

SECTION 5

Admission Requirements

School Board Policy 4.1-RESIDENCE REQUIREMENTS

Definitions:

"In loco parentis" means relating to the responsibility to undertake the care and control of another person in the absence of:

1. Supervision by the person's parent or legal guardian; and
2. Formal legal approval

"Reside" means to be physically present and to maintain a permanent place of abode for an average of no fewer than four (4) calendar days and nights per week for a primary purpose other than school attendance.

"Resident" means a student whose parents, legal guardians, persons having lawful control of the student, or persons standing in loco parentis reside in the school district.

"Residential address" means the physical location where the student's parents, legal guardians, persons having lawful control of the student, or persons standing in loco parentis reside. A student may use the residential address of a parent, legal guardian, person having lawful control of the student, or person standing in loco parentis only if the student resides at the same residential address and if the guardianship or other legal authority is not granted solely for educational needs or school attendance purposes.

The schools of the District shall be open and free through the completion of the secondary program to all persons between the ages of five (5) and twenty-one (21) years whose parents, legal guardians, or persons having lawful control of the student, or person standing in loco parentis reside within the District and to all persons between those ages who have been legally transferred to the District for educational purposes.

Any person eighteen (18) years of age or older may establish a residence separate and apart from his or her parent, legal guardian, person having lawful control of the student, or a person standing in loco parentis for school attendance purposes.

In order for a person under the age of eighteen (18) years to establish a residence for the purpose of attending the District's schools separate and apart from his or her parent, legal guardian, person having lawful control of the student, or a person standing in loco parentis, the student is required to reside in the District for a primary purpose other than that of school attendance; however, a student previously enrolled in the district whose parents move the student into another district or who is placed under the legal guardianship of a noncustodial parent living outside the district by a custodial parent on active military duty may continue to attend district schools. A foster child who was previously enrolled in a District school and who has had a change in placement to a residence outside the District, may continue to remain enrolled in his/her current school unless the presiding court rules otherwise.

Under instances prescribed in A.C.A. § 6-18-203, a child or ward of an employee of the district or of the education coop to which the district belongs may enroll in the district even though the employee and the employee's child or ward reside outside the district.

Children whose parent or legal guardian relocates within the state due to a mobilization, deployment, or available military housing while on active duty in or serving in the reserve component of a branch of the United States Armed Forces or National Guard may continue attending school in the school district the children were attending prior to the relocation or attend school in the school district where the children have relocated. A child may complete all remaining school years at the enrolled school district regardless of mobilization, deployment, or military status of the parent or guardian.

Nemo Vista requires proof of residency when enrolling a student.

-Cross References: Policy 4.40-HOMELESS STUDENTS

Policy 4.52-STUDENTS WHO ARE FOSTER CHILDREN

Legal References: A.C.A. § 6-4-302
A.C.A. § 6-18-108
A.C.A. § 6-18-202
A.C.A. § 6-18-203
A.C.A. § 9-28-113

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Initial Enrollment

SCHOOL BOARD POLICY - 4.2 ENTRANCE REQUIREMENTS

To enroll in a school in the District, the child must be a resident of the District as defined in District policy (4. 1- RESIDENCE REQUIREMENTS), meet the criteria outlined in policy 4.40 HOMELESS STUDENTS or in policy 4.52- STUDENTS WHO ARE FOSTER CHILDREN, be accepted as a transfer student under the provisions of policy 4.4, or participate under a school choice option and submit the required paperwork as required by the choice option under Policy 4.5.

Students may enter kindergarten if they will attain the **age of five (5) on or before August 1** of the year in which they are seeking initial enrollment. Any student who has been enrolled in a state-accredited or state-approved kindergarten program in another state for at least sixty (60) days, will become five (5) years old during the year in which he/she is enrolled in kindergarten, and meets the basic residency requirement for school attendance may be enrolled in kindergarten upon written request to the District. Any student who was enrolled in a state-accredited or state-approved kindergarten program in another state or in a kindergarten program equivalent in another country, becomes a resident of this state as a direct result of active military orders or a court-ordered change of custody, will become five (5) years of age during the year in which he or she is enrolled in kindergarten, and meets the basic residency requirement for school attendance may be enrolled in kindergarten upon a written request to the District.

Any child who will be six (6) years of age on or before October 1st of the school year of enrollment and who has not completed a state-accredited kindergarten program shall be evaluated by the district and may be placed in the first grade if the results of the evaluation justify placement in the first grade, and the child's parent or legal guardian agrees with placement in the first grade; otherwise the child shall be placed in kindergarten. (Nemo Vista Elem.) The evaluation may include but not limited to the Bear Necessities Test of Basic Skills for Kindergarten, DAR assessment, Nemo Vista end-of-year Kindergarten Evaluation, Woodcock Reading Mastery Test, Early Star Reading Assessment, and Keymath Diagnostic Math Inventory.

Any child may enter first grade in a District school if the child will attain the age of six (6) years during the school year in which the child is seeking enrollment and the child has successfully completed a kindergarten program in a public school in Arkansas.

Any child who has been enrolled in the first grade in a state-accredited or state-approved elementary school in another state for a period of at least sixty (60) days, who will become age six (6) years during the school year in which he/she is enrolled in grade one (1), and who meets the basic residency requirements for school attendance may be enrolled in the first grade.

Students who move into the District from an accredited school shall be assigned to the same grade as they were attending in their previous school (mid-year transfers) or as they would have been assigned in their previous school. Private school students shall be evaluated by the District to determine their appropriate grade placement. Home school students enrolling or re-enrolling as a public school student shall be placed in accordance with policy 4.6--HOME SCHOOLING.

The district shall make no attempt to ascertain the immigration status, legal or illegal, of any student or his/her parent or legal guardian presenting for enrollment.

Prior to the child's admission to a District school:

1. The parent, legal guardian, person having lawful control of the students, or person standing in loco parentis shall furnish the child's social security number, or if they request, the district will assign the child a nine (9) digit number designated by the Division of Elementary and Secondary education.
2. The parent, legal guardian, or person having lawful control of the student, or person standing in loco parentis shall provide the district with one (1) of the following documents indicating the child's age.
 - a. A birth certificate;
 - b. A statement by the local registrar or a county recorder certifying the child's date of birth
 - c. An attested baptismal certificate;
 - d. A passport;
 - e. An affidavit of the date and place of birth by the child's parent, legal guardian, person having lawful control of the student, or person standing in loco parentis;
 - f. United States military identification; or
 - g. Previous school records.
3. The parent, legal guardian, person having lawful control of the student, or person standing in loco parentis shall indicate on school registration forms whether the child has been expelled from school in any other school district or is party to an expulsion proceeding. Any person who has been expelled from any other school district shall receive a hearing before the Board at the time the student is seeking enrollment in the District. The Board reserves the right to not allow the enrollment of such students until the time of the person's expulsion has expired following the hearing before the Board.
4. In accordance with Policy 4.57---IMMUNIZATIONS, the child shall be age appropriately immunized or have an exemption issued by the Arkansas Department of Health.

Uniformed Services Member's Children

For the purposes of this policy:

“Activated reserve components” means members of the reserve component of the uniformed services who have received a notice of intent to deploy or mobilize under Title 10 of the United States Code, Title 32 of the United States Code, or state mobilization to active duty.

“Active duty” means full-time duty status in the active, uniformed services of the United States, including without limitation members of The National Guard and Reserve on active duty orders under 10 U.S.C. chapters 1209 and 1211 or 42 U.S.C.

“Deployment” means a period of time extending from six (6) months before a member of the uniformed services’

“Dual status military technician” means a federal civilian employee who is:

- a. Employed under 5.U.S.C. § 3101 or 32 U.S.C. § 3101 or 32 U.S.C. § 709(b);
- b. Required as a condition of his or her employment to maintain membership in the Selected Reserve; and
- c. Assigned to a civilian position as a technician in the organizing, administering, instructing, or training of the Selected Reserve or in the maintenance and repair of supplies or equipment issued to the Selected Reserve of the United States Armed Forces.

“Eligible child” means the children of:

- Active members of the uniformed services;
- Members of the active and activated reserve components of the uniformed services;
- Members of veterans of the uniformed services who are severely injured and medically discharged or retired

for a period of one (1) year after medical discharge or retirement; and

- Members of the uniformed services who die on active duty or as a result of injuries sustained on active duty for a period of one (1) year after death;
- Dual status military technicians; and
- Traditional members of the National Guard and reserve components of the armed forces who are relocating to the state for employment or to serve as a member of an Arkansas-based reserve component unit.

“Traditional member of the National Guard or federal reserves” means an active member of the Selected Reserve subject to mobilization and deployment for which he or she attends monthly and annual training periods.

“Transition” means the:

- Formal and physical process of transitioning from public school to public school; or
- Period of time in which a student moves from a sending district to a receiving district.

“Uniformed services” means the United States Army, United States Navy, United States Air Force, United States Marine Corps, United States Space Force, United States Coast Guard, the National Oceanic and Atmospheric Administration Commissioned Officer Corps, the United States Commissioned corps of the Public Health Services, and the state and federal reserve components of each of these bodies.

“Veteran” means an individual who served in the uniformed services and who was discharged or released from the uniformed services under conditions other than dishonorable.

The superintendent shall designate an individual as the District’s military education coordinator, who shall serve as the primary point of contact for an eligible child’s parent, legal guardian, person having lawful control of the eligible child, or person standing in loco parentis. The individual the superintendent designates as the District’s military education coordinator shall have specialized knowledge regarding the educational needs of children of military families and the obstacles that children of military families face in obtaining an education.

An eligible child as defined in its policy shall:

1. Be allowed to continue his/her enrollment at the grade level commensurate with his/her grade level he/she was in at the time of transition from his/her previous school, regardless of age;
2. Be eligible for enrollment in the next highest grade level, regardless of age if the student has satisfactorily completed the prerequisite grade level in his/her previous school;
3. Enter the District’s school on the validated level from his/her previous accredited school when transferring into the District after the start of the school year;
4. Be enrolled in courses and programs the same as or similar to the ones the student was enrolled in his/her previous school to extent that space is available. This does not prohibit the District from performing the subsequent evaluations to ensure appropriate placement and continued enrollment of the student in the courses/and/or programs.
5. Be provided services comparable to those the student with disabilities received in his/her previous school based on his/her previous Individualized Education Program (IEP). This does not preclude the District school from performing subsequent evaluations to ensure appropriate placement of the student;
6. Make reasonable accommodations and modifications to address the needs of an incoming student with disabilities, subject to an existing 504 or Title II Plan, necessary to provide the student with equal access to education. This does not preclude the District school from performing subsequent evaluations to ensure appropriate placement of the student;
7. Be enrolled by an individual who has been given the special power of attorney for the student’s guardianship.

- The individual shall have the power to take all other actions requiring parental participation and/or content;
8. Be eligible to continue attending District schools if he/she been placed under the legal guardianship of a noncustodial parent living outside the district by a custodial parent on active military duty.

Following the receipt of advanced notice of the enrollment of an eligible student from a military family, the District shall treat the notice as a provisional enrollment and provide the student with materials regarding:

- a. Academic courses;
- b. Electives;
- c. Sports; and
- d. Other relevant information regarding the public school.

In the event that official copies of an eligible child's education records are not available at the time the eligible child is transferring, then the District shall:

- Pre-register and place an eligible child based on the eligible child's unofficial education records pending receipt of the eligible child's official records; and
- Request the eligible child's official education records from the sending district.

To facilitate a smooth transition between the student's previous coursework and the curriculum best suited to ensure educational success in the student's new school, the District may enroll an inbound transitioning eligible student in digital coursework, if available, at the request of the military family.

(Nemo Vista) Students who transfer from another school, either within the state or from out of state, will be conditionally admitted. A maximum of thirty (30) calendar days will be given for the students to produce documentation of immunization or be excluded from school.

International Exchange Students

"Host family" means the individual or family with whom an international exchange student is placed by an international student exchange visitor placement organization under the International Student Exchange Visitor Placement Organization Registration Act, § 6-18-1701 et seq..

"International exchange student" means a student who is placed with a host family by an international student exchange visitor placement organization under the International Student Exchange Visitor Placement Organization Registration Act, § 6-18-1701 et seq.

Before an international exchange student may attend a District school, the District requires all international student exchange visitor placement organizations that are placing international exchange students within the District to:

- Be certified by the Council on Standards for International Educational Travel;
- Provide documented proof of the international exchange student's English proficiency; and
- Notify the District at least three (3) weeks before the beginning of the academic semester the international exchange student plans to enroll in the District.

The District shall admit for enrollment and attendance an international exchange student who has been placed with a host family who resides within the District boundaries. The international exchange student shall attend the school in the District based on the attendance zone where the host family resides.

Upon an international exchange student's arrival, the international exchange student may be required to submit to quarantine to prevent the spread of infectious diseases as may be necessary, which shall not exceed seven (7) days unless otherwise recommended by the Arkansas Department of Health or the Centers for Disease Control and Prevention.

International exchange students are expected to follow the District handbook and student code of conduct as the District has the authority to expel a student for violations of the school district's written student discipline policies or if the international exchange student presents a danger to the District's students or employees.

Statewide assessment results achieved by an international exchange student enrolled in the District shall be included in the District's results on the statewide assessments.

The District shall provide English-language services to international exchange students as necessary.

-Cross References: 4.1---RESIDENCE REQUIREMENTS

4.4 ---STUDENT TRANSFERS

4.5---SCHOOL CHOICE

4.6---HOME SCHOOLING

4.34--COMMUNICABLE DISEASES AND PARASITES

4.40--HOMELESS STUDENTS

4.52—STUDENTS WHO ARE FOSTER CHILDREN

4.57--IMMUNIZATIONS

-Legal References: A.C.A. § 6-4-302

A. C.A. § 6-4-309

A.C.A. § 6-15-504

A.C.A. § 6-18-107

A.C.A. § 6-18-201 (c)

A.C.A. § 6-18-207

A.C.A. § 6-18-208

A.C.A. § 6-18-234

A.C.A. § 6-18-510

A.C.A. § 6-18-702

A.C.A. § 6-28-101 et seq

A.C.A. § 9-28-113

DESE Rules Governing Student Discipline and School Safety

Plyler v Doe 457 US 202,221 (1982)

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Placement of Transfer Students from Accredited Schools

School Board Policy 4.4 Student Transfers

Transfer applications received by the District shall be placed on the Board's next meeting agenda. At least five (5) days before the meeting where the transfer application appears on the agenda, the superintendent shall notify the Board regarding:

- All transfer applications received since the last meeting; and
- The superintendent's recommendation concerning each transfer application.

Each transfer application shall be considered individually and receive a separate vote by the Board. The parent, legal guardian, person having lawful control of the student, or person standing in loco parentis to a student who submits a transfer application shall be given at least five (5) minutes to present the student's case for a transfer to the Board.

The Board may reject a nonresident's application for admission if its acceptance would necessitate the addition of staff or classrooms, exceed the capacity of a program, class, grade level, or school building, or cause the District to provide educational services not currently provided in the affected school. The District shall reject applicable laws and regulations regarding desegregation.

If the superintendent intends to recommend the Board deny the transfer application, the superintendent shall provide a written explanation of the reasons for the recommendation to the Board and the parent, legal guardian, person having lawful control of the student, or person standing in loco parentis to the student.

The parent, legal guardian, person having lawful control of a student, or person standing in loco parentis to the student who submitted a transfer application that was rejected may appeal the decision of the Board to the State Board of Education.

Any student transferring from a school **accredited** by the Division of Elementary and Secondary Education (DESE) to a school in the district shall be placed into the same grade the student would have been in had the student remained at the former school. Any grades, course credit, and/or promotion received by a student while enrolled in the Division of Youth Services system of education shall be considered transferable in the same manner as those grades, course credits, and promotions from other accredited Arkansas Public educational entities.

Any student transferring from a school not accredited by the State Department of Education to a District school shall be evaluated by District staff to determine the student's appropriate grade placement. A student transferring from home school will be placed in accordance with Policy 4.6---HOME SCHOOLING.

(Nemo Vista Elem. /MS) Evaluation Plan for Transfer Students from **No Accredited** Schools:

- (a) The student will be placed temporarily at the grade level placement assigned in the previous school (up to three weeks).
- (b) Parents will be notified of policy pertaining to their child's placement.
- (c) Results of standardized tests from schools previously attended will be evaluated.
- (d) Other tests which may be administered include but not limited to: (Elem. /MS) Early Star Reading Assessment, Star Reading Assessment, DRA assessment, the Keymath Diagnostic Math Inventory, Star Math, and the Woodcock Reading Mastery Test. (High School) Students will be given the most current Nemo Vista final exam available in each course taken in a non-accredited school setting. Non-accredited is defined as not accredited by the official accrediting unit of the Arkansas Department of Education. The grade the student receives on the final will be the grade given for each course. Courses with no equivalent at Nemo Vista will be reviewed by administration and credit will be denied or given on a case by case basis. Exception will be made for students transferring from a public school in another state or an Arkansas private school accredited by the Arkansas Non-Public School Accrediting Association (ANSAA). Credit in these two situations will be awarded in the same manner as if student remained enrolled in former school.
- (e) The Teacher Observation Checklist for Student Transfers will be completed by the teacher where the child is temporarily placed.
- (f) A conference will be held between the parents, counselor, and principal to discuss the test results and checklist. Permanent placement will then be decided.

Any person who has been expelled from any other school district shall receive a hearing before the Board at the time the student is seeking enrollment in the District. The Board reserves the right to not allow the enrollment of such students until the time of the person's expulsion has expired following the hearing before the Board.

Except as otherwise required or permitted by law, the responsibility for transportation of any nonresident student admitted to a school in this District shall be borne by the student or the student's parents. The District and the resident district may enter into a written agreement with the student or student's parents to provide to provide transportation to or from the District, or both.

Cross Reference: 4.6---HOME SCHOOLING

Legal References: A.C.A. § 6-15-504
 A.C.A. § 6-18-316
 A.C.A. § 6-18-317
 A.C.A. § 6-18-510
 A.C.A. § 9-28-113(b) (4)
 A.C.A. § 9-28-205

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NOTICE INFORMING PARENTS OR STUDENTS OF THEIR RIGHTS UNDER THE FAMILY EDUCATIONAL RIGHTS AND PRIVACY ACT-1974.

As a parent or a student over 18 years of age, you have the right to inspect your educational records. You have the right to a hearing should you chose to challenge the contents of such records to insure that the records are not inaccurate, misleading, and to provide an opportunity for the correction or deletion of such inaccurate, misleading, or otherwise inappropriate data contained therein and to insert into such records a written explanation by the parents respecting the contents of such records. Your request to inspect such records shall be complied with as soon as we can arrange it and in no case more that 45 days form the receipt of your request. The same time limits apply for a request for a hearing to challenge the content of such records.

The principal has a copy of the district's policy on student records, which you may examine. You have the right to file a complaint with the Federal Office of Education concerning alleged failures of the district to comply with the requirements of 93.380. We maintain three types of records: (1) THOSE OF ACADEMIC PROGRESS (2) behavior records, and (3) health records. The principal is on charge of these records.

4.59---Academic Course Attendance by Private School and Home Schooled Students

The District allows private school and home school students whose parents, legal guardians, or other responsible adult with whom the student resides are residents of the District to attend academic courses offered by the District. The District will place a list of courses that a private school or home school student may request to attend on its website by:

1. June 1 for courses to be offered during the Fall semester; and
2. November 1 for courses to be offered during the spring semester.

A private school or home schooled student who desires to attend one or more of the available academic courses shall submit a written request to attend the academic course(s) to the superintendent, or designee, no later than:

- a. August 1 for Fall semester courses; or
- b. December 1 for spring semester courses.

The superintendent, or designee, is authorized to waive the application deadline ono a case by case basis.

The District permits a private school or home schooled student to attend a maximum of six (6) courses per semester.

The District may reject a private school or home schooled student's request for attendance if the District's acceptance would:

- Require the addition of staff or classrooms;
- Exceed the capacity of a program, class, grade level, or school building;
- Cost the District more for the student to attend the academic course than the District receives for the student's attendance;
- Cause the District to provide educational services the District does not currently provide at a financial burden to the District; or
- Cause the District to be out of compliance with applicable laws and regulations regarding desegregation.

Requests to attend an academic course will be granted in the order the requests are received. Upon the receipt of a private or home schooled student's request to attend academic course(s), the District will date and time stamp the request for attendance. If a private school or home schooled student is denied attendance based on a lack of capacity and an opening in the requested course occurs prior to the start of the course, the District will use the date and time stamp on the request for attendance to determine the private school or home schooled student who will be notified of an opening in the requested course.

As part of the request to attend academic courses in the District, a private school or home schooled student shall:

- Indicate the course(s) the private school or home schooled student is interested in attending;
- If the course(s) the private school or home schooled student is interested in attending is being offered by the District in both a physical and digital format, whether the private school or home schooled student intends to attend the physical course or the digital course;
 - Submit, along with the student's application, a copy of the student's transcript indication that the student has received credit for the course(s), or equivalent course(s), that are a prerequisite to the course(s) the student desires to attend the District;
- Agree to follow the District's discipline policies; and
- Submit immunization documentation required by Policy 4.57---IMMUNIZATIONS.

A private school or home schooled student who fails to attend an academic course by the eleventh (11) day of class or who is absent without excuse for eleven (11) consecutive days during the semester shall be dropped from the course; however, a private school or home schooled student shall not be considered truant for unexcused absences from the course(s) the student is attending at the District.

Private school or home schooled students shall receive a final grade and transcript for each academic course the student completes.

The responsibility for transportation of any private school or home schooled student attending academic courses in the District shall be borne by the student or the student's parents.

The opportunity provided to home schooled students under this policy is in addition to the opportunity provided in Policy 4.56.2---EXTRACURRICULAR ACTIVITY ELIGIBILITY FOR HOME SCHOOLED STUDENTS.

Cross References: 4.6---Homeschooling
4.56.2---Extracurricular Activity Eligibility for Home Schooled Students
4.57---Immunizations

Legal References: A.C.A. § 6.15-509
A.C.A. § 6.18-232
A.C.A. § 6-18-702

A.C.A. § 6-47-401 ET sq.
DESE Rules Governing Distance and Digital Learning
DESE Rules Governing Kindergarten through 12th Grade Immunization Requirements in
Arkansas Public Schools
Commissioner's Memo COM-19-021

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