

## CHAPTER 5.00 – STUDENTS

### STUDENT ASSIGNMENT

5.20

All children having legal residence, as defined herein, within the limits of the Dale County School District, and meeting the legal entrance requirements shall be eligible to attend the Dale County School for which their residence is zoned.

#### I. Residency Verification (form attached):

The following students shall be subject to residency verification:

- A. New enrollees.
- B. Students seeking to enroll after a period of interrupted attendance.
- C. Students whose names are reported to the administration, calling into questions the student's residence.
- D. Other students whose residence is reasonably called into question.

#### II. Definition of Residence

Residence as used herein means the fixed, permanent, full-time and primary domicile of the parent(s), legal guardian(s), welfare-appointed custodian(s), or duly-appointed foster parent(s) of a student. The legal residence, as used herein, shall mean that true, fixed, full-time and permanent home to which, whenever absent, the person in question has the intention of returning. Residence does not include a temporary or secondary place of residence established for some specific purpose. In other words, to be eligible to attend Dale County Schools, the student must reside in a physical structure constituting a home (a house, apartment, condominium, etc.), which is located in the limits of this school district, with a person legally responsible for his/her care. Residence shall depend on the facts and circumstances of each case, however, the residence must be a place where important activities occur during a significant part of each day, such as eating, sleeping, studying, working, etc.

#### III. Proof of Residence

Proof of residence requires the appropriate combination of documents discussed in the following sections:

- A. Affidavit. All students for whom verification or proof is required must have a parent, guardian, or other legally appointed custodian or foster parent complete the residency verification form (attached) and attached two pieces of evidence.

## CHAPTER 5.00 – STUDENTS

- B. Documentary proof of custody. In addition, each person for whom proof is required must also submit one of the following:
1. The student's birth certificate, establishing that the student is the child of the school zone resident.
  2. A court decree declaring that the school zone resident is the student's legal guardian, adoptive parent, or court-appointed custodian; or appropriate foster parent documentation. Such decree must be executed/issued by an appropriate state court or authority. Locally, such courts would constitute the Probate Court, District Court Juvenile Division, or Circuit Court. A stamped copy of such decree must be presented to school officials prior to enrollment.

### IV. Visit to Residence

The Superintendent and/or his/her designee reserve the right to conduct a site visit to verify any information regarding residency. The site visit shall be for the purpose of verifying that the student actually resides at the location in question.

- V. A student will not be enrolled where it appears that the student does not meet the residence requirements, but is present in the school district primarily for the purpose of attending school.

### VI. Power of Attorney/Delegation of Parental Authority

A power of attorney or delegation of parental authority is not sufficient. A court order as described in paragraph B.2. above will be required. Exceptions may be considered by sole discretion of the Superintendent.

### VII. Ft. Rucker Residents

This school system exercises an "open door" policy with regard to enrollment of students from Ft. Rucker. Acceptance and assignment of these students shall be determined by the Superintendent or his/her designee, and governed by the following conditions:

- A. For purposes of this policy, students residing on the United State Military Reservation at Ft. Rucker shall be treated as residents of the school district.
- B. Such students must comply with the "proof of residence" requirements, and other applicable requirements of this policy.

## CHAPTER 5.00 – STUDENTS

### VIII. Federal Guidelines

The Dale County Board of Education and its administrative staff shall implement this policy in accordance with all applicable federal guidelines, including the McKinney Vento Homeless Assistance Act.

### IX. Expelled Students

No student shall be permitted to transfer, enroll, or be admitted to a school when he/she has been expelled from another school system. This prohibition shall be effective for the period of time in which the student was expelled from another system. However, if a student seeking to enroll is identified as disabled and participating in a program for exceptional students, then the system shall follow procedures as outlined in the Code of Student Conduct pursuant to applicable law and Board policy.

### X. Emergencies

Extenuating circumstances requiring a waiver or modification of this policy may be considered by the Superintendent on a case by case basis.

### STATUTORY AUTHORITY:

**CODE OF ALABAMA  
16-1-30**

### LAW(S) IMPLEMENTED:

**CODE OF ALABAMA  
10-10-6, 16-8-8, 16-11-9, 16-28-3,  
16-28-6, 16-28-12, 16-28-19**

### ALABAMA ADMINISTRATIVE PROCEDURE ACT: \_\_\_\_\_

### HISTORY:

**ADOPTED: Dec 16, 2008  
REVISION DATE(S): \_\_July 9, 2019  
FORMERLY: JBCC, JBCCA, JBCCB**