement with the school district's determination and an intent to appeal to the Commissioner of Education. An applicant whose student is enrolled pursuant to this paragraph shall be notified that the student will be removed without a hearing before the Board of Education if no appeal is filed within the 21-day period established by NJSA 18A:38-1.

Minimum Immunization Requirements

All children enrolling in the district shall provide proof of the required vaccinations and immunizations as established by the laws of the State of New Jersey for students entering public schools.

Pre-Kindergarten & Kindergarten

Any child residing in the district shall be admitted to the pre-kindergarten or kindergarten, provided:

- A. The child will have attained the age of four years for pre-kindergarten and five years for kindergarten on or before October 1st of that school year;
- B. 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;
- C. 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.

Grade One

Any 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. Proof has been furnished of immunization against communicable diseases.

Transfers into Grades Two through Eight

Pupils 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 immunizations and proof of identity.

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Within the time prescribed by law, the Superintendent of Schools shall request in writing from the school or district of previous attendance, the pupil'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 the academic assessments indicate that such adjustments would be beneficial to the child. Parents/guardians shall be informed of this policy on registration.

Joint 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.

Affidavit Pupils

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 school district. See policy 5118 Nonresidents.

Students Enrolling in High School

High school students moving into Alloway Township must obtain documentation from Alloway School regarding residency prior to enrolling in high school.

Foreign Exchange Students

Foreign exchange students residing in Alloway Township, will be enrolled in the receiving high school only acceptance by both this district and the high school.

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 promotion or middle school.

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Homeless Pupils

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, as well as, pertinent federal law.

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

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Legal References

- NJSA 18A:7B-12 District of residence; determination
18A:7B-12.1 Homeless child; responsibility for education;
18A:7C High School Graduation Standards
18A:36-19a Newly enrolled students; records and identification
18A:36-25.1 Proof of child's identity required for enrollment; transfer of record
18A:38-1 Attendance at school free of charge
18A:38-2 Free attendance at school by nonresidents placed under court order
18A:38-3 Attendance at school by nonresidents
18A:38-4 Free attendance to persons over age
18A:38-5 Admission of pupils under age
18A:38-5.1 No child to be excluded from school because of race, etc.
18A:38-6 Time of admission of pupils; first school year
18A:38-7.7 Legislative findings and declarations
18A:38-8 Duty to receive pupils from other districts
18A:38-25 Attendance required of children between six and 16; exceptions
18A:40-20 Immunization at public expense
18A:44-1 Establishment of nursery schools or departments; eligibility for admission
18A:44-2 Establishment of kindergarten; eligibility for admission
26:1A-9.1 Exemption of pupils from mandatory immunization
- NJAC 6A:10A-2.1 et seq Preschool program general provision
6A:12-3.1 Choice district application procedures
6A:14-1.1 et seq. Special Education
6A:16-2.2 Required health services
6A:16-2.4 Required student health records
6A:17-1.1 et seq. Students at Risk of Not Receiving a Public Education
6A:22-1.1 et seq. Entitlement to Attend School Based on Domicile or
6A:22-3.4 Proof of Eligibility
6A:23-5.2, -5.3 Method of determining the district of residence
6A:32-8.2 School enrollment
8:57 Communicable diseases
8:61-1.1 Attendance at school by pupils or adults infected by Human Immuno-Deficiency Virus (HIV)
P.L. 2005, c. 265 students returning to public schools from county detention
Tepper v. Board of Education of the Township Hackensack, Bergen County,
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)
Warren Board of Education v. Cooperman, 105 NJ 587 (1987)
J.A. v. Board of Education of South Orange/Maplewood, 318 N.J. Super. 512
"Pupil Residency": Who is Eligible for a Free Public Education," by Donna Kaye,
Esq. In N.J. School Leader (July-August 2002).