

Board of Education Policy

SCHOOL ADMISSIONS

The Board of Education affirms that its primary responsibility is to provide appropriate educational opportunities for the children who are legal residents and who are of legal age to attend school.

The District shall provide a free public education to all persons between the ages of five (5) and twenty-one (21) who reside within the District, have not received a high school diploma, and are entitled to attend school. Residence is defined as both physical presence and the intent to remain in the district. A veteran of any age who has not yet received his/her high school diploma and who has been discharged under conditions other than dishonorable is eligible to attend school upon conditions prescribed by the Board of Education.

Grade Placement: Students will be placed according to the following:

- **Kindergarten:** Children who reach the age of five (5) on or before December 1st of the year of matriculation are entitled to attend school and may be admitted to kindergarten. Proof of age must be presented in the form of a birth certificate or passport.
- **First Grade:** Children reaching the age of six (6) on or before December 1st of any year will be eligible for the first grade in September of that year. Children reaching the age of six (6) on or after December 2nd will not enter first grade until the following September.
 - **Exceptions:** Children who apply for admission after having completed a full year's work in a program which is substantially equivalent in instruction to the District's kindergarten program, as determined by the Superintendent, will be placed in first grade. Such determination by the Superintendent may be made in conjunction with observation(s) by classroom teachers, guidance personnel and the building principals.
- **Grades 2-12:** Children who apply for admission to grades two (2) through twelve (12) on the basis of prior schooling outside the District will be placed initially on the grade level they have reached elsewhere. The Building Principal will determine subsequently whether there should be any change in the grade placement.

A parent/guardian may appeal a placement decision first to the Building Principal, then to the Superintendent, and finally to the Board of Education.

Registration: Upon registration, all new students shall be required to provide the following:

1. Proof of date of birth;
2. Record of immunization and a health certificate from a duly licensed physician authorized to practice medicine in New York State;
3. Proof of residency.

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Notwithstanding anything to the contrary herein, if a parent/guardian or student is unable to produce any of the required documents, the parent/guardian or student should fill out the Student Registration Form to so indicate. Upon completion of the Student Registration Form, the District Superintendent or designee shall meet with the parent/guardian or student to discuss alternate methods by which the parent/guardian or student may meet the District's admission requirements.

Upon Registration, all new students shall be enrolled and begin attendance the next school day or as soon as practicable.

Proof of Residency:

A child is presumed to be a resident of the school district in which his or her parents reside. A child's residence may become that of a person or persons other than his or her parents in the following situations:

1. The person with whom the child is living is his or her legal guardian pursuant to letters of guardianship issued by a court of competent jurisdiction; or
2. The child's parents have surrendered complete, permanent, and full-time care, custody, and physical control to the persons with whom the child is living.

The Superintendent's designee and/or the Board of Education's designee shall determine whether a child is entitled to attend the schools of the District. Prior to making a determination of entitlement to attend the schools of the District, the designee shall afford the child's parent, the person in parental relation to the child or the child, as appropriate, the opportunity to submit information concerning the child's right to attend school in the District. The District shall review all submitted documentation and make a determination of a student's eligibility within three business days of initial enrollment, or four days if the documentation is presented on the third day. When the designee determines that a child is not entitled to attend the schools of the District because such child is neither a resident of the District nor entitled to attend its schools because he/she is "homeless", as defined by section 100.2(x) of the Regulations of the Commissioner of Education, the designee shall, within two (2) business days, provide written notice of his/her determination to the child's parent, to the person in parental relation to the child, or to the child, as appropriate. Such written notice shall state:

- that the child is not entitled to attend the public schools of the district;
- the basis for the determination that the child is neither a resident of the school district nor entitled to attend its schools as a "homeless" child;
- the date, if applicable, as of which the child will be excluded from the schools of the district; and
- that the determination of the board may be appealed to the Commissioner of Education, in accordance with Education Law section 310, within 30 days of the date of the determination, and that the procedure for taking such an appeal may be obtained

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from the Office of Counsel at www.counsel.nysed.gov, or by mail addressed to the Office of Counsel, New York State Education Department, State Education Building, Albany, NY 12234 or by calling (518) 474-8927.

Verification of Residency:

The District may request information including but not limited to a recent dated rent receipt, title, mortgage document, or lease agreement in effect during the school year for which enrollment is requested, a current electric bill, telephone bill, water bill, oil bill, bank statement, cable bill, voter registration card, driver's license, tax return, automobile insurance cards and/or homeowner's insurance. The District may accept other forms of proof of residency. The parent(s), guardian(s), or child as appropriate may also execute and appropriate affidavit (see exhibits attached to this policy). The district shall not request or require a Social Security card or number, or any information which would tend to reveal the immigration status of the child or their parent/guardian, in any forms, meetings or other communication, at the time of and/or as a condition of enrollment.

Children Residing with Court-Appointed Foster Parents:

Court issued papers must be shown by the foster parents in addition to the (DSS2999) documentation otherwise required in District policy and regulations. Valid transfer of parental control will therewith be presumed.

Former Residents:

Parents or guardians of senior students attending Miller Place High School, moving from the District during their senior year but wishing their child to continue in school until the end of that school year, may apply to the School District to do so without being charged tuition. A person may continue to attend a public school in the District in the same manner, if temporarily residing outside the boundaries of the district when relocation to such temporary residence is a consequence of such person's parent or person in parental relationship being called to active military duty, other than training.

Miller Place Union Free School District
Miller Place, New York 11764
Board of Education Policy

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Reference: Education Law §§ 310, 903, 904, 1712, 2503, 2555, 3202, 3205, 3208, and 3218
8 NYCRR § 100.2
Public Health Law § 2164
Matter of Kitchen, 12 EDR 20 (1972)
Matter of Lazar, 6 EDR 7 (1966)

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