

Harrison Board of Education  
District Residency Office

Registration/Residency Information

**Note: In Plyler v. Doe, 457 US 202 (1982), the United States Supreme Court held that undocumented children living in the United States could not be excluded from public elementary and secondary schools based upon their immigration status. Accordingly, school districts are prohibited from requiring students to disclose or document their immigration status, making inquiries of students or parents that may expose their undocumented status or engaging in any practices that "chill" or hinder the right of access to public schools. The New Jersey Administrative Code (N.J.A.C. 6A:22-3.3) also prohibits the barring of any student from public elementary and secondary schools on the basis of immigration/visa status, except for students on F-1 visas. School districts should continue to enroll all students between the ages of 5 and 20 who are domiciled in the district or who are otherwise entitled to attend pursuant to N.J.S.A. 18A:38-1, et seq, and the implementing regulations, N.J.A.C. 6A:22-3.2, et seq.**

**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 pupil's eligibility for enrollment in the district. These documents are listed in Attachment A.

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 pupil.

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.

**Proof of Age Birth Certificate**

At the time of registration, but not later than 30 days of enrolling a child in the district for the first time, parents/guardians shall provide a certified copy of the child's birth certificate or other proof of identity. If parents/guardians refuse to comply with this requirement, the superintendent shall send them written notification that the matter will be referred to law enforcement if proof of identity is not provided within 10 days of the notice.

**Age Requirements**

Preschool

Any child residing in the district shall be admitted to the early childhood education program provided:

- A. The child will have attained the age of three 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 or such immunization shall be completed within 30 days of entry into the school;
- C. The child shall have been examined by a private physician or, in the absence of a medical home, by the school physician, and the results shall be furnished to the school on the form provided.

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 or such immunization shall be completed within 30 days from date of entry into the school;
- 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.

## 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. He/she has been in the first grade in another public school or has completed kindergarten in this district or in an approved kindergarten equivalent program elsewhere and been recommended for placement in first grade;
- C. Proof has been furnished of immunization against communicable diseases.

## Transfers Into Grades Two through 12

Pupils transferring into the district are expected to 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 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 adjustment may be made at the discretion of the administration when the state-mandated assessment indicates that such adjustments would be beneficial to the child. Parents/guardians shall be informed of this policy on registration.

## **Custody Agreement, If Appropriate**

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 schools, all procedures of law and code shall be followed.

## **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.

If it is determined that an applicant for attendance at a school in the district is ineligible to attend, or a student continues to be illegally enrolled after moving from the district, the superintendent shall send a notice of ineligibility on a form that is in accordance with requirements of the administrative code.

However, no student shall be removed from the schools of this district unless his/her parents/guardians have been informed of their rights to a hearing before the board of education. No student shall be removed except by a vote of the board in open session of a regular public meeting.

## **Homeless Pupils**

The district will determine the educational placement of homeless pupils 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, as well as, pertinent federal law.

Specifically in regard to homeless students, the board shall ensure that:

- A. Homeless children are not segregated in a separate school program based solely on their homeless status;
- B. Homeless students are enrolled immediately, even if parents/guardians are unable to produce the records normally required of non-homeless students for enrollment;
- C. At the request of parents/guardians, transportation is provided for homeless students to and from the school they attended prior to becoming homeless;
- D. The superintendent designates a staff person as liaison for homeless children in the district.

## Attachment A

- (a) The Harrison Board of Education shall accept a combination of any of the following or similar forms of documentation from persons attempting to demonstrate a student's eligibility for enrollment in the school district:
1. Property tax bills; deeds; contracts of sale; leases; mortgages; signed letters from landlords; and other evidence of property ownership, tenancy, or residency;
  2. Voter registrations; licenses; permits; financial account information; utility bills; delivery receipts; and other evidence of personal attachment to a particular location;
  3. Court orders; State agency agreements; and other evidence of court or agency placements or directives;
  4. Receipts; bills; cancelled checks; insurance claims or payments; and other evidence of expenditures demonstrating personal attachment to a particular location or to support the student;
  5. Medical reports; counselor or social worker assessments; employment documents; unemployment claims; benefit statements; and other evidence of circumstances demonstrating family or economic hardship, or temporary residency;
  6. Affidavits, certifications, and sworn attestations pertaining to statutory criteria for school attendance from the parent, guardian, person keeping an "affidavit student," adult student, person(s) with whom a family is living, or others, as appropriate;
  7. Documents pertaining to military status and assignment; and
  8. Any other business record or document issued by a governmental entity.
- (b) The Harrison Board of Education may accept forms of documentation not listed in (a) above, and shall not exclude from consideration any documentation or information presented by an applicant.
- (c) The Harrison Board of Education shall consider the totality of information and documentation offered by an applicant, and shall not deny enrollment based on failure to provide a particular form or subset of documents without regard to other evidence presented.
- (d) The Harrison Board of Education shall not condition enrollment on the receipt of information or documents protected from disclosure by law, or pertaining to criteria that are not a legitimate basis for determining eligibility to attend school. They include, but are not limited to:
1. Income tax returns;
  2. Documentation or information relating to citizenship or immigration/visa status, except as set forth in N.J.A.C. 6A:22-3.3(b);
  3. Documentation or information relating to compliance with local housing ordinances or conditions of tenancy; and
  4. Social Security numbers.
- (e) The Harrison Board of Education may consider, in a manner consistent with Federal law, documents or information referenced in (d) above, or pertinent parts thereof if voluntarily disclosed by the applicant. However, the district board of education may not, directly or indirectly, require or request such disclosure as an actual or implied condition of enrollment.