ADMISSION

The Board of Education shall admit to its schools free of charge the following persons over five and under 20 years of age, pursuant to N.J.S.A. 38-1:

A. Any student domiciled within the district as defined in N.J.A.C. 6A:22-3.1;

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.

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.

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;

ADMISSION (continued)

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 8

Pupils 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 chief school administrator shall request in writing from the school or district of previous attendance, the pupil'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 Pupils

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.

Moving within the District

Residents with children who attend Franklin Lakes Public Schools that move within the District need to officially change their address in writing with both the neighborhood school as well as with the Board of Education within 30 days. Parents of children in Kindergarten through Grade Five who wish to have their child(ren) remain at their current school must make a request in writing addressed to the chief school administrator within 30 days. Decisions will be made based on a case-by-case basis.

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.

ADMISSION (continued)

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 Pupils

Each child of a homeless individual and each homeless youth shall have equal access to the same free, appropriate public education, including a public preschool education, as provided to other children and youths of this district. Homeless children and youths shall also have access to the education and other services that they need to ensure they have an opportunity to meet achievement standards of the New Jersey Student Learning Standards to which all students are held.

The homeless liaison will provide any assistance necessary and requested for the prompt enrollment of the student. 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.

The chief school administrator or his or her designee shall ensure that the parent/guardian or adult student is given written notice, at the time the child or youth seeks enrollment in the school, and at least twice annually while the child or youth is enrolled, that describes the general rights provided under the McKinney-Vento Homeless Assistance Act and specifically states the choice of schools the children and youths are eligible to attend, This notice must be signed by the parent/guardian.

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

Adopted: March 8, 2016
NJSBA Review/Update: December 2016
Readopted: February 7, 2017; March 26, 2019

Key Words

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

Legal References:

N.J.S.A. 18A:7B-12	District of residence; determination
N.J.S.A. 18A:7B-12.1	Homeless child; responsibility for education; determination of placement; payment of costs
N.J.S.A. 18A:7C	Proficiency standards and assessment
N.J.S.A. 18A:7C-12	Juvenile detention centers, transfer of credit
N.J.S.A. 18A:36-19a	Newly enrolled students; records and identification
N.J.S.A. 18A:36-25.1	Proof of child's identity required for enrollment; transfer of record between districts
N.J.S.A. 18A:38 et seq.	School attendance
N.J.S.A. 18A:38-1	Attendance at school free of charge
N.J.S.A. 18A:38-2	Free attendance at school by nonresidents placed in district under court order
N.J.S.A. 18A:38-3	Admission for nonresidents; parent active duty
N.J.S.A. 18A:38-4	Free attendance to persons over age
N.J.S.A. 18A:38-5	Admission of pupils under age
N.J.S.A. 18A:38-5.1	No child to be excluded from school because of race, etc.
N.J.S.A. 18A:38-6	Time of admission of pupils; first school year

ADMISSION (continued)

N.J.S.A. 18A:38-7.7	Legislative findings and declarations
N.J.S.A. 18A:38-8	Duty to receive pupils from other districts
N.J.S.A. 18A:38-25	Attendance required of children between six and 16; exceptions
N.J.S.A. 18A:40-20	Immunization at public expense
N.J.S.A. 18A:44-1	Establishment of preschool
N.J.S.A. 18A:44-2	Establishment of kindergarten; eligibility for admission
N.J.S.A. 26:1A-9.1	Exemption of pupils from mandatory immunization
N.J.S.A. 26:4-6	Prohibiting attendance of teachers or pupils
N.J.A.C. 6A:12-3.1	Choice district application procedures
N.J.A.C. 6A:14-1.1 et seq.	Special Education
N.J.A.C. 6A:16-2.2	Required health services
N.J.A.C. 6A:16-2.4	Required student health records
N.J.A.C. 6A:17-1.1 et seq.	Students at Risk of Not Receiving a Public Education
N.J.A.C. 6A:22-1.1 et seq. See particularly: N.J.A.C. 6A:22-2.1, -3.1, 3.2, 3.3, 3.4	Entitlement to Attend School Based on Domicile or Student Residency
N.J.A.C. 6A:23A-19.2, -19.3	Method of determining the district of residence
N.J.A.C. 6A:32-8.2	School enrollment
N.J.A.C. 8:57 See particularly: N.J.A.C. 8:57-2	Communicable diseases
N.J.A.C. 8:61-1.1	Attendance at school by pupils or adults infected by Human Immuno-Deficiency Virus (HIV)

McKinney-Vento Homeless Assistance Act, 42 U.S.C.A. 11301 et seq.)

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

Every Student Succeeds Act of 2015, Pub. L. 114-95, 20 U.S.C.A. 6301 et seq.

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

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 Cross References:

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.