

Board Policy JBCA: Resident Students

Status: DRAFT

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The Henry County Board of Education will follow all enrollment and withdrawal requirements of State Board Rule 160-5-1-.28 and all applicable state and federal authority.

I. DEFINITIONS

- A. Legal Custodian - the person who has been given legal custody by a court of competent jurisdiction.
- B. Legal Guardian - the person to whom a court of competent jurisdiction has given statutory parental rights.
- C. Parent - the natural or adoptive father or mother. The term parent as used hereinafter shall be inclusive for the terms legal custodian and legal guardian.
- D. Resident - an individual who is a full-time occupant of a dwelling located in Henry County where the student lives with a parent, guardian, or other person, unless the student is a foster child, adult student, emancipated minor or homeless.
- E. Responsible Adult - any person that has been delegated caregiving authority for a student pursuant to O.C.G.A. 19-9-120, et seq., during the period set forth in O.C.G.A. 19-9-120, et seq.

II. AGE ELIGIBILITY FOR ENROLLMENT

- A. All children, including those meeting the requirements of the McKinney-Vento Act, who have attained the age of 5 years by September 1st, shall be eligible to enroll in kindergarten. Those who have attained the age of 6 by September 1 shall be eligible for first grade. Students are eligible to attend school unless they attain the age of 20 by September 1 or have received a high school diploma or equivalent if they have dropped out of school for a quarter or more. Students who have not dropped out of school for a quarter or more are eligible to attend school unless they attain the age of 21 by September 1.
- B. Mandatory attendance age for enrollment is age 6. Every parent, guardian, or other person residing in Georgia having control or charge of any child or children between their sixth and sixteenth birthdays is required to enroll and send such child or children in their care to a public or private school or provide a home study program for these children which meets requirements set forth in law. If a student is enrolled prior to age 6 in a kindergarten program and attends for 20 days, then the child is subject to provisions of compulsory school attendance.
- C. A child who was a legal resident of one or more states or countries for a period of two years immediately prior to moving to this state and who was legally enrolled in a public kindergarten or first grade, or a kindergarten or first grade accredited by a state or regional association, or the equivalent thereof, shall be eligible for enrollment in the appropriate general or special education program if such child will attain the age of five for kindergarten or six for first grade by December 31 and is otherwise qualified. In the case where a child has successfully completed first grade in a private, out-of-state, or out-of country school and will not be seven (7) until after September 1st of the school year, such child can be enrolled in second grade only after the Henry County Schools have completed academic achievement and/or placement testing to determine the child's preparation to do second grade work. In those cases where the child is determined to be ready to do second grade work, the child will be enrolled in second grade. When the child is determined not ready to do second grade work, the child's parents will be counseled to enroll the child in first grade.
- D. Special education students, including homeless, are eligible for enrollment in appropriate education programs until they receive a high school diploma or equivalent or they reach their twenty-second [22] birthday whichever comes first; provided, however, they were enrolled during the preceding school year

and had an approved Individualized Education Program (IEP) which indicated that a successive year of enrollment was needed.

III. RESIDENCE ELIGIBILITY FOR ENROLLMENT

Approved residence for school attendance purposes occurs when the student lives with the authorized person(s) who resides within the county school district and local school attendance zone.

Authorized person(s) for enrollment purposes

- A. Students under the age of 18 must be accompanied by one of the following authorized individuals:
 1. Parent (natural or adopted).
 2. Legal guardian or other person legally entitled to act on behalf of the child.
 3. Foster parents appointed by a state agency.
 4. Sponsor for an approved International Exchange Program.
 5. A Kinship caregiver, grandparent, or agent with a properly executed affidavit or power of attorney authorized under state law.
- B. The person who is enrolling a student should provide one of the following acceptable forms of identification for purposes of enrollment.
 1. A driver's license
 2. A state identification card
 3. A passport
 4. Other official photo identification, such as can be obtained from an official government agency or consulate

IV. PROOF OF RESIDENCE

Proof of residence is required when a student initially enrolls, otherwise the student will be enrolled on a provisional status, whenever a change of residence occurs, or any time authorized school district personnel request proof of residency. School district personnel may request proof of residency multiple times and/or any time while a student remains enrolled.

Students who are 18 years of age may enroll themselves in school provided they present documentation that their residence is located within the attendance zone for the school.

A school system representative may visit the address given by any parent to verify residency. If it is determined that the enrollment of any student is in violation of board of education policy, any of the following actions may be taken individually or in any combination:

1. The student shall be withdrawn from school within 5 business days;
2. The parent shall be charged tuition for the period of the violation together with all court and legal expenses incurred by the Henry County Board of Education regarding the matter pursuant to O.C.G.A. 20-2-133; and

3. Parties who provide false information to circumvent residency requirements shall be prosecuted for false swearing pursuant to O.C.G.A. 16-10-71.

The Superintendent or designee shall establish administrative regulations regarding the district's approved list of verifiable residency documents and proof of residency processes.
