

ORANGE COUNTY  
BOARD OF EDUCATION

AGENDA ITEM ABSTRACT

Meeting Date: June 22, 2012

AGENDA ITEM No. 12-06-(2)-04

ACTION ITEM: (Y/N) Y

SUBJECT: School Admissions Policy #4131 Revised – 1<sup>st</sup> Reading Approval

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ATTACHMENTS: 1. School Admissions Policy #4131

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**PURPOSE:** The purpose of this agenda item is to revise the current School Admissions Policy #4131.

**BACKGROUND:** Revisions to the School Admissions Policy are being recommended to provide procedural appeal and notification elements. Revisions are being recommended by legal counsel.

The revised policy includes a new section called DENIAL OF ADMISSION BASED ON DISCIPLINARY OR CRIMINAL OFFENSES. This section includes a description of the notification and appeals process.

**FINANCIAL IMPACT:** None.

**RECOMMENDATION:** The Superintendent recommends the Board of Education approve the School Admissions Policy #4131 for 1<sup>st</sup> Reading Approval.

<b>SCHOOL ADMISSIONS</b>	<i>Date Reviewed/Approved:</i> 05/19/2008	<i>Policy Number:</i> 4131
<i>Rescinds Policy Number:</i> JBC, JBC-R		<i>Issued:</i> 2/28/79, 6/5/89, 12/6/04

The Board believes that regular attendance is a necessary requirement of all students and that any child with the maturity and interest to learn should be included in some phase of the school program.

The Board further believes that a good attendance program should:

1. Make possible the admission of nonresident students when accommodation is available and when regulations of the Board for acceptance of nonresident students can be met;
2. Specify and clearly define all established attendance areas for the guidance of students, parents, and administrators;
3. Permit student transfers from a school in one attendance area to a school in another attendance area to a school in another attendance area when it is considered to be in the best interest of all concerned;
4. Maintain complete attendance records for all students.

**1. CONSTITUTIONAL AND STATUTORY PROVISIONS:**

“All pupils residing in a school district or attendance area, and who have not been removed from school for cause, shall be entitled to all the privileges and advantages of the public schools of such district or attendance area, unless otherwise assigned by the county or city board of education, the following pupils are entitled to attend the schools in the district or attendance area in which they reside:

1. All persons of the district or attendance area who have not completed the prescribed course of graduation in the high school. Provided, the superintendent, or the principal with the approval of the superintendent of the school administrative unit may, in his discretion, prohibit the enrollment of or remove from school any pupil who has attained the age of 21 years.
2. All pupils whose parents have recently moved into the unit, district, or attendance area for the purpose of making their legal residence in the same.
3. Any pupil or pupils living with either father, mother or guardian who has made his or her permanent home within the district.”

Legal definitions pertinent to school admissions:

1. “Domicile” is a permanent, established home, not temporary. The domicile of an unemancipated minor is the same as that of his/her parents or legal guardian. A financially independent student who is legally emancipated may establish his/her own domicile.
2. “Residence” is where a person actually lives, temporary or permanent.
3. “Legal Custodian” is a person or agency given legal custody of a child by a court of law.
4. “Long-term Suspension” is the removal from school for more than 11 days and could be up to the remainder of the school year.
5. “365-day Suspension” is the removal for 365 calendar days.

6. "Expulsion" is the permanent removal from the Orange County School System.
7. "Homeless" denotes a student who does not have a fixed, regular and adequate housing.

## 2. CRITERIA FOR ADMISSION TO THE ORANGE COUNTY SCHOOLS

Admission to the Orange County School System will be considered when the following criteria have been established:

### A. Requirements for enrollment in Orange County Schools

1. Student has not completed a course for graduation from high school.
2. Student has satisfied the North Carolina immunization requirements.
3. The parent, guardian, or custodial parent has given documentation of the student's age and grade placement.
4. The parent, guardian, or custodial parent has shown proof of residence in Orange County.
5. If a student is in the custodial care of someone other than the parent proof must be shown at the school to which the child is assigned.

~~The superintendent/Designee may deny admission of a student who has been suspended from another public or private school within the state of North Carolina, or any other state, for conduct that could have led to a suspension in the Orange County School System, until the period of suspension has expired. G.S. 115C-391.~~

~~The above stipulations will also holds tru for students under expulsion from another school within this state or any other state for behavior, where the students' continued presence in the school constitutes a clear threat to the safety of other students or employees; or who has been convicted of a felony in this or any other state.~~

The parent or legal custodian of students entering Kindergarten are required to obtain a health assessment for their child. This is required by law and must be completed no more than 12 months prior to the date of school entry. It must include a medical history and physical examination with vision and hearing screening.

### Age Requirements

1. Preschool- the child must meet the age requirements for the program in which he/she seeks to enroll.
2. Kindergarten- a student must be at least five years of age by October 16 of the school year in which they seek to enroll. *(Per G.S. 115C-364, the cutoff date will change to August 31 starting with the 2009-2010 school year).*
3. Older students: students older than 21 years of age or who have already completed the requirements for graduation from high school are no longer eligible to enroll.

**3. DENIAL OF ADMISSION BASED ON DISCIPLINARY OR CRIMINAL OFFENSES**

The Superintendent/Designee is authorized to deny admission to or place reasonable conditions on the admission of:

- a) any student who has been suspended from another public or private school within the state of North Carolina, or any other state, for conduct that could have led to a suspension in the Orange County School System, until the period of suspension has expired;
- b) any student who had been expelled from a North Carolina school or from any other school based on clear and convincing evidence that the student's continued presence in school constituted a clear threat to the safety of other students or staff; or
- c) any student seeking admission who has been convicted of a felony in this or any other state.

The Superintendent will provide prompt written notification to the parent(s) of any student denied admission due to suspension or expulsion from another school or a felony conviction pursuant to this policy. The Superintendent's notice will inform the parent of the process for appeal. A student denied admission under subsection (a), above, may appeal the Superintendent's decision to the Board of Education as provided in Policy 1740. A student denied admission under subsections (b) or (c), above, may petition the Board of Education to reconsider that decision using the procedure contained in N.C.G.S. § 115C-390.12 and the "Requests for Readmission" section of Policy 4300.

Any student denied admission under this section who qualifies for special education under the IDEA will receive special education services during the period of non-enrollment to the same extent as special education students suspended or expelled from the Orange County Schools.

**4. TUITION STUDENTS Admission/Tuition-Students:**

Tuition will be charged based on the per pupil allotment funded by the state each year.

Tuition will be charged to the following students:

1. All students granted admission who reside outside the school district unless the student meets the qualifications of the McKinney-Vento Homeless Assistance Act.
2. The tuition rates will be determined and reported to the Board of Education no later than May 1 of each year.

Tuition students shall satisfy the following requirements for admission:

1. Attach evidence of good academic and disciplinary standing;
2. Present evidence that the student has not completed the prescribed course for graduation from high school;
3. Obtain release from school district of residence;
4. Be granted admission;

5. Pay the tuition fee in accordance with a collection schedule to be established by the Director of Student Services
6. Be responsible for transportation.

Note: Approval for a particular school will depend on the school's capacity and diversity.

**5. DISCRETIONARY RELEASES TO ATTEND SCHOOL IN OTHER DISTRICTS**

- A. Orange County students seeking release to attend public school in another public school system may apply to the Director of Student Services.
- B. Release from Orange County releases the school system from any obligation to provide transportation and/or tuition for the student unless the student meets the qualifications of the McKinney-Vento Homeless Assistance Act.

Legal Reference: G.S. 115C-366, 115C-391