

The Cherokee County Board of Education is committed to providing equal educational opportunities to all students within its jurisdiction, which are based upon the Mission, Beliefs and Major System Priorities in the Cherokee County Accountability and School Improvement Policy. In accordance with Georgia law, requirements for parental/legal guardianship, students' ages, admissions information, and enrollment are outlined in this Policy.

**I. PARENTAL/LEGAL GUARDIANSHIP REQUIREMENTS**

Students not of legal age must be enrolled by their parent/legal guardian (an adult who has been awarded legal guardianship or custody by a court of competent jurisdiction). In order to be considered a legal guardian for purposes of this policy, the school must have on file a certified copy of said order. In addition, the following are approved for enrollment:

**A. Enrollment by Non-Custodial Parents**

In cases in which the parents/legal guardians of a student are divorced, and the non-custodial parent/legal guardian seeks enrollment for the student, the school will allow enrollment upon submission of a notarized power of attorney executed by the custodial parent deferring custody and educational decision-making authority to the non-custodial parent/guardian. All necessary documentation will be maintained in the student's file.

**B. Enrollment by Non-Custodial Adults**

In cases in which a non-custodial adult is seeking temporary legal guardianship of a student, and is able to present documentation that the legal process is currently under review, the school will allow the student to enroll. All necessary documentation will be maintained in the student's file.

**C. Enrollment by Non-Custodial Parents/Guardians During Military Deployments and/or Changes in Active-Duty Status**

In cases in which the parents/legal guardians of a student have executed a power of attorney due to a military deployment or a change in active duty status, and the attorney in fact, as named by the power of attorney, seeks enrollment for the student, the school will allow the student to enroll. All necessary documentation will be maintained in the student's file.

**D. Enrollment by the Department of Human Resources or the Department of Juvenile Justice**

In cases in which the Department of Human Resources and/or the Department of Juvenile Justice has physical custody or de facto custody of a student, or has placed the student into a local facility or foster home, the school will allow the

student to enroll. All necessary documentation will be maintained in the student's file.

## **II. STUDENT AGE REQUIREMENTS**

### **A. Pre-kindergarten**

Students who will have attained the age of four on or before September 1 of the school year shall be eligible for admission to the Georgia Pre-kindergarten Program during that school year. Students are eligible for admission on a first come first served basis in targeted school attendance areas. Students residing outside of targeted school attendance areas may seek admission to the Georgia Pre-kindergarten Program, but that admission cannot displace a student living in the targeted school attendance area.

### **B. Kindergarten**

Students who will have attained the age of five years on or before September 1 of the school year shall be eligible for admission to public kindergarten during that school year. Students who were legal residents of one or more other states for a period of two years immediately prior to moving to this state and who were legally enrolled in a public or state/regional accredited kindergarten shall be eligible for enrollment in the general or special education programs provided such students will attain the age of five for kindergarten by December 31 and are otherwise qualified.

### **C. First Grade**

Students who have attained the age of six years on or before September 1 of the school year shall be eligible for first grade if otherwise qualified. Students who were legal residents of one or more other states for a period of two years immediately prior to moving to this state and who were legally enrolled in a public kindergarten or first grade, or a kindergarten or first grade accredited by a state or regional association, shall be eligible for enrollment in the appropriate general or special education programs if such students will attain the age of six for first grade by December 31 and are otherwise qualified.

### **D. Secondary Program**

Students are eligible to maintain enrollment in the regular secondary program unless they attain 21 years of age on or before September 1, or they have received high school diplomas or the equivalent.

**E. Special Education**

1. Early Enrollment

Students who have attained the age of three years but are not yet eligible for kindergarten and who meet criteria for one or more of the disability categories as defined in Chapter 160-4-7 of the Georgia Special Education Rules are considered eligible for pre-school special education programs and related services. These disability categories are autism, deaf/blind, emotional and behavioral disorder, hearing impairment, intellectual disability (mild, moderate, severe, or profound), orthopedic impairment, other health impairment, severe emotional and behavioral disorder, significant developmental delay, specific learning disability, speech-language impairment, traumatic brain injury, and/or visual impairment.

2. Maximum-Age Enrollment

Special Education students are eligible to maintain enrollment in appropriate education programs until they receive high school or special education diplomas or the equivalent, or reach their twenty-second birthday.

**III. ADMISSIONS INFORMATION REQUIREMENTS**

Before the initial admittance of any student to school, a principal shall require:

**A. Proof of Residency**

1. Residency:

To obtain enrollment in the Cherokee County School District, students must reside in the county with their natural parent(s), or court-approved legal guardian(s). Students and their parent(s)/guardian(s) must remain residents of the county for the entire period of enrollment in the School District. For enrollment purposes, a resident is defined as an individual who is a full-time occupant of a dwelling located within the county and who, on any given school day, is likely to be at their stated address when not at work or school. A person who owns property in the county, but does not reside in the county, is not considered a resident for these purposes.

2. Proof of Residency:

Proof of residency is required when a student initially enrolls in a school and whenever a change of residence occurs.

- a. The following shall be accepted as proof of residency for parents/guardians considered as “home-owners”: a current residential property tax statement (if there is no tax bill, then the purchase/closing information for the residence can be used). The record must include the name of the parent/guardian.
  - b. The following shall be accepted as proof of residency for parents/guardians considered as “renters”: (1) a lease or rental agreement consisting of the written evidence that the agreement is valid; and (2) a District-designated affidavit signed by the property owner which will allow for appropriate verification of residency.
  - c. The following shall be accepted as proof of residency for parents/guardians considered as “non-renters” or “occupants of another person’s home/residence”: a District-designated affidavit signed by the parent/guardian, as well as by the home’s occupants. If the occupants are renters, then the property owner’s signature will also be required.
3. Verification of Residency:
- A school system employee may visit the address given by any parent/guardian to verify residency. The property address given must be the actual location where the student and parent/guardian live full time.
4. Time Extensions:
- A student will be enrolled on a provisional basis and allowed to attend school for up to 30 calendar days while awaiting evidence of residency. If the verification is not received within that period of time, the student will be withdrawn until the requirement is met.

**B. Satisfactory Evidence of Proper Age**

1. A certified copy of the student’s birth certificate, certified hospital issued birth record or birth certificate; a military ID; a valid driver’s license; a passport; an adoption record; a religious record signed by an authorized religious official; an official school transcript; or,
2. If none of these evidences can be produced, an affidavit of age sworn to by the parent/legal guardian accompanied by a certificate of age signed by a licensed, practicing physician. The certificate completed by the physician must verify that a physical examination has occurred, and that

the physician believes the age indicated on the affidavit is substantially correct.

3. Time Extensions:

A student will be enrolled on a provisional basis and allowed to attend school for up to 30 calendar days while awaiting evidence of age. If the verification is not received within that period of time, the student will be withdrawn until the requirement is met.

**C. Immunization**

1. Pre-kindergarten Programs

All students attending pre-kindergarten programs must have a Certificate of Immunization (DPH Form 3231) on file in accordance with Georgia Department of Public Health regulations. Students who have not completed all immunizations due to age may submit School/Child Care Certificate of Immunization (DPH Form 3227–Gold Card) until immunizations are complete. Students may register prior to completion of this examination and certificate.

2. Grades K-12

All students must have a Certificate of Immunization (DPH Form 3231) on file in accordance with Georgia Department of Public Health regulations. Students entering public schools for the first time must present this form upon enrollment. Students who are transferring from any other public school system have 30 calendar days to meet this requirement.

3. Exemptions and Time Extensions:

A student, regardless of grade and including foreign exchange students, must have the Certificate of Immunization (DPH Form 3231) on file unless any of the following situations exist:

- a. Medical exemption authorized by a medical doctor;
- b. Conflict with religious beliefs verified by parents'/legal guardians' sworn affidavit;
- c. An extension of 30 calendar days is granted to Georgia residents by the school principal. If this form is not received within that period of time, the student will be withdrawn until the requirement is met; or,

- d. An extension not to exceed 90 calendar days is granted by the school principal to students entering Georgia public schools from out of state, private schools, or home school provided that documentation is on file from the county health department or a medical doctor stating that an immunization sequence has been started and can be completed within the 90 calendar day waiver period. If this form is not received within that period of time, the student will be withdrawn until the requirement is met.

**D. Certificate of Vision, Hearing, Dental and Nutrition Screening, P-12**

A Certificate of Vision, Hearing, Dental and Nutrition Screening (Georgia Department of Public Health [DPH] Form 3300) in accordance with Georgia Department of Human Resources regulations must be presented the first time a student enrolls at any grade level. Students transferring from another Georgia public school system are exempt from this requirement.

Time Extensions: All students, regardless of grade and including foreign exchange students, must have the Certificate of Vision, Hearing, Dental and Nutrition Screening (Georgia DPH Form 3300) on file unless any of the following situations exist:

1. A student attending pre-kindergarten programs must have a Certificate of Vision, Hearing, Dental and Nutrition Screening. A student may register prior to completion of this screening, however, the Certificate of Vision, Hearing, Dental and Nutrition Screening must be on file within 30 days. If this form is not received within 30 calendar days, the student will be withdrawn until the requirement is met.
2. For a student transferring from any school system other than a Georgia public school system, the documentation must be received within 30 calendar days. If this form is not received within 30 calendar days, the student will be withdrawn until the requirement is met.

**E. Official Transcript (Cumulative Record)**

1. Enrolling students shall present an official transcript of work or credit at the time of entrance. If a transcript should not be presented, the student shall be enrolled on a tentative basis from information available at the time of enrollment. If, upon receipt of an official transcript, it should be found that the student has been enrolled in the wrong subject or grade, the student shall be withdrawn immediately and re-enrolled in the appropriate grade or subjects. The parent(s)/legal guardian(s) shall be informed of the change.

2. Students coming from accredited private schools, home school programs, other countries, or states are to be accepted provisionally in the grade to which they indicate membership. Records of each student's previous work should be required before final placement is determined. A reasonable effort should be made to obtain such records. If the records are not forthcoming within 30 calendar days, an academic assessment shall be made by the school to determine final placement.

#### **F. Social Security Card**

An official copy of the student's social security card (the original card) shall be provided and be incorporated into the official school records pertaining to the student.

1. School authorities may provisionally admit a student for whom an official social security number has not been provided if the parent/legal guardian completes a postage-paid application for a social security number at the time of enrollment.
2. Exemption - The parent/legal guardian may, upon the execution of an appropriate affidavit/waiver, exempt his/her student from this provision.
3. No school employee shall indicate in any manner that a social security number is required for admission.
4. The school shall ensure that student social security numbers are treated in the same confidential manner as all other records and in accordance with the Federal Educational Rights and Privacy Act (FERPA) of 1974.

The school shall assign a permanent student identification number if a social security number will not be provided.

### **IV. ENROLLMENT REQUIREMENTS**

#### **A. Enrollment**

In accordance with Georgia law, every parent, legal guardian, or other person residing within the state and having control or charge of any child or children between their sixth and sixteenth birthdays shall enroll and send such child or children to a public school, private school, or home study program. All children enrolled for 20 calendar days or more in the public schools of this state prior to their seventh birthday shall become subject to the provisions of the compulsory school attendance law.

Out-of-State Transfer Students – The same rules, procedures and requirements contained within this Policy apply to out-of-state transfer students.

**B. Pregnant Students**

Students who are pregnant will not be prohibited from attending school.

**C. Compulsory Attendance**

Students between six and 16 years of age are subject to compulsory school attendance. They must attend public school, private school or a home study program. If failure to attend is caused by the child's parent, legal guardian, or other person, the parent, legal guardian, or other person alone shall be responsible and shall be guilty of a misdemeanor and subject to a fine and/or imprisonment.

Local school superintendents in the case of private schools or home study programs and visiting teachers and attendance officers in the case of public schools shall have authority, and it shall be their duty to file proceedings in court to enforce this law.

**D. Students Not in Good Standing**

**1. Suspended or Expelled Students from Another Public School System**

No otherwise qualified student seeking enrollment shall be admitted to the Cherokee County School District during the period of that student's suspension or expulsion from another Public School System.

**2. Students Assigned to an Alternative School Program in Another Public School System**

Any student seeking enrollment from another school system in which the student was assigned to an alternative school program through a due process hearing shall be assigned to a corresponding alternative setting, if available, within the Cherokee County School District.

**3. Suspended or Expelled Students from a Private School**

The Cherokee County School District may admit a student who has been suspended or expelled from a private school during the period of such suspension or expulsion. No such decision will be made before the District has received appropriate information from the parent, student records from the private school, and/or reports from any agency or jurisdiction involved due to the conduct causing the suspension or expulsion.



If, in the process of gathering this information, it is concluded that the student's suspension or expulsion from the private school would or might justify a long-term suspension or expulsion from the Cherokee County School District, a pre-enrollment hearing will be convened so the district may decide: (a) whether the conduct for which the student was suspended or expelled would justify suspension or expulsion by the district, and (b) whether the terms of the private school suspension or expulsion should be adopted, rejected, or reduced by the district. This hearing will be conducted in the same manner required for any long-term suspension or expulsion from the Cherokee County School District.

**4. Suspended or Expelled Cherokee County School District Students**

A student with a suspension or expulsion from the Cherokee County School District will not be withdrawn unless the student does not return to the school or School District from said suspension or expulsion.

**E. Enrollment or Re-Enrollment of Currently Non-Enrolled High School Students**

The State statutorily requires students between the ages of 6 and 16 to remain actively enrolled in school. High School students who are 16 years of age or older, and who have dropped out of school for one quarter or more, remain eligible to re-enroll in the appropriate general education or alternative education program unless they attain the age of 20 years by September 1.

Special Education students remain eligible to re-enroll in appropriate education programs until they receive high school or special education diplomas or the equivalent, or reach their 22nd birthday.

**V. Student Withdrawal Requirements**

**A. Withdrawal by Parent/Legal Guardian**

A student will only be withdrawn upon written request by the enrolling parent/legal guardian or other designated adult as defined by Section I of this Policy. Within the written request, that adult must provide the school with the reason for withdrawal.

**B. Withdrawal of Students Subject to Compulsory Attendance**

A withdrawing student of compulsory attendance age will be notified that a failure to enroll in another educational institution or home study program will be in violation of Georgia's compulsory attendance law and may subject the student or parent to severe consequences.

The School District will withdraw a student of compulsory attendance age without parental permission after ten consecutive days of absences if the School District has determined the student is no longer a resident, or is enrolled in another educational institution or home study program. The withdrawal will occur retroactive to the first day of the consecutive absences.

**C. Withdrawal of Students Not Subject to Compulsory Attendance**

A withdrawing student who is beyond the compulsory attendance age and the parent/legal guardian or other designated adult as defined by Section I of this Policy approving the withdrawal must conference with appropriately identified school personnel when the student is withdrawing prematurely and not completing high school graduation requirements through another educational institution or home study program.

The School District will use any such conference with a student and parent/legal guardian to reinforce any statutorily required information to include, but not be limited to current high school graduation requirements, consequences for failing to earn a high school diploma, and available alternative educational opportunities such as earning a General Educational Development (GED) diploma.

The School District will withdraw a student who is beyond the compulsory attendance age without permission from the parent/legal guardian when the student has ten consecutive unexcused absences, and all of the following conditions occur:

1. The student is not currently receiving instructional services from the School District through Hospital/Homebound provisions;
2. The student is not currently receiving instructional services required by the Individuals with Disabilities Education Act; and,
3. The School District has made a reasonable attempt to contact the student, as well as the parent/legal guardian.

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