

SCHOOL ADMISSIONS

In accordance with State law, all persons over five and under 21 years of age who are residents of the District are entitled to attend the public schools free of charge, if they have not received a high school diploma.

Upon registration, all new students shall be required to present proof of date of birth, residency, and required immunizations and a health certificate. In addition, the Education Law provides that all new students be screened for disability, giftedness, and/or limited English proficiency. If the screening discloses a suspected disability, which may require the provision of special services, school authorities shall make a referral to the Committee on Special Education. In cases of a child's possible giftedness, the parent or guardian shall be notified in writing. This notice, however, will not entitle the child to receive services for the gifted. A parent or guardian of a child who has been designated as limited English proficient (LEP) shall be informed by school authorities of the pupil's placement in an instructional program.

A school District has the right to question the bona fide residency of all Westhampton Beach students in middle and high school:

- 1) Residency verification will be required for all children entering grades 7 through 12. A verified affidavit of residency shall be required before tuition will be paid .
- 2) Where a child's parents live apart, the question of residency can become problematic. In those cases the child can have only one legal residence, usually presumed to be that of the custodial parent. Where a child's time is divided equally between two households, however, the Commissioner of Education has held that the determination of the child's residence ultimately rests with the family.
- 3) If a child is residing with anyone other than the natural parents, the parent must submit both the Parent Affidavit and the Custodial Affidavit forms.

Courts have generally upheld the right of School Districts to exclude nonresidents and ignored guardian applications whose sole purpose is to achieve resident status for school attendance purposes. A determination by a Board that a student is not a District resident and hence is not entitled to tuition-free education in district schools will not be set aside unless arbitrary and capricious, or violates the regulations of the Commissioner regarding the education of homeless children.

The Building Principal must admit and place on register all pupils of school age who apply for admission. No valid applicant for school may be turned away. Although records may be demanded from other districts, admission of pupils should not await their receipt. Special registration periods may be established for admission to kindergarten and first grade classes.

Policy 5150

Determination of student residency

In determining residency, the district must first permit the child's parent or guardian an opportunity to submit information concerning the child's right to attend school in the District. If the District finds that the child is not entitled to attend the schools, the Board must, within two days, provide written notice to the parents/guardians stating the reasons for their determination and notifying the parents/guardians of their right to appeal this procedure to the Commissioner of Education.

Adopted: January 11, 2000

October 1999