

## **Policy Code: 4050 SCHOOL ADMISSIONS**

Qualifications for admission to the Edenton-Chowan Public Schools shall be considered complete upon satisfaction of the criteria listed under the respective types of entrants.

### DEFINITIONS

- A. "Domicile" denotes a permanent, established home, as distinguished from a temporary, although actual, place of residence. The domicile of an unemancipated minor is the same as that of his parents or legal guardian. A student who is married or who is legally emancipated may establish his own domicile.
- B. "Residence" is where a person actually lives, whether permanent or temporary.
- C. "Legal Custodian" is a person or agency awarded legal custody of a child by a court of law.
- D. "Long-term Suspension" is a removal from school for more than ten days.
- E. "365-day Suspension" is a removal from school for 365 calendar days from the start of the suspension.
- F. "Expulsion" is a permanent removal from the Edenton-Chowan Public Schools.

### CHILDREN OF MILITARY FAMILIES

The board strives to promote flexibility and cooperation among the school system, parents and guardians, and children of military families, to promote the children's well-being, and to assist these children in achieving educational success when transitioning to their new schools. To achieve these goals, the board has adopted policies consistent with the Interstate Compact on Educational Opportunity for Military Children (hereinafter "Compact") and G.S. 115C-407.12 to facilitate the enrollment of children of military families and to provide continuity in their educational services, including in the areas of education records, immunizations, age requirements for initial entry, course and education program placement, special education services, and extracurricular activities. The superintendent shall adopt procedures necessary to implement the policies and to otherwise comply with the Compact and G.S. 115C-407.12 and to educate employees about the unique needs of children of military families.

The following definitions apply to all policies and procedures adopted in compliance with the Compact and G.S. 115C-407.12.

- A. Active Duty  
Active duty is full-time duty status in the active uniformed service of the United States, including members of the National Guard and Reserve on active duty orders pursuant to 10 U.S.C. 12301et seq. and 10 U.S.C. 12401et seq.
- B. Children of Military Families  
Children of military families are school-aged children, enrolled in kindergarten through twelfth grade, in the household of one of the following:
  - (1) member of the uniformed services on active duty;
  - (2) a member or veteran of the uniformed services who is severely injured and is medically discharged or retired, for a period of one year after medical discharge or retirement;
  - (3) a member of the uniformed services who died on active duty or as a result of injuries sustained on active duty, for a period of one year after death; and
  - (4) an inactive member, **but only if** (1) the inactive member is required to move to perform military service-related responsibilities, (2) the move results in a

transfer of school systems for the child, and (3) the inactive member presents a copy of the official military transfer order to the school from which services for the child are requested. If the move results in an interstate transfer of the child between the school system and another school system in a different state, the superintendent shall direct school officials to attempt to coordinate with the out-of-state school system on behalf of the child but cannot require the receiving school system to provide specific services.

a. An inactive member is a member of the National Guard or Reserve of any branch of the uniformed services, who is inactive and not on active duty orders pursuant to 10 U.S.C. 12301et seq. or 10 U.S.C. 12401et seq.

#### PREREQUISITES TO ADMISSION

Before a student will be enrolled in the Edenton-Chowan Public Schools, the following requirements must be met:

A. Student has not completed the prescribed course for graduation from high school.

B. Student has satisfied North Carolina immunization requirements.

C. The parent, guardian, or custodian has presented documentation establishing the student's age (birth certificate) and grade placement (transcript or report card from previous school if transferring from elsewhere).

D. For a student presented for enrollment, after enrollment in a private or public school in this or any other state, the student's parents, guardian, or custodian shall provide a statement made under oath or affirmation before a qualified official indicating whether the student is, at the time, under suspension or expulsion from the previous school and/or has been convicted of a felony in this state or any other state.

1. The Board may deny admission or place reasonable conditions on the admission of a student who has been suspended from a school under [G.S. § 115C-390.5 through 390.10](#) or who has been suspended from another public or private school within this state or any other state for conduct that could have led to a suspension in the Edenton-Chowan Public Schools, until the period of suspension has expired.

2. The Board may deny admission or place reasonable conditions on the admission of a student who has been expelled from a school under [G.S. § 115C-390.11](#) or who has been expelled from another public or private school within this state or any other state for conduct that could have led to an expulsion in the Edenton-Chowan Public Schools; or who was expelled from a school for behavior that indicated the student's continued presence in the school constituted 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.

3. A student who has been expelled from another public or private school in this or any other state or who has been convicted of a felony in North Carolina or any other state and who is denied admission to Edenton-Chowan Public Schools may request the Board to reconsider that decision as provided in the Due Process Policy. Suspended students who are denied admission are not entitled to a hearing to request the Board to reconsider its decision to deny admission.

4. When a student who has been identified as eligible to receive special education and related services under the Individuals with Disabilities Education Act, [20 U.S.C. §1400](#), *et seq.*, is denied admission under this subsection, the local board shall provide educational services to the student to the same extent it would if the student were enrolled in the local school administrative unit at the time of the suspension or expulsion.

E. No child shall be permitted to enter kindergarten unless a current health assessment form is presented to the principal on or before the child's first day of attendance. If the form is not presented, the principal shall present a notice of deficiency to the parent/guardian, or person in loco parentis. If the health assessment form is not received within 30 calendar days from the first day of attendance, the child may not continue to attend school until the health assessment form has been presented.

1. The health assessment shall be made no more than 12 months prior to the date of school entry. It must include a medical history and physical examination with screening for vision and hearing and, if appropriate, testing for anemia and tuberculosis.

2. Within 60 calendar days after the commencement of a new school year, the principal shall file a health assessment status report with the Department of Environment, Health and Natural Resources. The report shall document the number of children in compliance and not in compliance with the requirement to provide the health assessment form.

F. The student meets the age requirements outlined below:

1. **Preschool:** To enroll in a preschool program, a child must meet the age requirements for the program in which he seeks to enroll.

2. **Kindergarten:** To enroll in kindergarten, a student must be at least five years of age by August 31 of the school year in which the student seeks to enroll; be qualified to enroll as a four- and a half-year-old under State Board of Education guidelines and be granted discretionary admission by the principal; or be qualified because of previous enrollment in kindergarten in another public school system or private school in another state or country.

3. The initial point of entry shall be at the kindergarten level. After initial entry into kindergarten, the principal may place a child in first grade, by reason of the child's maturity, without regard to chronological age.

4. The parent or guardian of a child who is making initial entrance into school shall be required to furnish, before admission is approved, a certified copy of the child's birth certificate.

5. When a child has begun attendance in a public school in another state or foreign country in accordance with the laws or regulations of that state or country, and upon receipt of official school records, the child will be eligible for official enrollment regardless of his or her age. Grade placement will be determined by the principal.

6. **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.

For a student who is in foster care or considered homeless, the inability to provide documentation must not prevent immediate enrollment of the student. School officials, or in the case of a homeless student, the homeless liaison, shall immediately contact the last school the student attended to obtain relevant enrollment records or other information needed for enrollment. These officials shall work with the student, the parent or guardian, school personnel, and other agencies as necessary to obtain enrollment information in a timely manner.

**In addition, children of military families, who resided in another state and were attending school during that school year in the other state and who are presented for enrollment at any point during the school year will be considered eligible for initial entry even if they did not reach the age of five on or before August 31.**

G. The parent, guardian, or custodian must present a child for initial enrollment into kindergarten within the first 120 days of the school year.

#### **ENTITLEMENT TO ADMISSION**

A student is legally entitled to be enrolled in the Edenton-Chowan Public Schools if the student meets one of the following criteria:

- A. The student is domiciled in Chowan County; or
- B. The student resides with a legal custodian who is domiciled in Chowan County; or
- C. The student meets the abandonment exception as follows:
  - 1. Student resides with an adult, who is domiciliary of Chowan County, as a result of:
    - a. Death, serious illness, or incarceration of a parent or legal guardian; or
    - b. Abandonment by a parent or legal guardian of complete control of the student as evidenced by the failure to provide substantial financial support and proper guidance; or
    - c. Abuse or neglect by parent or legal guardian; or
    - d. Physical or mental condition of the parent or legal guardian is such that he or she cannot provide adequate care and supervision of the student; or
    - e. The relinquishment of physical custody and control of the student by the student's parent or legal guardian upon the recommendation of the department of social services or the Division of Mental Health; or
    - f. Loss or uninhabitability of the student's home as a result of a natural disaster; or
    - g. The student's parent or legal guardian is one of the following: a member or veteran of the uniformed services who is severely injured and medically discharged or retired (but only for a period of one year after the medical discharge or retirement of the parent or guardian); or (2) a member of the uniformed services who has died while on active duty or as a result of injuries sustained on active duty (but only for a period of one year after the death of the parent or guardian). Assignment under this provision is only available if some evidence of the medical discharge, retirement, or death is tendered with the affidavits required under [G.S. 115C-36](#).

2. The student is
  - a. not currently under a term of suspension or expulsion from a school for conduct that could have led to a suspension or expulsion from the Edenton-Chowan Public Schools; or
  - b. Currently under a term of suspension or expulsion from a school for conduct that could have led to a suspension or an expulsion from the local school administrative unit and is identified as eligible for special education and related services under the Individuals with Disabilities Education Improvement Act, if evidence of current eligibility is tendered with the affidavit required in paragraph 3 below.
3. The adult with whom the student resides and the student's parent, guardian, or legal custodian presents to the school principal a completed and signed separate affidavit that
  - a. Confirms the qualifications set out in this subsection establishing the student's residency
  - b. Attests that the student's claim of residency in Chowan County is not primarily related to attendance at a particular school within Chowan County or attendance in the Edenton-Chowan Public schools generally; and
  - c. Attests that the adult with whom the student is residing has been given and accepts responsibility for the educational decisions for the child, including receiving notices of discipline, attending conferences, granting permission for school-related activities, and taking appropriate action in connection with student records.
4. The student is living in a foster home, group home, or other institution or care facility that is located in Chowan County; or
5. The student is a homeless student who is currently found in Chowan County (the homeless student must be enrolled immediately, even if the student is not accompanied by an adult and cannot provide proof of residency, school and immunization records, birth certificates or other documents.);
6. The parent, guardian, or legal custodian residing in the school system attendance area is on active military duty and is assigned by official military order to a military installation or reservation in North Carolina; or
7. The student is otherwise found by the Edenton-Chowan Board of Education to be entitled to enroll in the Edenton-Chowan public schools.

#### Participation in JROTC by Home School Students

A home school student who resides within the assignment area of a school that maintains a Junior Reserve Officers' Training Corps (JROTC) unit shall be permitted membership in the JROTC unit of the school without regard to domicile if the student is otherwise qualified for membership but for lack of enrollment in the school.

#### DISCRETIONARY ADMISSION STUDENTS:

Enrollment in the school system generally is limited to those students who meet the domicile or residence requirements outlined above. However, on occasion, special circumstances may warrant a student's enrollment in a different school system. The board, in its discretion, may admit non-domiciled students into the school system and

may release domiciled students to another school system in accordance with this policy. All discretionary admissions decisions will be made in a manner that is not arbitrary, capricious, discriminatory, prohibited by state or federal law, or for personal or political reasons.

A. ~~The Superintendent may grant discretionary admission to a student who satisfies the following requirements for admission.~~ The board may choose to admit a non-domiciled student only if the following conditions are met.

1. ~~The parent, legal guardian, or legal custodian~~ ~~Submits an application form completed by the parent or guardian;~~ explains in writing why, in the opinion of the parent, legal guardian, or legal custodian, the student needs to attend school in the school system. An explanation of need will be considered valid grounds for discretionary admission only if there are compelling, specific circumstances indicating that the student should attend school in the school system.
2. Presents a planned course of study for the current or coming year if a secondary student;
3. Furnishes transcripts and other student record data including evidence of compliance with North Carolina immunization requirements;
4. Presents evidence that the pupil is in good standing at the last school attended;
5. Presents evidence that the student has not completed the prescribed course for graduation from high school; and
6. Presents a release from the school district of residence.

B. Applications for discretionary admission will be considered only when space is available.

C. Any approved admission of students is valid only for the school year for which approval is granted. ~~An application must be submitted each subsequent school year in which admission is desired.~~ ~~Requests may be made annually.~~ ~~Final decisions by the Superintendent regarding discretionary admission may be appealed to the Board in accordance with the Student and Parent Grievance Policy.~~

D. The Edenton-Chowan School System will not provide transportation to students granted discretionary admission. ~~The parent, legal guardian, or legal custodian must agree to provide transportation to and from school.~~

E. Discretionary admission may be revoked for disciplinary violations at any time.

F. Discretionary admission or consideration of discretionary admission may be revoked if false information is provided and/or required information is withheld.

G. Discretionary admission may be revoked at any time for poor attendance patterns to include tardies (being late for school or class) and/or excessive absences.

#### ADMISSION DECISIONS

~~The Superintendent or designee shall determine the domiciliary status and qualification for admission for each pupil desiring to attend the Edenton-Chowan Public Schools.~~ ~~Final decisions by the Superintendent regarding admission may be appealed to the Board in accordance with the Student and Parent Grievance Policy.~~

Non-domiciled students who meet the admission criteria may submit a written application for discretionary admission to the superintendent or designee. The application must be accompanied by all required supporting documents, as described above in Section A. Applications from students who are residents of the geographic area served by the school system will have first priority. After reviewing the application and supporting documents, the superintendent or designee shall make a recommendation to the board to approve or deny the discretionary admission request. The board may grant admission for up to one full school year. The board will provide a written response to an applicant within 30 working days of receipt of the information required under this policy. Final decisions regarding discretionary admissions may be delayed until the board has determined whether space is available in the requested school. Therefore, the written response may provide either a final decision or a notification that a final decision is pending until the board determines space availability.

#### DISCRETIONARY RELEASES TO ATTEND SCHOOLS IN OTHER DISTRICTS

A. Chowan County students seeking release to attend public school in another public school system may apply to the Board for a release.

B. Release from the Edenton-Chowan Public Schools releases the school system from any obligation to provide transportation and/or tuition for the student.

C. ~~The Superintendent shall grant release of students only upon such terms and conditions as may be agreed in writing with the Board of Education of the other school administrative unit involved in the release.~~ The student must have both approval of the board to release the student and approval of the receiving board of education to admit the student. The decision whether to admit the student is made under the policies of the receiving board of education. Any approved release of a student is valid only for the school year for which approval is granted. Requests may be made annually. ~~Final decisions by the Superintendent regarding discretionary releases may be appealed to the Board in accordance with Student and Parent Grievance Policy.~~

#### APPEALS TO THE EDENTON-CHOWAN BOARD OF EDUCATION

~~Final decisions by the Superintendent regarding domiciliary status of students seeking to attend the Edenton-Chowan Public Schools may be appealed to the Board.~~

LEGAL REF: [10 U.S.C. 2031](#)(g); Elementary and Secondary Education Act, [20 U.S.C. 6311](#)(g)(1)(E); McKinney-Vento Homeless Assistance Act, [42 U.S.C. 11431](#) *et seq.*; [G.S. 7B, art. 35; 35A, art. 6; 50-13.1 to 13.3; 115C-231, -288, -364 to -366.1, -407.5, -407.12; 130A-109; 16 N.C.A.C. 6E.0105](#); State Board of Education Policy [KNEC-001](#)

CROSS REF: Homeless Students (policy 3250)

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**Edenton-Chowan Schools**