

No. _____



UNITED INDEPENDENT SCHOOL DISTRICT AGENDA ACTION ITEM

TOPIC _____ Second Reading of Policy FD (LOCAL) : Admissions _____

SUBMITTED BY: _____ Gloria Rendon _____ **OF:** _____ Asst. to the Superintendent _____

APPROVED FOR TRANSMITTAL TO SCHOOL BOARD: _____

DATE ASSIGNED FOR BOARD CONSIDERATION: _____ May 19, 2010 _____

RECOMMENDATION:

It is recommended that the United ISD Board of Trustees approve Second Reading of Policy FD (LOCAL) – Admissions

RATIONALE:

BUDGETARY INFORMATION:

BOARD POLICY REFERENCE AND COMPLIANCE:

In fairness to taxpayers and as required or excepted in policy and law [see FDA(LOCAL)], nonresidents shall not be permitted to attend school in the District. The Board makes every effort to distinguish between residents and nonresidents and encourages patrons to report suspected violations.

FALSE INFORMATION

The District shall include on its registration forms notice, in both English and Spanish, of criminal and civil penalties and liabilities for intentionally or knowingly falsifying information on the form. A person who knowingly falsifies information on a form required for a student's enrollment in the District shall be liable to the District if the student is not eligible for enrollment, but is enrolled on the basis of false information. For the period during which the ineligible student is enrolled, the person is liable for the maximum tuition fee the District may charge or the amount the District has budgeted per student as maintenance and operating expense, whichever is greater.

PERSONS AGE 21
AND OVER

The District shall not admit into its public schools any person age 21 or over unless otherwise required by law.

REGISTRATION
FORMS

Appropriate registration forms shall be completed annually and signed by the student's parent, legal guardian, or other person having lawful control under a court order. Students who have reached age 18 shall be permitted to complete and sign these forms themselves.

BIRTH CERTIFICATE

All students entering District schools for the first time shall submit a birth certificate or its equivalent.

STUDENT
RECORDS

The minimum student records data that must be submitted within 30 days includes the following:

1. Student enrollment information — District ID, statewide student ID (social security number or state-assigned alternative number), local student ID, course credits, promotions, discipline-expelled students, attendance, enrollment and withdrawal dates.
2. Student demographic information — first, middle, and last name, sex, ethnicity, date of birth, special education handicapping condition, special education instructional setting, home language, migrant information.
3. Student achievement information — exit-level TAKS, most recent TAKS scores.
4. Student immunization/health information.

Based on the above criteria and other factual inquiries, the principal or designee shall make an initial determination of residence and of whether or not the applicant's presence in the District is for the primary purpose of participation in extracurricular activities, and thereafter advise. The District may verify residence prior to enrollment.

PROOF OF
RESIDENCY

Proof of residency within the District attendance boundaries shall be presented prior to a student being **initially** enrolled **in the District**. See FD(EXHIBIT) **REGULATION** for a list of acceptable documents]

**ANNUAL
CONFIRMATION OF
RESIDENCY**

A parent, legal guardian, or person having custody of the student must submit proof of residence to campus administration at the beginning of each academic school year. One of the following documents in the parent's/guardian's name must be submitted showing an address located in the District: a current water, gas or electric bill, unexpired lease/contract, or rent receipt. Additionally, a current Texas driver's license or military or Texas Department of Public Safety identification (showing same address as utility bill, lease or receipt) will need to be shown. Proof of residency at the beginning of the school year is subject to continual verification. Exceptions to the required documentation will be made on a case-by-case basis with the understanding that some documentary evidence demonstrating that the student lives within the boundaries of the District and has a present intent to remain there must be provided upon enrollment and whenever requested.

AUTHORITY OF
SUPERINTENDENT

The Board delegates to the Superintendent or designee the authority to develop and modify regulations, forms, and processes for determining student residency as required to carry out the intent of this policy.

AUTHORITIES AND
SOURCES

The determination of residence is a question of fact and law. In determining residence, the District shall consider information furnished by the applicant and may consider all relevant information, including, but not limited to, that provided by the administration and its agents, statements of third parties, court decisions, Commissioner's decisions, Attorney General opinions, Board policy, laws, and regulations.

HOST FAMILY

When the child's parent(s) together with the child reside on a full-time permanent basis [see FD(EXHIBIT), Exhibit B] within the District in the home of another family, the parent(s) **and the hosting representative shall follow the procedures outlined in FD (Regulation). Additionally, the following documentation shall**

~~be provided:~~ shall provide documentation of the "host family" to include the following:

1. Host family affidavit form.

1. Notarized HOST Family Enrollment Application Form

- ~~2. Host family documents that confirm residency.~~

2. Other Documents required for initial registration

"Host family" status is valid only for the current school year and must therefore be renewed on an annual basis. As deemed necessary by the principal, the "host family" status shall be reviewed and confirmed.

MINOR LIVING APART
PERSON STANDING
IN PARENTAL
RELATION

A minor student residing in the District but whose parent, guardian, or other person having lawful control under a court order does not reside in the District shall present a **the district's** power of attorney **form or provide a Power of Attorney** assigning responsibility for the student in all school-related matters to an adult resident of the District. **The person accepting responsibility for the student through a Power of Attorney shall follow the procedures outlined in FD (Regulation). Additionally, the following documentation shall be provided:**

1. **A Power of Attorney Information Form executed by the student's parent, guardian, or other person having lawful control of the student under a court order in favor of the person in the District with whom the student is residing.**

2. **Other documents required for initial registration.**

The District's Power of Attorney Form is valid only for the current school year and must be renewed on an annual basis. As deemed necessary by the principal, the "Power of Attorney" status shall be reviewed and confirmed.

MISCONDUCT

Any such student who has engaged in misconduct that results in any of the consequences found in Education Code 25.001(d) shall not be permitted to attend **admitted into the** District school. [See FD(LEGAL)]

EXCEPTIONS

~~Based on the individual student's circumstance, the Superintendent or designee shall have authority to grant exceptions to the power of attorney requirement and to the exclusion for misconduct.~~

In the event that an individual is unable to provide a power of attorney form for a minor living apart, the principal or designee may waive this requirement after: (1) documentation of the existence of the extenuating circumstances making a power of attorney impossible and (2) conducting an independent verification of the student's residency within the District.

NONRESIDENT
STUDENT IN
GRANDPARENT'S
AFTER-SCHOOL CARE

The parent and grandparent of a nonresident student requesting admission under Education Code 25.001(b)(9) shall provide to the Superintendent's designee the following forms:

1. A notarized copy of the District's Grandparent Care affidavit form **describing the extent of after-school care to be provided by the grandparent**; and
2. Acceptable documentation confirming the residency of the nonresident student's grandparent.

The Superintendent's designee shall have authority to approve or deny admissions requests in accordance with criteria approved by the Board, including consideration of the availability of space and instructional staff.

SUBSTANTIAL
AFTER-SCHOOL
CARE

For the purpose of admission under this provision, a substantial amount of after-school care consists of at least four hours per school day for five days during the regular school week.

The District shall only provide transportation at the end of the school day for a nonresident student admitted under this provision. The grandparent must reside in an area already designated for transportation services. No new transportation routes shall be created.

District attendance officers shall verify the after-school care provided by grandparents of nonresident students.

The Grandparent Care Affidavit is valid only for the current school year and must be renewed on an annual basis. As deemed necessary by the principal, the "Grandparent Care Affidavit" status shall be reviewed and confirmed.

RESIDENCY
REVIEW

The Superintendent or Superintendent's designee shall determine whether a minor student residing in the District separate and apart from a parent, guardian, or other person having lawful control un-

der a court order is present in the District for the primary purpose of participating in extracurricular activities.

Any investigation which documents that a student does not reside within the boundaries of the district or outside his/her attendance zone will be required to have a due process conference with campus administration prior to any decision being made to withdraw the student from the District. For a list of exceptions see FDA (LOCAL).

APPEALS

~~INITIAL DECISION~~

If the applicant, parent, guardian, or other person having lawful control of the applicant under court order, or the person(s) with whom the applicant resides in this District disagrees with the initial determination of residence by the principal or designee, an appeal of that decision may be taken to the Superintendent's designee by making a written request within ten school days of the decision. The Superintendent's designee shall take one of the following actions:

1. Affirm the initial decision of the principal.
2. Send the matter back to the principal for further factual inquiry.
3. Reverse the initial decision and make an independent finding of residence **or in an independent finding** that the applicant's presence in the District is not for the primary purpose of participation in extracurricular activities and, therefore, the applicant may be admitted as a student of the District.

Further appeals may be filed in accordance with FNG beginning at Level Two.

~~SUBSEQUENT
DECISION~~

~~If the applicant, parent, guardian, or other person having lawful control of the applicant under court order, or the person(s) with whom the applicant resides in this District, disagrees with the determination of residence by the Superintendent or designee, an appeal of that decision may be taken to the Board by making a written request within ten school days of the decision.~~

~~BOARD REVIEW~~

~~The initial appeal and related action shall be reviewed by a student admissions committee selected by the Board President. The committee shall report its determination and recommendation to the full Board at the next regular meeting of the Board.~~

ADMISSIONS

FD
(LOCAL)

BOARD ACTION	<p>The Board shall take one of the following actions:</p> <ol style="list-style-type: none">1. Affirm the decision of the Superintendent or designee.2. Send the matter back to the Superintendent or designee for further factual inquiry.3. Reverse the initial decision and make an independent finding of residence that the applicant's presence in the District is not for the primary purpose of participation in extracurricular activities and, therefore, the applicant may be admitted as a student of the District.
ADMISSION PENDING	<p>Pending a decision from the Superintendent's Designee or Board, the student who is the subject of an appeal <u>shall continue to attend the school in his or her attendance area within the District</u> shall attend school in his or her attendance area.</p>
STUDENTS NOT ENROLLED	<p>Students enrolled in private school, including homeschools, shall not be eligible for concurrent enrollment in District schools nor for participation in curricular or extracurricular activities, except as required by law in the following circumstances:</p> <ol style="list-style-type: none">1. Special education students participating in extracurricular activities.2. Special education students and students identified under Title I, Part A, NCLBA participating in academic programs.
PLACEMENT ACCREDITED SCHOOLS	<p>Students entering a District school from accredited public, private, or parochial schools after grade 1 shall provide evidence of prior schooling outside the District. They shall be placed initially at the grade level reached elsewhere, pending observation by the classroom teacher, guidance personnel, and the principal. On the basis of these observations and results of tests that may be administered by appropriate District personnel, the principal shall determine the final grade placement.</p>
STUDENTS UNDER AGE SIX	<p>Students who are not six years old at the beginning of the current school year are eligible for the first grade if the student has completed kindergarten in an accredited educational institute.</p> <p>For the purposes of this policy, "accredited" shall be defined as accreditation by TEA, an equivalent agency from another state, or an accrediting association recognized by the Commissioner of Education.</p>
NONACCREDITED SCHOOLS	<p>Students entering a District school from nonaccredited public, private, or parochial schools, including homeschools, shall be placed initially at the discretion of the principal, pending observation by</p>

classroom teachers, guidance personnel, and the principal. Criteria for placement may include:

1. Scores on achievement tests, which may be administered by appropriate District personnel.
2. Recommendation of the sending school.
3. Prior academic record.
4. Chronological age and social and emotional development of the student.
5. **District developed assessment instruments.**
6. Other criteria deemed appropriate by the principal.

TRANSFER
CREDIT

The District shall validate high school credit for courses of transfer students from nonaccredited public, private, or parochial schools by testing or by other evidence that the courses meet State Board requirements and standards.

CREDIT
VALIDATION

If a student transferring into a District high school from an accredited school has successfully completed the second and/or third year of a foreign language course that is in a sequence of courses, but there is no record of completion of the first course in the sequence, credit shall be awarded for the first and/or second course based on the successful completion of the second and/or third course in the sequence. Credit shall be awarded but no grade posted.

WITHDRAWAL

Prior to withdrawal from school, the student and parent/guardian must meet with the school principal or designee to complete the proper withdrawal documentation. **The principal or designee may waive this requirement in the event of extenuating circumstances.**

[For District withdrawal of students no longer in attendance, see FEA(LOCAL)]