

## VI. STUDENTS

### 6.1 Admissions and Attendance

6.1.1 Compulsory Attendance and Entrance Age: All persons between the age of seven and seventeen years of age are required by state law to attend school for the minimum number of scholastic days prescribed by the State Board of Education unless the person holds a certificate of exemption issued by the Superintendent or is otherwise exempt under state law.  
[Reference: ALA. CODE §16-28-3 (1975)]

#### a. Kindergarten Age Requirement –

1. A child five years of age on or before September 1 shall be entitled to admission to kindergarten at the opening of that school year or as soon as practicable thereafter.
2. A child less than five years of age on September 1 shall not be entitled to admission during that school year.
3. An underage child transferring from the public school kindergarten in another state, and whose parents were residing in that state at the time of the transfer, may be admitted to kindergarten on a space available basis with Board approval. The child shall be admitted to first grade upon successful completion of kindergarten.

#### b. Kindergarten and First Grade Age Requirement –

1. A child six years of age on or before December 31 shall be entitled to admission to first grade at the opening of school for that school year or as soon as practicable thereafter.
2. A child under six years of age on December 31 shall not be entitled to admission to the first grade during that school year.
3. An underage child who has moved into this state having successfully completed a mandated, public school kindergarten program in another state shall be admitted to first grade.
4. Kindergarten or first grade students who were enrolled in an Alabama private school, church school, or were being tutored in accordance with the Ala. Code (1975) and who seek admission to kindergarten or first grade in the public schools must meet the age requirements for admittance.

6.1.2 Admission to Schools:

No student shall be denied enrollment on the basis of race, color, national origin, sex, and disability.

a. Resident Students – School-age children who reside within the municipal limits of the City of Gulf Shores, Alabama, may be admitted to Gulf Shores City Schools.

A. The school principal shall determine grade placement of students from a private or non- public school or from home education based on state regulations and applicable Gulf Shores City Board of Education rules regarding transfer of credit as well as other factors including test data, age, and previous school records.

B. Admission may be denied a student who is over seventeen (17) years of age and who has been dismissed from previous schools for violation of the rules of the school except for resident students who have current Individualized Education Plans (IEPs).

C. When a student facing some type of disciplinary action is withdrawn from school prior to receiving the punishment, said student and student's parent/legal guardian is to be informed that prior to admission/readmission to any Gulf Shores City school, the disciplinary action assigned must be completed. This includes any suspension, alternative program placement, work assignment, or referral to the Superintendent or board for a hearing.

b. Non-resident Students – A student whose parent/legal guardian resides outside the jurisdiction of the Gulf Shores City Board of Education may be eligible to attend a Gulf Shores City school. To be considered for initial enrollment in the Gulf Shores City School System, the parent/legal guardian of a non-resident student shall submit an annual written application to the Superintendent for consideration during the annual non-resident application period.

To meet residency requirements, a student must physically reside full time at a place of abode (house, apartment, etc.) within the city limits of Gulf Shores. Therefore, legal residence shall mean the true, fixed, permanent, and primary home of parents or legal guardian. Legal residence of a home is distinguished from a temporary or secondary place of residence established for some specific purpose, but not the fixed, permanent, primary establishment of the parent or legal guardian.

A. The following factors (other than the priorities listed in Section G. of this policy

below) shall be considered and used by the Superintendent as the basis for granting permission for a nonresident student to enroll/continue enrollment in the Gulf Shores City Schools. In the Superintendent's judgement, these factors may also be considered to revoke the enrollment of a non-resident student:

1. The availability of an instructional program that meets the education, physical, and emotional needs of the student;
  2. The ability to accommodate the applicant without placing undue financial burden on the Gulf Shores City School System;
  3. The availability of space at the grade level and school;
  4. The student's previous attendance record;
  5. The student's academic performance at the average or above average level as determined through a review of grades, academic records, and standardized test results;
  6. The student's satisfactory history of behavior as determined by a review of discipline records;
  7. The student's satisfactory record of payment of school financial obligations and/or tuition;
  8. The parent's/legal guardian's agreement to pay an annual tuition determined by the Gulf Shores City Board of Education. A student's enrollment, if approved, will not become active until tuition is received;
  9. The parent's/legal guardian's and student's agreement to follow the rules, regulations, and codes of student conduct, handbooks, and policies established by the Gulf Shores City School System. Failure to comply with the rules and regulations may be cause for expulsion, the withdrawal of permission to attend a Gulf Shores City school, and forfeiture of tuition paid;
  10. The parent's/legal guardian's agreement to provide transportation for the student. The Gulf Shores City School System does not provide transportation for non- resident students; and,
- B. The Gulf Shores City School System has the right to revoke enrollment of any non- resident student based on any of the following conditions:

1. Inappropriate behavior or poor disciplinary record;
  2. Excessive tardiness to school or poor school attendance;
  3. Unsatisfactory academic performance;
  4. Falsifying school/or legal documents;
  5. Late tuition payments, if applicable;
  6. An attempt to circumvent the policies/procedures of the school and/or the school system; and,
  7. Any other good and sufficient reason.
- C. If, during the school year, it becomes evident that the guardianship/residency of a student has been misrepresented in order to avoid tuition and that the student actually resides outside of Gulf Shores City, the student may immediately be withdrawn.
- D. When requesting enrollment, proof of guardianship and/or legal custody must be provided along with proof of residency for all parents/legal guardians. The Gulf Shores City School System accepts only legal guardianship/custody documents as authorized by a court of law. Notarized affidavits, educational guardianship records, or other types of statements are not acceptable as proof of guardianship/custody. When divorced parents share legal custody, the residence of the primary, physical custodial parent shall be used to determine the resident/non-resident status of the enrolling student in the Gulf Shores City Schools.
- E. The decision to admit non-resident students shall be discretionary. When capacity exists based on the criteria listed above in Section A. of this policy, non-resident students shall be admitted based on these priority levels:
1. When a current non-resident student is attending a Gulf Shores City School pursuant to this policy, the parent/legal guardian may request that their child receive priority for submission and approval of a non-resident enrollment application the following school year.
  2. Full-time employees of the Gulf Shores City Board of Education who live outside of the City of Gulf Shores may request enrollment for their child(ren) in the Gulf Shores City School System by following all non-

resident student procedures. (Tuition may be waived for such non-resident students at the Superintendent's discretion.)

3. Full-time employees of the City of Gulf Shores who live outside of the City of Gulf Shores may request enrollment for their child(ren) in the Gulf Shores City School System by following all non- resident student procedures. (Tuition may be waived for such non-resident students at the Superintendent's discretion.)
  4. When a current non-resident student is attending a Gulf Shores City School and his or her sibling that is living within the same household wishes to attend a Gulf Shores City School, the parent/legal guardian may request that their child receive priority for submission and approval of a non-resident enrollment application. However, the Gulf Shores City School System is not obligated to provide transportation for the student(s) under such circumstances.
  5. After these priorities have been exhausted, at the conclusion of the application period and subsequent evaluation, all other students applying to be non-resident students in Gulf Shores City Schools shall have their applications evaluated on a first come, first serve basis, based on the priorities outlined in section b (A) of this policy.
- F. When the parent/legal guardian of a current resident student establishes residence outside of Gulf Shores City during the academic year, the parent/legal guardian may request that their child(ren) be allowed to complete the current semester by submission and approval of a non-resident enrollment application and payment of appropriate pro-rated tuition. However, the Gulf Shores City School System is not obligated to provide transportation for the student(s) under such circumstances.
- G. Students whose custodial parents or legal guardians own real property or a place of residence that is eligible for an annexation into the City of Gulf Shores but elect for said real property or residence to NOT be annexed into the City of Gulf Shores will not be eligible for admission under this policy.
- H. Tuition Information: Non-resident student tuition shall be paid each year prior to registration and enrollment. The tuition must be paid in full prior to the beginning of the school year unless an exception is granted by the Superintendent on a case-by-case basis. Failure to pay tuition according to the

established payment date(s) will cause the student(s) to be withdrawn from the Gulf Shores City School System.

- I. Non-resident students who enroll at times other than the beginning of a semester shall pay tuition on a prorated basis for the balance of the school year/semester of attendance.

Homeless Students: Nothing in this policy shall interfere with the implementation and application of the McKinney-Vento Homeless Assistance Act of 2001.

Reference(s): Code of Alabama 16-11-9

c. Homeless Students –

- A. Homeless students will be permitted to enroll without regard to residency status and will not be denied services offered to other students in the school system. Homeless students may also be entitled to other accommodations under federal law.
- B. Homeless students will continue in the school they attended before becoming homeless for the duration of their homelessness, or for the remainder of the academic year, if the student becomes permanently housed during an academic year. Otherwise, a homeless student may be enrolled in any school in the system that non-homeless students who live in the attendance area in which the student is living are eligible to attend.
- C. When a dispute arises regarding school placement, the system will immediately enroll the homeless student in the school in which enrollment is sought by the parent, guardian, or unaccompanied youth, pending resolution of the dispute. The school will provide the parent, guardian, or unaccompanied youth with a written explanation of the decision, a statement of the right to appeal, and the procedure for appealing the placement decision. The principal of the school will notify the Board's Homeless Liaison of the dispute.
- D. The Homeless Liaison will expeditiously carry out the system's dispute resolution procedures as detailed in the Board's Homeless Student Plan. The plan is available in the district's Central Office and in the principal's office of each school.
  1. Placement of Students – The Board will determine the placement of newly enrolled students in accordance with state law.
  2. Documentation – Students entering the school system for the first time, regardless of grade level, are not required to submit a birth certificate or

another form of acceptable documentation to verify the student's age. A social security number may be requested, but such request is voluntary and is not a requirement of enrollment.

- d. Students in Foster Care –
  - A. A student in foster care remains in his or her school of origin, unless it is determined that remaining in the school of origin is not in the student's best interest.
  - B. If it is not in the student's best interest to stay in his or her school of origin, the student is immediately enrolled in the new school even if the student is unable to produce records normally required for enrollment.
  - C. The new (enrolling) school should immediately contact the school of origin to obtain relevant academic and other records.
  
- e. Students who live in the attendance areas of Gulf Shores City Schools and who are homeless, in foster care, migratory, immigrant and/or limited English proficient shall not be prohibited from school attendance due to any of the following:
  - A. Residency requirements
  - B. Lack of social security number
  - C. Lack of birth certificate
  - D. Lack of school records or transcripts
  - E. Lack of immunizations
  - F. Legal custody requirements
  - G. Transportation
  - H. Language barriers
  - I. Disabilities
  
- f. Transfers From Accredited, Non-Accredited, Or Home Schools –
  - A. Students transferring from accredited public or non-public schools will have all credits and current class/grade placement accepted upon receipt of the official transcript(s) without validation.
  - B. To allow transfer of credits and/or determine the appropriate class/grade placement of a student transferring to this system from a non-accredited or home school, the following shall be implemented:

Credit for all elective courses shall be accepted without validation.

Credit for core courses of English, mathematics, science and social studies shall be transferred as follows: end of course tests, nationally recognized standardized tests, and official school records shall be used to validate credit earned and to determine the most appropriate course and grade placement.

- C. For any initial core course, the student completes successfully in this system, he/she shall be permitted to transfer in that subject area all previous credits earned at a non- accredited or home school. (Example: Successful completion of eleventh grade English in this system would allow the student to transfer ninth and tenth grade English if completed successfully at the nonaccredited or home school.)
  
- D. In the event of the existence of controversial records/transcripts and/or the absence of any official or notarized records/transcripts, the student shall take placement tests consisting of the Gulf Shores City School's previous semester tests for core courses.
  
- E. All transfer students must pass any required assessments and meet all other requirements for graduation.

Reference(s): ALA CODE 16-11-9, ALA ADMIN CODE §290-3-1-.02(7) J 2 (K)