

ADMISSION OF RESIDENT STUDENTS

Code **JFAA** Issued **3/13**

Purpose: To establish the basic structure for admitting to district schools those students who reside in the district.

Generally, all persons of legally defined and mandated school age who reside in the district and who have presented required certificates of immunization may attend the free public schools.

First-time enrollment

When a student seeks to enroll in the district for the first time, the administration may consider whether the student meets the district's standards of conduct and behavior. The administration will consider non-school records and the student's disciplinary records in any school in which the student was previously enrolled. The administration will consider these records as they relate to the adjudication of delinquency in any jurisdiction for violent crimes, unlawful use or possession of weapons, or unlawful sale of drugs.

If the administration does not allow the student to enroll based on his/her record, the administration will notify the student's parent or legal guardian. The board will give the student a hearing and other procedural rights.

The bar to enrollment applies for a maximum of one year. After the bar is lifted, the student may reapply.

Criteria for admission

Under South Carolina law, the district may admit a student who lives in the district provided the student meets one of the following criteria.

- Lives with his/her parents
- Lives with his/her legal guardian
- Lives with his/her foster parents
- Is emancipated
- Is homeless or is a child of a homeless individual, as defined in Public Law 100-77
- Lives in a residential community-based care facility licensed by the South Carolina Department of Social Services or operated by the South Carolina Department of Social Services or the South Carolina Department of Youth Services

If an adult resident of the district signs a verifiable affidavit as required by law, the district may admit a student who lives with an adult resident of the district provided the child resides with the adult as a result of any of the following.

- The death, serious illness, or incarceration of a parent
- The relinquishment by a parent of the complete control of the child as evidenced by the failure to provide substantial financial support and parental guidance.

PAGE 2 – JFAA – ADMISSION OF RESIDENT STUDENTS

- Abuse or neglect by a parent
- The physical or mental condition of a parent is such that he/she cannot provide adequate care and supervision of the child.
- A parent's homelessness, as that term is defined by Public Law 100-77
- A parent/legal guardian's military deployment or call to active duty more than 70 miles from his/her residence for a period greater than 60 days; provided, however, that if the child's parent/legal guardian returns from such military deployment or active duty prior to the end of the school year, the child may finish that school year in the school he/she attends without charge even if the child resides in another school district for the remainder of the school year due to his/her parent/legal guardian returning home.

In addition, the adult must attest that the child's claim of residency in the district is not primarily related to attendance at a particular school. The adult must also accept responsibility for educational and school related medical decisions for the child.

In all cases the student must do the following:

- Have maintained a satisfactory scholastic record in accordance with scholastic standards of achievement set by the board of trustees.
- Not have been guilty of violating the rules of conduct and behavior that must be met by all students as a condition to the right to attend the public schools of the district as set by the board of trustees.

The district will not deny admission to any student on the basis of race, religion, color, creed, sex, national origin or disabling condition.

Adopted 10/5/98; Revised 1/5/09; Issued 3/4/13

Legal references:

- A. Federal Law:
 - 1. Homeless Assistant Act, Pub.L.No. 100-77, 101 Stat. 482-538 (1987), also known as the McKinney Act.
- B. S.C. Code, 1976, as amended:
 - 1. Section 16-1-60 – Violent Crimes
 - 2. Section 44-29-180 – Student must show immunization prior to admission.
 - 3. Section 59-63-31 – Additional qualifications for attendance at public school.
 - 4. Section 59-63-217 – Board of trustees may consider non-school records and prior school disciplinary records in determining whether a school district may refuse to enroll a student for the first time.
 - 5. Section 59-63-390 – Ages of attendance.
 - 6. Section 59-63-480 and 490 – Attendance of non-resident students.
 - 7. Section 59-19-90(10) – Power of board to transfer and assign pupils.
- C. State Board of Health and Environmental Control Regulations:
 - 1. R-61-8 – Immunization of students.