

R 8140 PUPIL ENROLLMENTS

A. School Enrollment

A pupil shall be initially enrolled in the district upon the completion of such registration and information forms and upon submission of such proofs of eligibility for enrollment as may in the case be required. Once enrolled, a pupil shall remain enrolled in subsequent consecutive years until graduation, transfer, withdrawal, or loss of eligibility occurs.

B. Admission

Upon proper enrollment, a pupil shall be admitted to an appropriate grade level in accordance with law and this policy.

1. Kindergarten Admission

Any pupil enrolled in the district shall be admitted to the Kindergarten provided:

- a. The pupil will have attained the age of at least five years but not greater than six years on or before October 1 of that school year; and
- b. Proof shall be furnished of immunization against the communicable diseases at the time of enrollment or such immunization shall be completed within thirty days from date of entry into the school; and
- c. The pupil 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.

2. Grade One Admission

Any pupil enrolled in the district shall be admitted to grade one provided:

- a. The pupil will have attained the age of six years on or before October 1 of that school year; or
- b. The pupil is in the first grade in another public school; or

- c. The pupil has completed Kindergarten in a public school or accredited private school and been recommended for placement in first grade; and
- d. Proof has been furnished of immunization against communicable diseases.

3. Transfer Admissions

Pupils transferring into the district, upon establishing eligibility, are expected to present copies of records from the previously attended school(s) to aid in placement. Within the time prescribed by law, the Chief School Administrator will request in writing the transfer pupil's records from the school or district of previous attendance.

Initial grade placement shall be made on the basis of the previous 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. Parent(s) or legal guardian(s) shall be informed of this policy upon enrollment.

C. Eligibility for Enrollment

Pupils between the ages five and nineteen are entitled to a free public education. That education is normally provided by the school district within whose boundaries the pupil is domiciled.

At the time a pupil is enrolled, the person enrolling the pupil shall complete a registration form. A new registration form shall be completed whenever the basis for eligibility changes or upon the written request of the Secretary of the Board of Education. Upon request, the registration form shall be accompanied by documentation sufficient to enable the Secretary of the Board of Education, or his or her designated representative, to make a determination of the pupil's eligibility for enrollment.

1. Proof of Eligibility

The Secretary of the Board of Education shall develop necessary forms and guidelines for providing proof of eligibility for enrollment.

The district shall not request, but may consider if voluntarily offered, any information or document that is protected from disclosure by law, or pertaining to criteria that are not legitimate basis for determining eligibility, including income tax returns, citizenship or immigration/visa status, documentation or information relating to compliance with local housing ordinances or conditions of tenancy, or social security numbers.

2. Determination of Eligibility

The determination of eligibility or ineligibility shall be made based upon the totality of information and documentation provided, and, unless explicitly required by law, enrollment of a pupil shall not be denied based upon a failure to provide specific forms of documentation.

Initial determination shall be made by a designated senior administrator at the school where the pupil is to be enrolled upon presentation of the completed registration form. A written preliminary determination of ineligibility, in a form to be provided by the School Business Administrator/Board Secretary, shall be issued when it appears that the pupil is ineligible.

An eligible pupil shall be immediately enrolled. A pupil shall be provisionally enrolled where the applicant has provided questionable, incomplete or unclear information has been provided, where the district has some reason to believe the pupil is ineligible, or where the applicant clearly indicates disagreement with a preliminary determination of ineligibility and an intent to appeal.

Upon a finding of ineligibility, the applicant shall be provided with notice of their right to appeal. If an ineligible applicant does not intend to appeal, the district shall provide written notice that the applicant must comply with compulsory education laws.

3. Appealing Determinations of Ineligibility

Except in the case of an "affidavit pupil", a parent(s) or legal guardian(s), or adult pupil shall have a right to a hearing before the Board of Education upon the issuance of a preliminary ineligibility determination. The Board of Education may authorize a committee that shall then conduct the hearing and promptly make a recommendation to the Board. After the hearing is held, or if the parent(s) or legal guardian(s) does not respond to the notice of hearing, the Board shall promptly determine eligibility and provide final written notice of that determination.

A parent(s) or legal guardian(s), adult student, or a district resident keeping an "affidavit pupil" shall have a right to appeal an ineligibility determination to the Commissioner of Education.

4. Transfer or Removal of Enrolled Pupils

A pupil who has been provisionally enrolled pursuant to a preliminary written notice of ineligibility shall be transferred or removed as follows:

- a. If the applicant evidences a clear intent to appeal to the Commissioner and no appeal is filed within twenty one days of the preliminary notice, the district shall transfer or remove the pupil without further action.
- b. Upon issuance of a final determination of ineligibility by the Hopewell Valley Regional Board of Education after notice and a hearing.
- c. Upon final determination of ineligibility by the Commissioner of Education.

D. Resident Pupils

Domicile is a legal concept that basically means a person's true and permanent home. A pupil whose parent(s) or legal guardian(s) is permanently domiciled in Hopewell Township, Hopewell Borough, or Pennington Borough is entitled to attend Hopewell Valley School District.

Where one parent is domiciled outside the district, in the absence of a court order or written agreement designating the district for school attendance, a pupil who lives for the majority of the year with the parent domiciled within the district is entitled to attend Hopewell Valley School District. Where a pupil's physical custody is shared on such a basis that the pupil is not living with one parent for a majority of the school year, a pupil shall be entitled to attend Hopewell Valley School District as follows:

- a. If the pupil is living with the parent(s) or legal guardian(s) domiciled within the district on the last school day prior to October 16 preceding the date of application, then he or she shall be eligible as a resident pupil; or
- b. If the pupil was living with both parent(s) or legal guardian(s), or neither parent(s) or legal guardian(s), on the last school day prior to October 16 preceding the date of application, then the pupil shall be a resident pupil if both parent(s) or legal guardian(s) indicate the pupil will be living with the parent(s) or legal guardian(s) domiciled within the district on the last school day prior to the next October 16.

- c. If the pupil was living with both parent(s) or legal guardian(s), or neither parent(s) or legal guardian(s), on the last school day prior to October 16 preceding the date of application, and if both parent(s) or legal guardian(s) do not designate or agree on the pupil's likely residence on the last school day prior to the next October 16, or if on that date the pupil is not actually residing with the parent(s) or legal guardian(s) domiciled within the district, the pupil shall only be eligible as a resident pupil if her or she is actually living with the parent(s) or legal guardian(s) domiciled in the district on the last school day prior to October 16.

A legally emancipated pupil who has independently established a permanent home within the district is entitled to attend Hopewell Valley School District.

E. Non-Resident Pupils

Non-resident pupils are defined as those pupils whose parent(s) or legal guardian(s) are domiciled outside the school district. In certain circumstances, non-resident pupils are granted eligibility for admission to the Hopewell Valley Regional School District.

1. Eligibility of Future Residents

Pupils whose parent(s) or legal guardian(s) have signed a contract to buy, build, rent, or lease a residence in the school district, with the intent to occupy the same as their domicile, may be enrolled prior to moving into the district, subject to the provisions of P 5111 relating to the payment of tuition.

Acceptable written proof in the form of a certification attaching a copy of the building contract or lease or other documentary evidence must be provided for school enrollment.

2. Eligibility of Former Residents

Regularly enrolled pupils whose parent(s) or legal guardian(s) move out of the school district may be permitted to complete that school year in the Hopewell Valley Regional Schools with payment of tuition in accordance with P 5111.

For pupils whose parent(s) or legal guardian(s) move out of the school district after January 1 of the school year, this tuition shall be waived upon a showing of financial need. Financial need shall be defined as the annual income level for eligibility for free or reduced lunch pursuant to the National School Lunch Program.

Acceptable written proof in the form of notice of eligibility for free or reduced school lunch or other proof of equivalent financial circumstances must be provided for waiver of tuition. Pupils who are in alternative placements because of expulsion or other reasons shall not be eligible to complete the school year under this section, as there is no issue of educational continuity.

A pupil who was a prior resident of the district, and whose parent(s) or legal guardian(s) is a member of the New Jersey National Guard or the United States reserves ordered into active service in time of war or national emergency, shall be eligible for tuition-free enrollment in the district if otherwise eligible. Acceptable written proof in the form of documents pertaining to the parent(s) or legal guardian(s)'s military status and assignment, and the pupil's prior residency in the district must be provided for school enrollment.

The pupil's eligibility for tuition-free enrollment in the district shall cease at the end of the school year during which the parent(s) or legal guardian(s) is no longer in active service.

3. Eligibility of Pupils Fully Supported By Domiciliary Resident

When a pupil, other than the child of a member of the New Jersey National Guard or the United States reserves who has been ordered into active duty during a time of war or national emergency, resides in the home of a person who is not the parent(s) or legal guardian(s) and who is domiciled within the school district and supports the pupil gratis as if the pupil were such other person's child, the pupil shall be eligible to enroll in the district upon supplying the proper proofs.

An affidavit of the district resident shall be filed annually with the Secretary of the Board of Education. The affidavit shall state that the affiant is domiciled in the Hopewell Valley Regional School District, is supporting the pupil gratis, will assume all personal obligations for the pupil relative to school requirements, and intends to keep and support the child gratuitously for a longer time than merely through the school term. The affidavit of the district resident shall include a copy of his/her lease if a tenant, or a sworn statement by his/her landlord acknowledging tenancy, if residing as a tenant without a written lease.

An affidavit of the pupil's parent(s) or legal guardian(s) shall be filed annually with the Secretary of the Board of Education. The affidavit must state that the affiant is not capable of supporting or providing care for the pupil due to a specified family or economic hardship and that the pupil is not residing with the resident of the school district solely for the purpose of receiving a free public education within the district.

4. Children of Active Duty Military Personnel

When a pupil who is the child of a member of the New Jersey National Guard or the United States reserves ordered into active duty during a time of war or national emergency resides in the home of a person who is not the parent(s) or legal guardian(s) and who is domiciled within the school district, the pupil shall be eligible to enroll in the district upon supplying the proper proofs.

An affidavit of the district resident shall be filed annually with the Secretary of the Board of Education. The affidavit shall state that the affiant is domiciled in the Hopewell Valley Regional School District and will assume all personal obligations for the pupil relative to school requirements.

Acceptable written proof in the form of documents pertaining to the parent(s) or legal guardian(s)'s military status and assignment must be provided for school enrollment. The pupil's eligibility for tuition-free enrollment in the district shall cease at the end of the school year during which the parent(s) or legal guardian(s) is no longer in active service.

5. Eligibility of Temporary Residents

A pupil whose custodial parent(s) or legal guardian(s) is not permanently domiciled within the district but who is temporarily occupying a bona fide residence within the district shall be eligible for enrollment. Applicable law shall govern the eligibility of pupils whose custodial parent(s) or legal guardian(s) moves from one school district to another as a result of being homeless.

6. Eligibility of Classified Tuition Pupils

Non-resident classified pupils may, on recommendation of the Hopewell Valley Child Study Team and with the advance approval of the Superintendent and the Board of Education, be enrolled as tuition pupils in special education classes operated by the Hopewell Valley Regional School District.

7. Eligibility of Non-Classified Tuition Pupils

Requests for the admission of non-resident tuition pupils will be limited to grades 9-12. Applications may be obtained from the high school Principal.

Conditions for the eligibility of a non-resident tuition pupil include:

- a. A pupil and parent(s) or legal guardian(s) interview with the school Principal.
- b. An administrative review of the pupil's prior school records including academic, discipline, attendance, and any other mandated records that would be educationally relevant.
- c. A consultation with the pupil's Principal and/or school counselor in the school last attended.
- d. A yearly determination of space availability in the grade level and/or program of study.
- e. Parental understanding and written agreement that the parent(s) or legal guardian(s) will be responsible for transportation to and from school; that the pupil will be admitted only in the regular education program; that should the pupil be identified as potentially educationally disabled, the district of residence shall be responsible for providing special education programs and/or related services; and that participation of non-resident tuition pupils in athletics shall be governed by current and applicable rules and regulations set forth by this Board of Education, the State Board of Education, and the New Jersey State Interscholastic Athletic Association. It shall be the responsibility of each pupil's parent(s) or legal guardian(s) to provide verification of the eligibility of the athlete.
- f. A recommendation from the Principal to the Superintendent and the Board of Education to accept or deny the application for admission as a non-resident tuition pupil.

The Board of Education, on recommendation of the Superintendent, maintains the unilateral right to terminate enrollment of a non-resident tuition pupil for cause. This shall include but not be limited to the pupil's failure to meet the expected levels of performance, attendance, or behavior; or the identification of a potential educational disability that needs to be handled by the district of residence; or the failure to meet tuition payments as per schedule established by the administration.

8. Eligibility of Foreign Pupils

With its discretionary power, the Hopewell Valley Regional School District Board of Education may admit a foreign pupil under admission criteria developed by the administration with special attention to maximum diversity of culture and under the following conditions:

- a. An agency or an individual domiciliary resident wishing to sponsor a foreign pupil must make written application to do so to the Board of Education by May 1 preceding the year of proposed enrollment.
- b. An application for admission shall include a statement from the pupil setting forth the pupil's reasons for applying and the pupil's educational objectives. It shall also include the pupil's health record, a transcript of prior educational achievement, and appropriate proof of proficiency in the English language. In addition, a domiciliary resident must supply a statement accepting all legal responsibility for the pupil.
- c. Notification of official Board action will be in writing immediately following Board approval. Admission of pupils under this policy section shall be for a maximum period of one school year.
- d. The Board reserves the right to terminate a foreign pupil's eligibility for good cause.

9. Eligibility of Children of Staff Members

Consistent with the collective bargaining agreements for employee groups within the Hopewell Valley Regional School District, children of staff members shall be eligible to attend the district's schools with tuition contributions as may be required by contract.

10. State Agency Placements

Any pupil for whom the Division of Youth and Family Services in the Department of Human Services is acting as guardian and who is placed in the district by said bureau will be admitted by the district. Any non-resident pupil placed in the home of a district resident by order of any court of competent jurisdiction within the State or by any child welfare society, agency or institution incorporated and located in this State shall be eligible for tuition-free attendance in the Hopewell Valley Regional School District.

Acceptable written proof in the form of court orders, State agency agreements, and other evidence of court or agency placements or directives must be provided or school enrollment.