

## Admission

### **Eligibility**

The 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 legally 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 both parents/guardians are members of the New Jersey National Guard or the reserve component of the United States armed forces and have 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 who had previously resided in the district immediately prior to their current residence and where both parent/guardians are members of the New Jersey National Guard or the reserve component of the United States armed forces and have 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 reserves the right to verify the residency of any pupil and the validity of any affidavit of guardianship.

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. The exceptions to exhibiting immunization proof are identified at N.J.A.C 8:57-4.3 and 8:57-4.4.
- 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 (see Exhibit 5111 E-4).

### **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. The child has been in the first grade in another state-approved school or in a state-approved kindergarten with a recommendation for placement in the first grade. Transfer records from the previous school must be presented.
- C. Initial placement shall be made on the basis of the records, but adjustments may be made at the discretion of the administration when a functional and/or other assessment indicates that such adjustments would be beneficial to the child. Parents/guardians shall be informed of this policy on registration.
- D. Proof shall be furnished of immunization against the communicable diseases at the time of enrollment. The exceptions to exhibiting immunization proof are identified at N.J.A.C 8:57-4.3 and 8:57-4.4.
- E. The child shall have been examined by a physician, and the results shall be furnished to the school on the form provided.

### **Transfers Into Grades Two through Eight**

Parents of pupils transferring into the district may 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/Principal 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 adjustments may be made at the discretion of the administration when a functional and/or other assessment indicates that such adjustments would be beneficial to the child. Parents/guardians shall be informed of this policy on registration.

### **Pupils Completing School Year in the Boonton Township**

Children of parents/guardians giving up residence in the Boonton Township, New Jersey may complete that school year in this school district providing:

- A. The Boonton Township Board of Education agrees;
- B. There is no cost for transportation involving the district;
- C. A prorated tuition is paid to the Boonton Township Board of Education from the date residency in this Township is terminated; except no tuition shall be charged when residency is terminated after April 30 for children attending Rockaway Valley School.

**High School Pupils in the Boonton Township Completing School Year at Mountain Lakes High School**

Children of parents/guardians giving up residence in the Boonton Township, New Jersey, during a school year may complete that school year in this school district providing:

- A. The Mountain Lakes and Boonton Township Boards of Education agree;
- B. There is no cost for transportation involving either the district;
- C. A prorated tuition is paid to the Boonton Township Board of Education from the date residency in this Township is terminated; except if student is a senior, no tuition shall be charged when residency is terminated after April 30 for children attending Mountain Lakes High School.

**Pupils Moving Into the District**

Pupils whose parents/guardians intend to become residents of Boonton Township during the school year shall meet the following conditions:

- A. If the child or children are nonresidents of this township at the time such child or children are registered, the Superintendent/Principal must be furnished with the date that the family intends to become residents of the Boonton Township and the Superintendent/Principal must also be notified when the actual change in residence occurs.
- B. When the parents/guardians of the prospective student(s) submit written evidence (i.e. deeds, contracts, etc.) of their intention to become residents of the district within a specific month, then student(s) shall be admitted for instruction with the payment of fees and tuition for the entire month. This money shall be placed in an account and only be reimbursed to the parents/guardians in the month that residency has been established when written notification within the district is received by the Superintendent/Principal.
- C. Tuition shall be charged nonresident parent/guardians for all months for each child attending the township school prior to becoming legally domiciled in the Township. The month Boonton Township residence is actually established shall be exempt from tuition.
- D. Tuition shall be charged by the following method:
  - 1. A deposit check is required for each child to cover the cost of that month's tuition. In addition, a second check deposit is required for each child to cover the cost of the following month. These checks are due the 25<sup>th</sup> of the month prior to the child entering school.
  - 2. Both checks will be held (i.e., not cashed) unless legal residence is established by the end of the month.
  - 3. If legal resident is not established, a deposit for each child for the following month is required by the 25<sup>th</sup> of the current month.

- E. Parent/guardians of registering children shall be required to sign a certificate stating that they fully understand these provisions.

### **Computation of Tuition Charges**

Tuition shall be figured by the Board Secretary and approved by the Board of Education.

### **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 district school, all procedures of law and code shall be followed. Sworn affidavits, countersigned by attorneys shall be required for verification of legal guardianship. (See Exhibits 5111 E-1, 2 and 3.)

### **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.

### **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.

Circumstances allowing (i.e. class size, adequate staff, etc.), out-of-district tuition students may be permitted to register in the Boonton Township School District. See policy 5118 Nonresidents.

### **Homeless Pupils**

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.

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

Adopted: February 3, 2004  
Revised: March 28, 2012

**Legal References:**

|               |                      |
|---------------|----------------------|
| <u>      </u> | <b>Monitored</b>     |
| <u>  X  </u>  | <b>Mandated</b>      |
| <u>  X  </u>  | <b>Other Reasons</b> |

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 et seq. High School Graduation Standards  
See particularly:  
N.J.S.A. 18A:7C-12

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:38-1 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 Attendance at school by nonresidents  
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  
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 nursery schools or departments; eligibility for admission  
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. Education of Homeless Children and Students in State Facilities  
N.J.A.C. 6A:22-1.1 et seq. Entitlement to Attend School Based on Domicile or Student Residency  
See particularly:  
N.J.A.C. 6A:22-3.1, 3.2, 3.3, 3.4

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 Communicable diseases

See particularly:  
N.J.A.C. 8:57-2  
N.J.A.C. 8:61-1.1 Attendance at school by pupils or adults infected by Human Immunodeficiency Virus (HIV)

Tepper v. Board of Education of the Township of 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)

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)

“Pupil Residency”: Who is Eligible for a Free Public Education,” by Donna Kaye, Esq. In N.J. School Leader (July-August 2002).

**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   |