

ADMISSION:
CERTIFICATION OF RESIDENCY

The Holmdel Township Board of Education recognizes that all persons between the ages of five and twenty (and between the ages of three and twenty-one if classified handicapped) who are legally domiciled within the district are entitled to a free public education. The Board hereby acknowledges that pupils who are not homeless or incarcerated and who are domiciled outside of the district do not have the right to a public education paid for by the taxpayers of Holmdel Township. In order to maintain a free public education for students legally domiciled within the district, the Board, together with the Superintendent and with the advice of the board attorney, will establish specific guidelines in accordance with state law and regulation:

1. Require an affidavit from any individual with whom any pupil lives, who is not the parent or guardian of that pupil, in accordance with N.J.S.A. 18A:38-1(b);
2. Require reasonable proof that any individual who submits an affidavit on behalf of a pupil is domiciled within the district;
3. Require all parents or guardians of pupils attending school within the district to submit reasonable proof that they are domiciled within the district;
4. Authorize the Superintendent to investigate any pupil who is suspected of not maintaining a domicile within the district;
5. Authorize the Superintendent to take necessary action in accordance with N.J.S.A. 18A:38-1(b)(2) to remove any pupil not domiciled within the district from school and to collect back tuition from the parents or guardians of any student;
6. Authorize the Superintendent to seek reimbursement of tuition and transportation expenses from the former district of residence of any homeless pupil attending school within the district;
7. Authorize the Superintendent to investigate the residence of any student incarcerated in a state facility for whom reimbursement of tuition is sought by the state;
8. Authorize the Superintendent to admit a child whose parent/guardian has signed a contract to buy, build or rent a residence in this district in accordance with tuition charges established by the Board; and



ADMISSION: CERTIFICATION
OF RESIDENCY (Cont)

File Code: 5111

9. Require parents/guardians of children who are future residents to demonstrate proof of the anticipated residency. The Board reserves the right to verify such claims, and to remove from school a nonresident pupil whose claim cannot be verified and to collect back tuition. The mere owning of any property whatsoever does not qualify a parent/guardian to send children to school in this district.

Furthermore, in accordance with state law and subject to class size, students who are classified as handicapped and who live in other school districts may attend special education classes in the Holmdel Township Schools on a tuition basis.

Children who are legal residents of Holmdel Township in accordance with this policy will be admitted to kindergarten classes provided that they are five years old on or before October 1 of that school year. An appeal process for assessing a child's readiness for kindergarten when the child does not meet the age requirements for kindergarten will be implemented on a pilot basis during 2003 for the 2003-04 school year.

Parents/guardians of children registered for kindergarten classes which commence in September are invited to permit the children to participate in a pre-kindergarten screening program conducted in the beginning of that fiscal year. Pupils identified as showing evidence of handicapping conditions will be scheduled for evaluation by the child study team.

Children will be admitted to first grade provided they are six years old on or before October 1 of that school year. This requirement may be waived in individual instances by recommendation of the Superintendent of Schools and by a vote of the Board of Education. An appeal process for assessing a child's readiness for first grade when the child does not meet the age requirements for first grade will be implemented on a pilot basis during 2003 for the 2003-04 school year.

See also Policy 5119 for information on transfer students.

Source: Regular Public Meeting

Date: April 14, 1993

Revised: March 8, 1995

Revised: February 28, 1996

Revised: March 12, 2003

Legal References:

<u>N.J.S.A.</u>	18A:7b-12	District of residence; determination
<u>N.J.S.A.</u>	18A:36-19a	Newly enrolled students; records and identification

ADMISSION: CERTIFICATION
OF RESIDENCY (Cont.)

File Code: 5111

<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 pupils 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 pupils; first school year
<u>N.J.S.A.</u>	18A:38-8	Duty to receive pupils 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 pupils from mandatory immunization
<u>N.J.S.A.</u>	26:4-6	Prohibiting attendance of teachers or pupils
<u>N.J.A.C.</u>	6:3-7	Provisions for the education of homeless children and youth
<u>N.J.A.C.</u>	6:8-6.1	Assessment of pupil needs
<u>N.J.A.C.</u>	6:8-6.2	Programs and services for pupils at risk
<u>N.J.A.C.</u>	6:8-6.3	Budget documentation
<u>N.J.A.C.</u>	6:20-1.2	School enrollment
<u>N.J.A.C.</u>	6:20-5.3, -5.4	Method of determining the district of residence ...
<u>N.J.A.C.</u>	6:28	Special education
<u>N.J.A.C.</u>	6:29-2.4	Attendance at school by pupils or adults infected by Human Immunodeficiency Virus (HIV)

ADMISSION: CERTIFICATION
OF RESIDENCY (Cont.)

File Code: 5111

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
Immuno-Deficiency Virus (HIV)

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

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

**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.