

SCHOOL ADMISSION

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A person of school age (i.e., a person who will have reached his or her fifth birthday on or before September 30th of the school year and who has not reached 20 years of age on or before August 1st of the school year) is eligible for admission on a non-tuition basis if residing in the Alexandria City school division or if eligible for admission under policy JECA Admission of Homeless Children Experiencing Homelessness.

A person of school age shall be deemed to reside in the school division:

- When the person is living with a natural parent or parent by legal adoption who actually resides in the Alexandria City school division;
- ~~When a Special Power of Attorney is executed under Title 10, United States Code, § 1044b by the custodial parent;~~
- When, in accordance with the provisions of Va. Code § 22.1-360 of the Interstate Compact on Educational Opportunity for Military Children, the person is living with a noncustodial parent or other person standing in loco parentis, not solely for school purposes, pursuant to a Special Power of Attorney executed under 10 United States Code § 1044b by the custodial parent;
- When the parents of such person are dead and the person is living with a person in loco parentis who actually resides within the school division;
- ~~When the parents of such person are unable to care for the person and the person is living, not solely for school purposes, with another person who resides in the school division and is either~~
 - ~~(i) the court-appointed guardian, or has legal custody, of the person, or~~
 - ~~(ii) acting in loco parentis pursuant to placement of the person for adoption by a person or entity authorized to do so under § 63.2-1220, or~~
 - (iii) an adult relative providing temporary kinship care as that term is defined in Va. Code § 63.2-100. Both parents and the relative providing kinship care must submit signed, notarized affidavits
 - ~~a) (a)~~ explaining why the parents are unable to care for the person,
 - ~~b) (b)~~ detailing the kinship care arrangement, and
 - ~~c) (c)~~ agreeing that the kinship care provider or a parent will notify the school within 30 days of when the kinship care arrangement ends.
- ~~The parent must also provide a power of attorney authorizing the adult relative to make educational decisions regarding the person. A parent or the kinship care provider must also obtain written verification from the department of social services where the parent or parents live, and the department of social services where the kinship provider lives, that the kinship arrangement serves a legitimate purpose that is in the best interest of the person other than school enrollment. If the kinship care arrangement lasts more than one year, the school division must receive continued verification directly from both departments of social services that the parents are unable to care for the person and that the kinship care arrangement serves a legitimate purpose other than school enrollment; or~~
- When the person is living in the school division not solely for school purposes, as an emancipated minor; or

Commented [MS1]: Redundant with the next clause

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- 47 • ~~–when all or any portion of the building in which the person resides (i) with another per-~~
48 ~~son as set forth in the first through fourth bullets above or (ii) as an emancipated minor as~~
49 ~~set forth in the fifth bullet above is taxable by the locality in which the school division is~~
50 ~~located; or–~~
- 51 • When the person has been placed in a foster care placement within the school division by
52 a local social services agency.
 - 53 ○ No person of school age who is the subject of a foster care placement will be
54 charged tuition regardless of whether the child is attending the school in which
55 ~~he/she/they was/were~~ enrolled prior to the most recent foster care placement or is
56 attending a school in the receiving school division. ~~Payment arrangements for the~~
57 ~~child may be made in accordance with Va. Code §22.1-3.4.~~
 - 58 ○ The sending and receiving school divisions will cooperate in facilitating the enroll-
59 ment of any child placed in foster care across jurisdictional lines to enhance conti-
60 nuity of instruction. The child will be allowed to continue to attend the school in
61 which ~~he/she/they is/were~~ enrolled prior to the most recent foster care placement,
62 upon joint determination of the placing social services agency and the school divi-
63 sion that such attendance is in the best interest of the child.
- 64 • When the person is living with parent(s) /guardian(s) who move their residence from Al-
65 exandria to another school jurisdiction in the Commonwealth, or to the District of Colum-
66 bia (so long as the District of Columbia grants the same privileges to residents of Alexan-
67 dria), and who desire that the student continue to attend the student’s previously assigned
68 Alexandria City public school for the remainder of the grading period. ~~In accordance with~~
69 ~~regulation JC/JCD-R ACPS Student Placement Regulations,~~ if such move is made on or
70 after ~~April~~ ~~the start of the second semester~~, the student may complete the school year in
71 the previously assigned school on a tuition-free basis. Provision for safe, punctual transit
72 to and from school for a student enrolled under the provisions of this paragraph shall be
73 the responsibility of the parent(s)/guardian of the student.

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Commented [MS2]: Not relevant as the clause states that they won't be charged tuition

Commented [MS3]: Revised to align with changes in JC/JCD-R

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75 For purposes of this policy, a person meeting any of the above requirements shall be deemed to
76 reside in the school division if (i) the person lives in housing or temporary shelter that is wholly
77 or partially situated within the Alexandria City school division; or ~~(ii) in the event of joint cus-~~
78 ~~tody, the person must spend at least 50 percent the majority of school nights with a qualifying~~
79 ~~caregiver as parent/guardian as defined above residing within the Alexandria City school division~~
80 ~~(ii) the person lives in housing or temporary shelter located upon property that is partially situated~~
81 ~~within the Alexandria City school division and the person or a sibling of the person residing in the~~
82 ~~same household has attended Alexandria City Public Schools prior to July 1, 1999.~~

Commented [MS4]: Added at the recommendation of IDRA and division counsel.

Commented [MS5]: Not necessary as the previous clause covers buildings partially in Alexandria

83
84 Certain other students may be admitted into the public schools of the division and may be charged
85 tuition in accordance with § 22.1-5 of the Code of Virginia and pursuant to Alexandria City School
86 Board regulations including Regulation JEC-R School Admission. Current ACPS employees who
87 reside outside of the City of Alexandria may apply to enroll their children in Alexandria City
88 Public Schools on a reduced rate or tuition-free basis.

89 On an annual basis the Superintendent shall determine the number of Non-Resident Employee
90 Transfers that can be made available to children of non-City resident employees and the locations
91 of those Transfers based on school and division enrollment capacity.

Children of Persons on Active Military Duty

No child of a person on active military duty attending a school free of charge in accordance with this policy shall be charged tuition by the school division

- upon such child's relocation to military housing located in another school division in the Commonwealth, pursuant to order received by such child's parent to relocate to base housing ~~and forfeit his/her military housing allowance~~. Such ~~child-children~~ shall be allowed to continue attending school in the school division and shall not be charged tuition for attending such school.
- upon such child's relocation pursuant to orders received by such child's parent to relocate to a new duty station or to be deployed. Such children shall be allowed to remain enrolled in the current school division free of tuition through the end of the school year; and
- that will be the child's school division of residence once his service member parent is relocated pursuant to orders received. Such a child shall be allowed to enroll in the school division of the child's intended residence if documentation is provided, at the time of enrollment, of military orders of the service member parent or an official letter from the service member's command indicating such relocation. Documentation indicating a permanent address within the school division shall be provided to the school division within 120 days of a child's enrollment or tuition may be charged, including tuition for the days since the child's enrollment in school. In the event that the child's service member parent is ordered to relocate before the 120th day following the child's enrollment, the school division shall not charge tuition. Students eligible to enroll in the school division in accordance with this policy because they are the children of military personnel on active military duty who will reside in the division may register, remotely or in-person, for courses and other academic programs and participate in the lottery process for charter schools and college partnership laboratory schools in the school division at the same time and in the same manner as students who reside in the division. The assignment of the school such child will attend shall be determined by the school division.

- Such ~~child-children~~ shall be counted in the average daily membership of the school division in which ~~he/she/they is-are~~ enrolled. The school division in which such ~~child-children is-are~~ enrolled subsequent to relocation to base housing shall not be responsible for providing for their transportation to and from school.

ADDITIONAL ADMISSION REQUIREMENTS

- A. Except as otherwise provided below, no student shall be admitted for the first time to any public school in any school division in Virginia unless the person enrolling the pupil presents, upon admission, a certified copy of the pupil's birth record. The Principal or designee shall record the official state birth number from the pupil's birth record into the pupil's permanent school record and may retain a copy in the pupil's permanent school record. If a certified copy of the pupil's birth record cannot be obtained, the person so enrolling the pupil shall submit an affidavit setting forth the pupil's age and explaining the inability to present a certified copy of the birth record. If the school division cannot ascertain a child's age because of lack of a birth certificate, the child shall nonetheless be admitted into the public schools if the division superintendent determines that the person

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submitting the affidavit presents information sufficient to estimate with reasonable certainty the age of such child.

- B. If the student seeking enrollment is ~~experiencing homelessness homeless~~ as defined in § 22.1-3 of the Code of Virginia, the school shall immediately enroll such student in accordance with policy JECA. ~~even if such student is unable to produce the records required for enrollment, and shall immediately contact the school last attended by the student to obtain relevant academic and other records, and comply with other provisions of federal and state law, including immediately referring the parent of the student or the youth to the local school division liaison, who shall assist in obtaining the records necessary for enrollment.~~
- C. ~~To support the safety of children, if~~ a certified copy of the birth record is not provided, ~~ACPS works with the registering adult to confirm they are the parent/guardian. In the event ACPS feels that the child is in danger, ACPS will~~ administration shall immediately notify the local law enforcement agency. The notice to the local law enforcement agency ~~shall include ACPS's concerns about the child's safety.~~ copies of the submitted proof of the pupil's identity and age and affidavit explaining the inability to produce a certified copy of the birth record.
- D. Within 14 days after enrolling a transfer student, the administration shall request documentation that a certified copy of the pupil's birth record was presented when the pupil was enrolled in the former school.
- E. The School Board assigns a unique student identification number, determined in accordance with a system developed by the Virginia Department of Education, to each student enrolled in the division. No student identification number includes or is derived from the student's social security number. Each student retains the student's identification number for as long as the student is enrolled in a public elementary or secondary school in Virginia.
- F. Tuition rates are established each year in accordance with the provisions of §22.1-5 of the Code of Virginia ~~and the division's Strategic Plan.~~
- G. Prior to admission to the Alexandria City school division, the parent, guardian, or other person having control or charge of the child shall provide, upon registration:
- a. a sworn statement or affirmation indicating whether the student has been expelled from school attendance at a private school or in a public school division of the Commonwealth or another state for an offense in violation of school board policies relating to weapons, alcohol, or drugs, or for the willful infliction of injury to another person. This document shall be maintained as a part of the student's scholastic record; and
 - b. a sworn statement or affirmation indicating whether the student has been found guilty of or adjudicated delinquent for any offense listed in subsection G of Va. Code §16.1-260 or any substantially similar offense under the laws of any state, the District of Columbia, or the United States or its territories. This document shall be maintained by the Superintendent and by any others to whom he disseminates it, separately from all other records concerning the student. However, if the school administrators or the School Board takes disciplinary action against a student based upon an incident which formed the basis for the adjudication of delinquency or conviction for an offense listed in subsection G of §16.1-260, the notice shall become a part of the student's disciplinary record.
- When the child is registered as a result of a foster care placement, the information required under this subsection must be furnished by the local social services agency or licensed child-placing agency that made the placement.
- H. A student, who has been expelled or suspended for more than thirty days from attendance

Commented [MS7]: Deleted as the content in under JECA and breadcrumbs are provided.

Commented [MS8]: Revised to clarify the intent of the notification.

Commented [MS9]: IDRA recommended tuition levels be set with an equity perspective.

186 at school by a School Board or a private school in Virginia or another state or for whom
187 admission has been withdrawn by a private school in Virginia or another state, may be
188 excluded from attendance in the Alexandria City ~~Public Schools school division~~ regardless
189 of whether such student has been admitted to another school division or private school in
190 Virginia or in another state subsequent to such expulsion, suspension, or withdrawal of
191 admission upon a finding that the student presents danger to the other students or staff of
192 the school division after (i) written notice to the student and ~~his/her~~ their parent/guardian
193 that the student may be subject to exclusion, including the reasons therefore, and notice of
194 the opportunity for the student or ~~his/her~~ their parent/guardian to participate in a hearing to
195 be conducted by the Superintendent or designee regarding such exclusion; and (ii) a
196 hearing of the case has been conducted by the Superintendent or designee; ~~(iii) the equi-~~
197 ~~table treatment of the student~~ ~~has been considered in the decision;~~ and the decision has
198 been to exclude the student from attendance. In the case of a suspension of more than
199 thirty days, the term of the exclusion may not exceed the duration of the suspension. The
200 student or ~~his/her~~ their parent/guardian may file for a written petition for review with the
201 School Board within 15 days of notice of the decision of the Superintendent or designee.
202 If the School Board grants a review of the record, the decision of the Superintendent or
203 designee may be altered.

Commented [MS10]: Added at the recommendation of IDRA

205 Upon the expiration of the exclusion period for an expulsion or a withdrawal of admission,
206 which period shall be established by the School Board, committee thereof, or Superinten-
207 dent or designee, as the case may be, at the relevant hearing, the student may petition the
208 School Board for readmission. If the petition for readmission is rejected, the School
209 Board shall identify the length of the continuing exclusion period and the subsequent date
210 upon which such student may petition the School Board for readmission.

212 For the purposes of this section, the Superintendent's designee shall be a (i) trained hearing
213 officer or (ii) professional employee within the administrative offices of the school division
214 who reports directly to the Superintendent and who is not a school-based instructional or
215 administrative employee.

217 In excluding any such expelled student from school attendance, the School Board may
218 accept or reject any or all conditions for readmission imposed upon such student by the
219 expelling school board pursuant to Va. Code § 22.1 277.06. The excluding school board
220 shall not impose additional conditions for readmission to school.

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- 222 I. This policy does not preclude contractual arrangements between the Alexandria City
223 School Board and agencies of the federal government or the school board of another ju-
224 risdiction to permit students not otherwise eligible to attend Alexandria City Public
225 Schools.
- 227 J. Prior to admission, the student must document compliance with, or eligibility for exemp-
228 tion from, the physical examination and immunization requirements contained in sections
229 [22.1-270](#), [22.1-271.2](#) and [32.1-46](#) of the Code of Virginia and policies JHCA [Physical](#)
230 [Examinations](#) and JHCB [Student Immunizations](#).

232 If the person enrolling a child who has been placed in foster care by a local social services
233 agency is unable to produce a report of a comprehensive physical examination and/or proof

of immunization, the student shall be immediately enrolled; however, the person enrolling the child shall provide a written statement that, to the best of his/her/their knowledge, the student is in good health and is free from communicable or contagious disease. In addition, the placing social service agency shall obtain and produce the required documents or otherwise ensure compliance with the statutory requirements for the foster child within 30 days after the child's enrollment.

PLACEMENT

~~A child who has reached his/her sixth birthday on or before September 30 of any school year may attend grade one in the Alexandria City Public Schools upon promotion from kindergarten. A parent or guardian of a child who reaches his/her sixth birthday after September 30 of the school year but on or before December 31 and who attended kindergarten in a school setting outside Alexandria City Public Schools may petition the principal of the school which the child would attend. The principal will place the child in grade one conditional upon a six-week observation period to determine if grade one is an appropriate placement for the child. The grade one teacher will be responsible for documenting behaviors during the observational period and will recommend to the principal that the child is appropriately or inappropriately placed in the grade one classroom. The final decision on the child's grade one placement will rest with the principal of the school.~~

~~A child who has reached his/her sixth birthday on or before September 30 and who has not attended a kindergarten program, may attend grade one with a possible observation period as described above to determine appropriate grade level placement for the child.~~

Commented [MS11]: Moved to JEC-R2 Kindergarten and Grade One Placements

- Adopted: December 5, 1996
- Amended: July 10, 1997
- Amended: June 23, 1999
- Amended: June 21, 2001
- Amended: June 19, 2003
- Amended: May 6, 2004
- Amended: June 15, 2004
- Amended: July 1, 2005
- Amended: June 15, 2006
- Amended: June 26, 2007
- Amended: July 1, 2011
- Amended: June 21, 2012
- Amended: August 23, 2013
- Amended: June 18, 2015

Legal Refs: Code of Virginia, 1950, as amended, §§ [22.1-1](#), [22.1-3](#), [22.1-3.1](#), [22.1-3.4](#), [22.1-5](#), [22.1-255](#), [22.1-260](#), [22.1-270](#), [22.1-277](#), [22.1-288.2](#), [32.1-46](#), [63.2-900](#), and [63.2-1200](#).

[2007 Va. Opin. AG 07-015.](#)

[1987-88 Va. Opin. AG 374.](#)

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279 Cross Refs: JC/JCD-R ACPS Student Placement Regulations
280 JEC-R School Admissions
281 JECA —Admission of Homeless Students
282 JHCA —Physical Examinations
283 JHCB —Immunization of Students
284 JGGD/JGE —Student Suspension/Expulsion
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