

**Policy**

ADMISSION

Eligibility

The Mendham Borough Board of Education shall admit to its schools free of charge the following persons over five and under 20 years of age:

- A. Any student domiciled within the district;
- B. Any student kept in the home of a person other than the student's parent/guardian, where the person is domiciled in the school district and is supporting the student without remuneration as if the student were his/her own child;
- C. Any student kept in the home of a person domiciled in the district, other than the parent/guardian, where the parent/guardian is a member of the New Jersey National Guard or the reserve component of the United States armed forces and has been ordered into active military service in the United States armed forces in time of war or national emergency;
- D. Any student whose parent/guardian temporarily resides within the district, notwithstanding the existence of a domicile elsewhere;
- E. Any student whose parent/guardian moves to another district as the result of being homeless, subject to the provisions of administrative code;
- F. Any student placed in the home of a district resident by court order pursuant to statute;
- G. Any student previously residing in the district if the parent/guardian is a member of the New Jersey National Guard or the United States reserves and has been ordered to active service in time of war or national emergency pursuant to statute; and
- H. Any student residing on federal property within the state pursuant to statute;
- I. Any nonresident student as provided by policy 5118 Nonresidents.

Any student that is eligible pursuant to clauses A-H above shall be admitted free of charge. Students admitted pursuant to clause I will be admitted as specified in policy 5118 Nonresidents, which may include payment of tuition.

Proof of Eligibility

The board shall accept any of the forms of documentation that are listed in the administrative code when they are presented by persons attempting to demonstrate a student's eligibility for enrollment in the district. The board shall consider the totality of information and documentation offered by an applicant and may accept other forms of documentation or information presented by a person seeking to enroll a student.

The board shall not require or request any information or document protected from disclosure by law or pertaining to criteria that are not legitimate bases for determining eligibility to attend school.

Preschool for Student with Disabilities

A child who is eligible for entrance into a program of special education shall be admitted as of his or her third

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birthday if found by the Child Study Team to be eligible for a program for the preschool disabled in accordance with rules of the State Board of Education:

- A. The child will have attained the age of three years;
- B. Proof shall be furnished of immunization against the communicable diseases at the time of enrollment or such immunization shall be completed within 30 days from date of entry into the school;
- C. The child shall have been examined by either the school or a private physician, and the results shall be furnished to the school on the form provided.

Kindergarten

Any child residing in the district shall be admitted to the kindergarten provided:

- A. The child will have attained the age of five years on or before October 1 of that school year;
- B. Proof shall be furnished of immunization against the communicable diseases at the time of enrollment or such immunization shall be completed within 30 days from date of entry into the school;
- C. The child shall have been examined by either the school or a private physician, and the results shall be furnished to the school on the form provided.

Grade One

Any child residing in the district shall be admitted to grade one provided:

- A. The child will have attained the age of six years on or before October 1 of that school year;
- B. He/she has been in the first grade in another public school;
- C. Proof has been furnished of immunization against communicable diseases.

Transfers Into Grades Two through Eight

Students transferring into the district are expected to present copies of records from the previously attended school (or district) to aid in placement. Also required are proof of immunizations and proof of identity.

Within the time prescribed by law, the superintendent shall request in writing from the school or district of previous attendance, the student's records.

Initial placement shall be made on the basis of the records, but adjustment may be made at the discretion of the administration when the state-mandated assessment indicates that such adjustments would be beneficial to the child. Parents/guardians shall be informed of this policy on registration.

Joint Custody

When divorced parents/guardians have joint custody of (a) minor child(ren), admission shall be based on the present address of the parent/guardian with whom the child(ren) resided as of the date required by administrative code.

Affidavit Students

When there is any doubt as to whether a child is entitled to free public education in the school district, all procedures of law and code shall be followed.

ADMISSION (continued)Nonresidents

The district is obliged to educate children of appropriate age residing in the district. The mere owning of any property whatsoever, does not qualify a parent/guardian to send children to school in this school district. See policy 5118 Nonresidents.

Domicile

The district is obligated to educate children of appropriate age residing in the district. The mere owning of any property whatsoever, does not qualify a parent/guardian to send children to school in this school district. A person will be considered to have a domicile in the district if he/she intends to permanently reside in the district. A child will be considered as domiciled in the district if the family temporarily resides outside of the district for good cause. Good cause includes but is not limited to, unexpected loss of housing because of fire, flood or other natural cause; unexpected loss of rental housing; or renovation of property, if family had already established domicile in the district on the basis of that property. The superintendent shall oversee the development of regulations to govern requests under this section. See policy 5118 Nonresidents.

Proof of Domicile

Mendham Borough students are required to show proof of domicile upon entering school and at any time it is deemed necessary. The superintendent and/or his/her designee is directed to develop a plan to ensure that Mendham Borough students meet the requirements in accord with New Jersey Statutes and Administrative Code. Those requirements are found at <http://www.nj.gov/education/code/current/title6a/chap22sample.pdf>.

Students Returning from County Detention

The district shall accept all days of attendance and courses studied by a student at a county juvenile detention center and apply them toward district requirements for elementary, middle or high school graduation.

Homeless Students

The district will determine the educational placement of homeless students in each child's best interest and respond to appeals concerning them made by parents/guardians or other parties in accordance with New Jersey statutes and administrative code, as well as, pertinent federal law.

Children Displaced by Domestic Violence

Any student attending the schools of this district, whether regularly enrolled in this or another district, who has been admitted to a shelter for victims of domestic violence will be permitted and encouraged to continue an appropriate educational program with minimal disruption. The board will cooperate with other educational institutions in the sharing of pertinent student records and in the establishment of sending-receiving relationships on behalf of displaced children. The confidentiality of all matters concerning displaced children will be strictly observed, and no information regarding the present residence of the child will be released.

The board shall make this policy available to parents and the public.

Adopted:	August 31, 2010
NJSBA Review/Update:	March 2015
1 <sup>st</sup> Reading:	February 23, 2016
Readopted:	March 22, 2016

ADMISSION (continued)Key Words

Admission, Resident, Student Records, Affidavit Student, Homeless Student, Student Records, Affidavit Student, Homeless Student

<b><u>Legal References:</u></b>	<u>N.J.S.A.</u> 18A:7B-12	District of residence; determination
	<u>N.J.S.A.</u> 18A:7B-12.1	Homeless child; responsibility for education; determination of placement; payment of costs
	<u>N.J.S.A.</u> 18A:7C	High School Graduation Standards
	<u>N.J.S.A.</u> 18A:7C-12	Juvenile detention centers, transfer of credit
	<u>N.J.S.A.</u> 18A:36-19a	Newly enrolled students; records and identification
	<u>N.J.S.A.</u> 18A:36-25.1	Proof of child's identity required for enrollment; transfer of record between districts
	<u>N.J.S.A.</u> 18A:38-1	Attendance at school free of charge
	<u>N.J.S.A.</u> 18A:38-2	Free attendance at school by nonresidents placed in district under court order
	<u>N.J.S.A.</u> 18A:38-3	Attendance at school by nonresidents
	<u>N.J.S.A.</u> 18A:38-4	Free attendance to persons over age
	<u>N.J.S.A.</u> 18A:38-5	Admission of students under age
	<u>N.J.S.A.</u> 18A:38-5.1	No child to be excluded from school because of race, etc.
	<u>N.J.S.A.</u> 18A:38-6	Time of admission of students; first school year
	<u>N.J.S.A.</u> 18A:38-7.7	Legislative findings and declarations
	<u>N.J.S.A.</u> 18A:38-8	Duty to receive students from other districts
	<u>N.J.S.A.</u> 18A:38-25	Attendance required of children between six and 16; exceptions
	<u>N.J.S.A.</u> 18A:40-20	Immunization at public expense
	<u>N.J.S.A.</u> 18A:44-1	Establishment of nursery schools or departments; eligibility for admission
	<u>N.J.S.A.</u> 18A:44-2	Establishment of kindergarten; eligibility for admission
	<u>N.J.S.A.</u> 26:1A-9.1	Exemption of students from mandatory immunization
	<u>N.J.S.A.</u> 26:4-6	Prohibiting attendance of teachers or students
	<u>N.J.A.C.</u> 6A:12-3.1	Choice district application procedures
	<u>N.J.A.C.</u> 6A:14-1.1 <i>et seq.</i>	Special Education
	<u>N.J.A.C.</u> 6A:16-2.2	Required health services
	<u>N.J.A.C.</u> 6A:16-2.4	Required student health records
	<u>N.J.A.C.</u> 6A:17-1.1 <i>et seq.</i>	Students at Risk of Not Receiving a Public Education
	<u>N.J.A.C.</u> 6A:22-1.1 <i>et seq.</i>	Entitlement to Attend School Based on Domicile or Student Residency
	<u>See particularly:</u>	
	<u>N.J.A.C.</u> 6A:22-3.1, 3.2, 3.3, 3.4	
	<u>N.J.A.C.</u> 6A:23A-19.2, -19.3	Method of determining the district of residence
	<u>N.J.A.C.</u> 6A:32-8.2	School enrollment
	<u>N.J.A.C.</u> 8:57	Communicable diseases
	<u>See particularly:</u>	
	<u>N.J.A.C.</u> 8:57-2	
	<u>N.J.A.C.</u> 8:61-1.1	Attendance at school by students or adults infected by Human Immuno-Deficiency Virus (HIV)

Tepper v. Board of Education of the Township Hackensack, Bergen County, 1971 S.L.D. 549

No Child Left Behind Act of 2001, Pub. L. 107-110, 20 U.S.C.A. 6301 *et seq.*

Plyler v. Doe, 457 U.S. 202 (1982)

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Plainfield Board of Education v. Cooperman, 105 NJ 587 (1987)

J.A. v. Board of Education of South Orange/Maplewood, 318 N.J. Super. 512  
(App.Div.1999)

**Possible**

<b><u>Cross References:</u></b>	3240	Tuition income
	*5118	Nonresidents
	5119	Transfers
	*5120	Assessment of individual needs
	*5141	Health
	*5141.2	Illness
	*5141.3	Health examinations and immunizations
	6142.5	Travel and exchange programs
	*6164.4	Child study team
	*6171.4	Special education
	6174	Summer school
	6178	Early childhood education/preschool

\*Indicates policy is included in the Critical Policy Reference Manual.