

SCHOOL ADMISSION

A person of school age (i.e., a person who will have reached their fifth birthday on or before September 30th of the school year and who has not reached 20 years of age on or before August 1st of the school year) is eligible for admission on a non-tuition basis if residing in the Alexandria City school division or if eligible for admission under policy JECA Admission of Children Experiencing Homelessness.

A person of school age shall be deemed to reside in the school division:

- When the person is living with a natural parent or parent by legal adoption who actually resides in the Alexandria City school division;
- When, in accordance with the provisions of Va. Code [§ 22.1-360](#) of the Interstate Compact on Educational Opportunity for Military Children, the person is living with a noncustodial parent or other person standing *in loco parentis*, not solely for school purposes, pursuant to a Special Power of Attorney executed under 10 United States Code § 1044b by the custodial parent;
- When the parents of such person are dead, and the person is living with a person *in loco parentis* who actually resides within the school division;
- When the parents of such person are unable to care for the person and the person is living, not solely for school purposes, with another person who resides in the school division and is either
 - (i) the court-appointed guardian, or has legal custody, of the person,
 - (ii) acting *in loco parentis* pursuant to placement of the person for adoption by a person or entity authorized to do so under [§ 63.2-1220](#), or
 - (iii) an adult relative providing temporary kinship care as that term is defined in Va. Code [§ 63.2-100](#). Both parents and the relative providing kinship care must submit signed, notarized affidavits
 - a) explaining why the parents are unable to care for the person,
 - b) detailing the kinship care arrangement, and
 - c) agreeing that the kinship care provider or a parent will notify the school within 30 days of when the kinship care arrangement ends.

The parent must also provide a power of attorney authorizing the adult relative to make educational decisions regarding the person. A parent or the kinship care provider must also obtain written verification from the department of social services where the parent or parents live, and the department of social services where the kinship provider lives, that the kinship arrangement serves a legitimate purpose that is in the best interest of the person other than school enrollment. If the kinship care arrangement lasts more than one year, the school division must receive continued verification directly from both departments of social services that the parents are unable to care for the person and that the kinship care arrangement serves a legitimate purpose other than school enrollment;
- When the person is living in the school division not solely for school purposes, as an emancipated minor; or
- When all or any portion of the building in which the person resides (i) with another person as set forth in the first through fourth bullets above or (ii) as an emancipated minor as set forth in the fifth bullet above is taxable by the locality in which the school division is located; or
- When the person has been placed in a foster care placement within the school division by

a local social services agency.

- No person of school age who is the subject of a foster care placement will be charged tuition regardless of whether the child is attending the school in which they were enrolled prior to the most recent foster care placement or is attending a school in the receiving school division.
- The sending and receiving school divisions will cooperate in facilitating the enrollment of any child placed in foster care across jurisdictional lines to enhance continuity of instruction. The child will be allowed to continue to attend the school in which they were enrolled prior to the most recent foster care placement, upon joint determination of the placing social services agency and the school division that such attendance is in the best interest of the child.
- When the person is living with parent/guardian who moves their residence from Alexandria to another school jurisdiction in the Commonwealth, or to the District of Columbia (so long as the District of Columbia grants the same privileges to residents of Alexandria), and who desire that the student continue to attend the student's previously assigned Alexandria City public school for the remainder of the grading period. In accordance with regulation JC/JCD-R ACPS Student Placement Regulations, if such move is made on or after the start of the second semester, the student may complete the school year in the previously assigned school on a tuition-free basis. Provision for safe, punctual transit to and from school for a student enrolled under the provisions of this paragraph shall be the responsibility of the parent(s)/guardian of the student.

For purposes of this policy, a person meeting any of the above requirements shall be deemed to reside in the school division if (i) the person lives in housing or temporary shelter that is wholly or partially situated within the Alexandria City school division; or (ii) in the event of joint custody, the person must spend the majority of school nights with a parent/guardian as defined above residing within the Alexandria City school division.

Certain other students may be admitted into the public schools of the division and may be charged tuition in accordance with [§ 22.1-5](#) of the Code of Virginia and pursuant to Alexandria City School Board regulations including Regulation JEC-R School Admission. Current ACPS employees who reside outside of the City of Alexandria may apply to enroll their children in Alexandria City Public Schools on a reduced rate or tuition-free basis.

On an annual basis the Superintendent shall determine the number of Non-Resident Employee Transfers that can be made available to children of non-City resident employees and the locations of those Transfers based on school and division enrollment capacity.

Children of Persons on Active Military Duty

No child of a person on active military duty attending a school free of charge in accordance with this policy shall be charged tuition by the school division

- upon such child's relocation to military housing located in another school division in the Commonwealth, pursuant to order received by such child's parent to relocate to base housing. Such children shall be allowed to continue attending school in the school division and shall not be charged tuition for attending such school.
- upon such child's relocation pursuant to orders received by such child's parent to relocate to a new duty station or to be deployed. Such children shall be allowed to remain enrolled in the current school division free of tuition through the end of the school year; and

- that will be the child's school division of residence once his service member parent is relocated pursuant to orders received. Such a child shall be allowed to enroll in the school division of the child's intended residence if documentation is provided, at the time of enrollment, of military orders of the service member parent or an official letter from the service member's command indicating such relocation. Documentation indicating a permanent address within the school division shall be provided to the school division within 120 days of a child's enrollment or tuition may be charged, including tuition for the days since the child's enrollment in school. In the event that the child's service member parent is ordered to relocate before the 120th day following the child's enrollment, the school division shall not charge tuition. Students eligible to enroll in the school division in accordance with this policy because they are the children of military personnel on active military duty who will reside in the division may register, remotely or in-person, for courses and other academic programs and participate in the lottery process for charter schools and college partnership laboratory schools in the school division at the same time and in the same manner as students who reside in the division. The assignment of the school such child will attend shall be determined by the school division.

Such children shall be counted in the average daily membership of the school division in which they are enrolled. The school division in which such children are enrolled subsequent to relocation to base housing shall not be responsible for providing for their transportation to and from school.

ADDITIONAL ADMISSION REQUIREMENTS

- A. Except as otherwise provided below, no student shall be admitted for the first time to any public school in any school division in Virginia unless the person enrolling the pupil presents, upon admission, a certified copy of the pupil's birth record. The principal or designee shall record the official state birth number from the pupil's birth record into the pupil's permanent school record and may retain a copy in the pupil's permanent school record. If a certified copy of the pupil's birth record cannot be obtained, the person so enrolling the pupil shall submit an affidavit setting forth the pupil's age and explaining the inability to present a certified copy of the birth record. If the school division cannot ascertain a child's age because of lack of a birth certificate, the child shall nonetheless be admitted into the public schools if the division superintendent determines that the person submitting the affidavit presents information sufficient to estimate with reasonable certainty the age of such child.
- B. If the student seeking enrollment is experiencing homelessness as defined in [§ 22.1-3](#) of the Code of Virginia, the school shall immediately enroll such student in accordance with policy JECA.
- C. To support the safety of children, if a certified copy of the birth record is not provided, ACPS works with the registering adult to confirm they are the parent/guardian. In the event ACPS feels that the child is in danger, ACPS will notify the local law enforcement agency. The notice to the local law enforcement agency includes ACPS's concerns about the child's safety, copies of the submitted proof of the pupil's identity and age and affidavit explaining the inability to produce a certified copy of the birth record.
- D. Within 14 days after enrolling a transfer student, the administration shall request

documentation that a certified copy of the pupil's birth record was presented when the pupil was enrolled in the former school.

- E. The School Board assigns a unique student identification number, determined in accordance with a system developed by the Virginia Department of Education, to each student enrolled in the division. No student identification number includes or is derived from the student's social security number. Each student retains the student's identification number for as long as the student is enrolled in a public elementary or secondary school in Virginia.
- F. Tuition rates are established each year in accordance with the provisions of [§22.1-5](#) of the Code of Virginia and the division's Strategic Plan.
- G. Prior to admission to the Alexandria City school division, the parent, guardian, or other person having control or charge of the child shall provide, upon registration:
 - a. a sworn statement or affirmation indicating whether the student has been expelled from school attendance at a private school or in a public school division of the Commonwealth or another state for an offense in violation of school board policies relating to weapons, alcohol, or drugs, or for the willful infliction of injury to another person. This document shall be maintained as a part of the student's scholastic record; and
 - b. a sworn statement or affirmation indicating whether the student has been found guilty of or adjudicated delinquent for any offense listed in subsection G of Va. Code [§16.1-260](#) or any substantially similar offense under the laws of any state, the District of Columbia, or the United States or its territories. This document shall be maintained by the Superintendent and by any others to whom he disseminates it, separately from all other records concerning the student. However, if the school administrators or the School Board takes disciplinary action against a student based upon an incident which formed the basis for the adjudication of delinquency or conviction for an offense listed in subsection G of [§16.1-260](#), the notice shall become a part of the student's disciplinary record.

When the child is registered as a result of a foster care placement, the information required under this subsection must be furnished by the local social services agency or licensed child-placing agency that made the placement.

- H. A student, who has been expelled or suspended for more than thirty days from attendance at school by a School Board or a private school in Virginia or another state or for whom admission has been withdrawn by a private school in Virginia or another state, may be excluded from attendance in the Alexandria City Public Schools regardless of whether such student has been admitted to another school division or private school in Virginia or in another state subsequent to such expulsion, suspension, or withdrawal of admission upon a finding that the student presents danger to the other students or staff of the school division after (i) written notice to the student and their parent/guardian that the student may be subject to exclusion, including the reasons therefore, and notice of the opportunity for the student or their parent/guardian to participate in a hearing to be conducted by the Superintendent or designee regarding such exclusion; and (ii) a hearing of the case has been conducted by the Superintendent or designee; (iii) the equitable treatment of the student has been considered in the decision; and the decision has been to exclude the student from attendance. In the case of a suspension of more than thirty days, the term of the exclusion may not exceed the duration of the suspension. The student or their

parent/guardian may file for a written petition for review with the School Board within 15 days of notice of the decision of the Superintendent or designee. If the School Board grants a review of the record, the decision of the Superintendent or designee may be altered.

Upon the expiration of the exclusion period for an expulsion or a withdrawal of admission, which period shall be established by the School Board, committee thereof, or Superintendent or designee, as the case may be, at the relevant hearing, the student may petition the School Board for readmission. If the petition for readmission is rejected, the School Board shall identify the length of the continuing exclusion period and the subsequent date upon which such student may petition the School Board for readmission.

For the purposes of this section, the Superintendent's designee shall be a (i) trained hearing officer or (ii) professional employee within the administrative offices of the school division who reports directly to the Superintendent and who is not a school-based instructional or administrative employee.

In excluding any such expelled student from school attendance, the School Board may accept or reject any or all conditions for readmission imposed upon such student by the expelling school board pursuant to Va. Code § 22.1 277.06. The excluding school board shall not impose additional conditions for readmission to school.

- I. This policy does not preclude contractual arrangements between the Alexandria City School Board and agencies of the federal government or the school board of another jurisdiction to permit students not otherwise eligible to attend Alexandria City Public Schools.
- J. Prior to admission, the student must document compliance with, or eligibility for exemption from, the physical examination and immunization requirements contained in sections [22.1-270](#), [22.1-271.2](#) and [32.1-46](#) of the Code of Virginia and policies JHCA Physical Examinations and JHCB Student Immunizations.

If the person enrolling a child who has been placed in foster care by a local social services agency is unable to produce a report of a comprehensive physical examination and/or proof of immunization, the student shall be immediately enrolled; however, the person enrolling the child shall provide a written statement that, to the best of their knowledge, the student is in good health and is free from communicable or contagious disease. In addition, the placing social service agency shall obtain and produce the required documents or otherwise ensure compliance with the statutory requirements for the foster child within 30 days after the child's enrollment.

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Legal Refs: Code of Virginia, 1950, as amended, §§ [22.1-1](#), [22.1-3](#), [22.1-3.1](#), [22.1-3.4](#),
[22.1-5](#), [22.1-255](#), [22.1-260](#), [22.1-270](#), [22.1-277](#), [22.1-288.2](#), [32.1-46](#), [63.2-900](#),
and [63.2-1200](#).

2007 Va. Opin. AG 07-015.
1987-88 Va. Opin. AG 374.

Cross Refs: JC/JCD-R ACPS Student Placement Regulations
JEC-R School Admissions
JECA Admission of Homeless Students
JHCA Physical Examinations
JHCB Immunization of Students
JGGD/JGE Student Suspension/Expulsion