

TERRELL COUNTY BOARD POLICY
School Admissions, Transfers, and Withdrawals

Descriptive Code: JBC
Date: 3/12/2012
Rescinds Code: JBC
Date Issued: 1/11/1993

I. DEFINITIONS

1. Attend – A student’s physical presence in the educational programs for which he or she is enrolled.

2. Case Management Consultation (CMC) – a consultation by a school social worker or case manager in which a process is used to discover whether any transition problems exist and whether any services are necessary for a child placed by the Department of Human Resources (DHR) or Department of Juvenile Justice (DJJ). This process, as defined in State Board Rule 160-4-8-.17 (JGEB), will be utilized each time a DHR- or DJJ-placed child enrolls in a new school.

3. Education For Homeless Children and Youths – Subtitle B of Title VII of the McKinney-Vento Homeless Assistance Act (42 U.S.C. 11431 et seq.) that requires each state to ensure that each child of a homeless individual and each homeless youth has equal access to the same free, appropriate public education as provided to other children and youth. In accordance with the Act and State Board Rule 160-5-1-.28 (JBC), the term “**Homeless Child and Youth**” is defined as children and youth who are:

- a. Sharing the housing of other persons due to loss of housing, economic hardship, or a similar reason;
- b. Living in motels, hotels trailer parks, or camping grounds due to lack of alternative adequate accommodations;
- c. Living in emergency or transitional shelters;
- d. Abandoned in hospitals; or
- e. Awaiting foster care placement.
- f. Moreover, the following children are included in the definition: children who have a primary nighttime residence that is a public or private place not designed for, or ordinarily used as, a regular sleeping accommodation for human beings; children who are living in cars, parks, public spaces, abandoned building, substandard housing, bus or train stations, or similar settings; and migratory children who qualify as homeless because they are living in circumstances described above.

4. Emancipated Minor –An individual under the age of eighteen who is no longer under the control or authority of his or her parents or guardians by operation of law or pursuant to a petition filed by the minor with the juvenile court as provided in O.C.G.A. § 15-11-202. Emancipation by operation of law occurs when a minor is validly married or as otherwise prescribed by law. Emancipation by petition is granted by a judge in juvenile court after the judge determines emancipation is in the best interest of the minor.

5. Enroll – The registration of a student by a parent, guardian, or other person having control or charge of a child, or the student (in the case of an emancipated minor providing the school

system with the appropriate documentation. Once enrolled, the child shall be eligible to attend the assigned school.

6. Non-Resident Students - Students who reside outside of Terrell County, but request enrollment in Terrell County Schools.

7. Other Person or Authorized Parental Authority – An adult at least 18 years of age or an emancipated minor at least sixteen years of age residing within the school system who is not the parent or guardian of a child but stands in loco parentis (i.e., to assume the duties and responsibilities of a parent such as providing food, shelter, clothing or medical care.)

8. Parent - In this policy, other policies and publications of the Terrell County School System: the term parent refers to the authorized parental authority for the student. This includes, but is not limited to the parent, guardian, foster parent, case manager, adult or emancipated student.

9. Residency – Residency as applied to this policy shall mean the place where the student lives with a parent, guardian, or other person, unless the student is an emancipated minor. The student must be an occupant of a dwelling located within the school system. Proof of residence in the school district shall be required when a student enrolls and whenever a change of residence occurs, unless the student is homeless. Individuals not legally admitted into the country shall not be denied a free public education.

10. Withdraw – The removal of a student from the official roll of a school.

II. REQUIREMENTS FOR ENROLLMENT

1. Authority to Enroll

Under the provisions stated in O.C.G.A. § 20-2-690.1, a parent, guardian, or other person has the authority to enroll a student in a publicly funded Georgia school.

- a. A student who meets the age eligibility requirements is eligible to enroll in the school system if the student's parent or legal guardian (or the student in the case of an emancipated minor) is a resident of the school district. Proof of residence is required in accordance with regulations developed by the superintendent.
- b. If the person enrolling a student is not the parent and does not hold legal guardianship, the person enrolling the student must complete a Non-Parental Affidavit specifying the reasons why the student is living with the "other person".
- c. If the person enrolling the student is acting under the authority of a power of attorney executed by a parent or guardian serving in the military, the school shall allow the student to enroll. The school system may require proof of a duly executed power of attorney and/or certificate of acceptance as guardian, escort, or attorney. The school system shall not require such persons to obtain legal guardianship.
- d. Non-Resident students who meet all requirements for enrollment, have been approved for enrollment and paid the non-resident fees, as required for their enrollment, are eligible to enroll in the Terrell County School System. See Policy JBCB.

2. Age Eligibility

Other than students specifically exempted by rule or by law, the following individuals are eligible for enrollment:

- a. Students who have attained the age of five by September 1 unless they attain the age of 20 by September 1 or they have received a high school diploma or the equivalent as prescribed in O.C.G.A. § 20-2-150; or
- b. Students who were legal residents of one or more other states for a period of two years immediately prior to moving to Georgia, were legally enrolled in a public kindergarten or first grade, are otherwise qualified and will attain the age of five for kindergarten or six for first grade by December 31; or
- c. Special education students through the age of 21 or until they receive a regular high school diploma.

3. Evidence of Date of Birth

a. Other than students specifically exempted by State Board rule or by Georgia law, before admitting any student to a school in the school system, the superintendent or designee shall accept evidence in the order set forth below that shows the individual's date of birth:

- 1) A certified copy of a birth certificate, certified hospital issued birth record or birth certificate;
- 2) A military ID;
- 3) A valid driver's license;
- 4) A passport;
- 5) An adoption record;
- 6) A religious record signed by an authorized religious official;
- 7) An official school transcript; or
- 8) If none of these evidences can be produced, an affidavit of age sworn to by the parent, guardian or other person accompanied by a certificate of age signed by a licensed practicing physician, which certificate states that the physician has examined the child and believes that the age as stated in the affidavit is substantially correct.

b. Upon presentation of one of these evidences above, a photocopy of the document shall be placed in the student's record and the document that is presented shall be returned to the parent, guardian, or other person.

c. A student will be identified in the local Student Information System (SIS) and in the Georgia Statewide Student Information System (GSSIS) by the student's legal name as it appears on the documentation submitted for age verification as cited above or in a court order changing the student's name.

d. Once a student has successfully enrolled in any publicly-funded Georgia school by providing one of the evidences cited above and is recorded in the Georgia Testing Identifier application (see SBOE Rule 160-5-1-.07), further proof of age is deemed unnecessary.

4. Other Documents Required During the Enrollment Process

The parent or guardian, or other person must provide:

- a. A copy of the enrolling student's social security number or sign a form stating the individual does not wish to provide the social security number, pursuant to O.C.G.A. § 20-2-150.
- b. A certificate in accordance with the provisions of O.C.G.A. § 20-2-771, concerning the immunization of students, which includes an exception for religious grounds.
- c. A certificate in accordance with the provisions of O.C.G.A. § 20-2-770, concerning nutritional screening and eye, ear, and dental examinations of students.
- d. Proof of residence shall be required, unless student is a non-resident student who has met required admission criteria, or unless the student is homeless and the McKinney-Vento Act applies. A homeless child shall be enrolled immediately even in the absence of any appropriate documentation. Upon determining that a student is homeless, the child must be allowed to either remain in the district in which he or she was enrolled prior to becoming homeless or enroll in the district where he or she is now located. Proof of residence is not required. The employee or other designated individual responsible for care of homeless students shall assist the homeless student in acquiring the necessary records for enrollment.
- e. A transferring student applying for admission to a grade higher than sixth grade shall, as a prerequisite to admission, present a certified copy of his or her academic transcript and disciplinary record from the school previously attended. The transferring student may be admitted on a conditional basis if he or she and his or her parent or other authorized parental authority executes a document providing the name and address of the school last attended and authorizing the release of all academic, attendance and disciplinary records to the school administration. The release document must disclose whether or not the student has ever been found guilty of the commission of a designated felony act as defined in O.C.G.A. §15-11-37 and if so the date of such adjudication, the offense committed, the jurisdiction in which such adjudication was made and the sentence imposed.
- f. Written (or telephone) verification with the transferring school stating the current grade placement, transcript of courses and grades, attendance record and discipline records, including any assignment to an alternative education program, shall be presented at the time of enrollment.
- g. Written (or telephone) verification that the student withdrew in good standing, from the transferring school, and was not under suspension or expulsion.

5. Students Placed by DHR or DJJ

- a. When a student is being placed by DHR into a new home or facility that would require a change in school or school system, the school system in which that student is attending school shall consult with the student's custodian to ascertain whether the student should be maintained in the school of origin or assigned to the appropriate school in the new school system in accordance with the McKinney-Vento Act. Foster children awaiting permanent placement qualify as homeless under the McKinney-Vento Act.
- b. Upon notification by DJJ that a student will be enrolling in the school system, the school system shall enroll the student in his or her home school, as opposed to an alternative educational setting, unless the Case Management Consultation team concludes that the best placement for the child would be the alternative setting. Any placement made pursuant to an Individualized Education Program (IEP) team shall take precedence.

c. Upon notification by DHR or DJJ, the school system shall immediately enroll a student in the physical or legal custody of DHR or DJJ or a student placed by DHR or DJJ in a residential facility located within the school system's jurisdiction, pursuant to O.C.G.A. § 20-2-133. The school system will follow guidelines developed by the State Department of Education governing the provision of education services provided by local school systems to students being served in therapeutic facilities.

6. Provisional Enrollment

a. A student shall be enrolled on a provisional basis and allowed to attend a school for 30 calendar days while awaiting evidence of age, residence, or other local requirements. The provisional enrollment period may be extended for extenuating circumstances in the discretion of the superintendent or designee.

1) The superintendent or designee shall notify the registering parent, guardian, or other person at least 10 calendar days prior to the withdrawal of the student.

2) If evidence is not provided within this period, the superintendent or designee shall mark the student withdrawn at the end of the thirtieth day.

i. The registering parent, guardian, or other person will be considered non-compliant and subject to all penalties as prescribed in O.C.G.A. § 20-2-690.1.

ii. The superintendent shall report violations to the appropriate authorities for adjudication.

3) O.C.G.A. § 20-2-150(c) concerning compulsory attendance of students prior to their seventh birthday does not apply to provisional enrollment.

4) Students pre-registering for school are not eligible for provisional enrollment until the beginning of the attendance period of the school term for which the student is enrolling.

5) The provisions of O.C.G.A. § 20-2-670 regarding transfer of discipline actions or felony convictions for students in grade 7 and above shall take precedence over any provisional enrollment.

6) A student shall be allowed to enroll in the school system if the student meets residency and other specified qualifications and otherwise would not be denied enrollment under O.C.G.A. § 20-2-751.1 and O.C.G.A. § 20-2-751.2 concerning student expulsion and is in good standing and not presently under disciplinary action of the former school. Written verification from or telephone correspondence with the transferring school stating the student is not under suspension or expulsion will be required.

7) The school system is not responsible for making determinations regarding immigration and visa status. The school system will accept non-immigrant, foreign students on visas and immigrants/non-visa-holders who meet age and residency requirements without inquiring about their legal status, in accordance with federal or state law and SBOE rule.

8) Conditional Enrollment

Non-Resident students who meet all requirements for enrollment and have been approved for enrollment as required for their enrollment, are accepted for enrollment on a conditional basis, as noted in Policy JBCB and the Terrell County School System Student Handbook.

III. WITHDRAWAL

Requirements for Student Withdrawal

1. No-Shows

A student who is not in attendance on the first day of school but was expected based on prior year enrollment, shall be withdrawn as a no-show student and shall not be included in any enrollment or attendance counts.

2. Voluntary Withdrawal In Accordance With Procedures

a. When a parent, guardian, emancipated minor, or other person with authorized parental authority withdraws a student according to established withdrawal procedures, the student's withdrawal date shall be recorded as the last day of student attendance. If a student is under suspension on the date of the withdrawal, the new school of enrollment, if known, shall be notified of the terms of the suspension.

b. If a sixteen or seventeen year old student who has not completed all requirements for a high school diploma wishes to withdraw from school, the student must have the written permission of his or her parent or legal guardian prior to withdrawing. The principal or designee will make a reasonable attempt to hold a conference with the student and parent or guardian to share the educational options available, pursuant to O.C.G.A. § 20-2-690.1(e).

3. Involuntary Withdrawal When Withdrawal Procedures Are Not Followed

a. When a parent, guardian, or other person does not withdraw a student from school according to established procedures and the school has proof of enrollment in a different school, school system, private school or home study program, the date of withdrawal for a student shall be the last school day of student attendance. If a student is under suspension on the date of withdrawal, the new school of enrollment shall be notified of the terms of the suspension.

b. With no proof of enrollment in another school, school system, private school, or home study program, a student shall be withdrawn from a school after 10 consecutive unexcused absences or when the school system obtains documentation that the student no longer resides in the school's attendance zone. The student withdrawal date shall be the last day of attendance or the day the school system obtains documentation validating the student no longer resides in the school's attendance zone, unless the student is allowed to continue to attend in accordance with board policy or an exception granted previously on the basis of O.C.G.A. § 20-2-293 or §20-2-294. The superintendent or designee shall use his or her best efforts to notify the parent, guardian, or other person if the school system plans to withdraw the student.

c. A student shall not be withdrawn due to excused absences defined in Board Rule 160-5-1-.10 (JB-Student Attendance) and O.C.G.A. § 20-2-690.1(a).

- d. A student shall not be withdrawn while participating in a Hospital/Homebound Instruction Program in accordance with the requirements of the program.
- e. The principal or designee shall record the reason for withdrawal in the Student Information System (SIS) as defined in the Department of Education's student record collection or the Georgia Statewide Student Information System (GSSIS.)