

## **4.2300 ADMISSIONS AND ENROLLMENT**

Legal references: P.L. 100-77 (1987)  
G.S. 115C-366(a4)  
G.S. 115C Part 6A: 115C—238.29  
G.S. 130A-154(b); 130A-441

Cross References: Standards for Vision Screening, Governor's Commission on Early Childhood Vision Care  
4.2000 Attendance  
4.2305 WAITLIST CALL-UPS  
4.2310 ENROLLMENT CONFIRMATION: STUDENT DAY #1  
4.3600 Code of Student Conduct

The Board of Directors requires that all students meet the eligibility requirements of the State of North Carolina and of Falls Lake Academy as outlined in this and related policies. Only students who meet these requirements and are properly admitted thereby will be allowed to enroll at Falls Lake Academy.

### **I. ELIGIBILITY FOR ADMISSION**

#### **A. Age requirements**

1) **Entitlement to Initial Entry**: A child who is presented for enrollment at any time during the first twenty (20) days of a school year will be considered eligible for initial admittance if any of the following circumstances are true and applicable:

- The child reaches or reached the age of five (5) on or before August 31 of that school year.
- The child did not reach the age of five (5) on or before August 31 of that school year, but resided in another state and was attending school during that school year in accordance with that state's laws or rules prior to moving to North Carolina.
- The child did not reach the age of five on or before August 31 of that school year, but resided in another state and would be eligible to attend school during that school year in that state in accordance with the laws or rules of that state, and if ***all of the following*** are true:
  - a) the child's parent or legal guardian is a legal resident of North Carolina who is a member of the uniformed services assigned to a duty station in another state; and
  - b) the child's parent or legal guardian is the sole legal custodian of the child; and
  - c) the child's parent or legal guardian is deployed for duty away from the permanent duty station and the child resides with an adult who is domiciled within a local school administrative unit in North Carolina as a result of the parent's deployment.

Individual exceptions to the minimum age requirement for enrollment based on psychological and/or academic testing must be approved by the Board through parental petition to and subsequent recommendation by the Principal.

2) Upper age limit: Students who have reached or who will reach their 21<sup>st</sup> birthday before the end of the upcoming school year are not eligible for admittance.

3) Evidence of Age: The principal shall require the parent or guardian of any child presented for admittance for the first time to furnish a certified copy of the child's birth certificate. The Falls Lake Academy Principal is required to refuse admittance to any child whose parent or guardian does not present a birth certificate or other satisfactory evidence of birth within thirty days of initial enrollment.

## B. Immunization requirements

1) Within 30 days of their initial enrollment date, all enrolled students must show evidence of immunization against all applicable diseases as required by state law or regulation. Such evidence must be shown in the form of a certificate furnished by a licensed physician or other licensed and approved health care provider, or by the public health department.

2) Extensions of time: The Principal is required to refuse admittance to any child whose parent or guardian does not present a medical certification of proper immunizations within thirty days of initial enrollment. However: if the administration of a vaccine requires more than thirty calendar days to complete, upon certification of this fact by a physician, additional days may be allowed in order to obtain the required immunizations. The Principal is authorized by the Board in these situations to determine a reasonable extension before denying the child continued attendance pursuant to a recommendation to the Board to rescind the child's admittance.

3) Out-of-state immunizations: A student who receives immunizations in a state other than North Carolina must present an official certificate that meets the immunizations requirements of NC G.S. 130A-154(b).

4) Exceptions to the immunization requirement are made only for religious reasons allowed by state law or for medical reasons approved by a physician.

5) Kindergarten Health Assessment: No child shall attend kindergarten at Falls Lake Academy unless a health assessment transmittal form, developed pursuant to G.S. 130A-441, is presented to the Principal.

- Assessment requirements: The assessment must include:

- a) medical history,
- b) physical examination with screening for vision and hearing, and
- c) if appropriate, testing for anemia and tuberculosis.

- Time limits: The health assessment must be conducted no more than twelve months prior to the date of initial enrollment. If a child enters the first grade without having been enrolled in a kindergarten program requiring a vision screening, the screening is required at that point. Children who receive and fail to pass the required vision screening must obtain a comprehensive eye exam conducted by a duly licensed optometrist or ophthalmologist. The provider of the exam must present to the parent a signed transmittal form, which the parent must submit to the Principal.

- Vision screening compliance: Vision screening must comply with the standards adopted by the Governor's Commission on Early Childhood Vision Care.

- Deadline: The completed health assessment transmittal form must be presented to the Principal on or before the child's first day of attendance. If a health assessment transmittal

form is not presented on or before the first day, the Principal shall present a notice of deficiency to the parent or guardian. The parent or guardian shall then have 30 calendar days from the first day of attendance to present the required health assessment transmittal form for the child. Upon completion of the 30<sup>th</sup> day following initial enrollment, if the health assessment transmittal form has not been presented, the Principal shall not permit the child to attend Falls Lake Academy until the required health assessment transmittal form has been presented.

C. Domiciliary requirements: all students must meet North Carolina domiciliary requirements.

1) Definition: The term “domicile” refers to a person’s permanent home, rather than a “residence,” which can mean any address where people stay temporarily while away from home.

- Regular Domicile of Students: The domicile of a student under 18 years of age is legally presumed to be the domicile of his or her parent(s) or legal guardian(s) as defined by the General Statutes of North Carolina.

- Domicile of Emancipated Students: Students who are at least 18 years of age, married, or abandoned by their parents, or if declared by the court to be emancipated, may establish legal domicile independent of their parent(s) or legal guardian(s). Students who establish North Carolina domicile as a result of being emancipated will be entitled to the same rights and privileges of other students domiciled in North Carolina.

- Domicile of Students with Divorced or Separated Parents: If both parents or guardians are domiciled within the State of North Carolina, either domicile is acceptable as the student’s domicile of record. If one parent or guardian is domiciled outside the State of North Carolina, the student’s legal domicile for the purpose of school attendance will be determined by the following criteria:

- a) If legal custody has been granted to only one parent, the student's domicile follows that of the parent who has been granted legal custody.
- b) If legal custody has not been determined or has been granted jointly to both parents, the parents or must jointly agree on which residence will be used to determine the child's domicile.
- c) A student whose legally-declared custodial parent is domiciled outside the State of North Carolina but whose other biological or adoptive parent is domiciled within the State of North Carolina is eligible to attend Falls Lake Academy if both parents agree.
- d) In the event a student’s legal domiciliary status cannot be established to the satisfaction of the Falls Lake Academy Principal according to the criteria set forth in this policy, and if the parents cannot agree on which residence will be used to determine the child's domicile for school attendance purposes, the residence of the parent with physical custody of the child at the beginning of the school year will prevail.

2) Students Who Must Meet Residence Requirements But Not Domiciliary Requirements:

Students who meet all other requirements for admittance and who are selected for enrollment through the Falls Lake Academy enrollment lottery process but who do not meet domiciliary requirements for the following reasons will be admitted:

- Homeless Children: In accordance with the Homeless Assistance Act, P.L. 100-77 (1987) and the North Carolina State Plan for Educating Homeless Children, homeless children who meet all other requirements for admission and are selected for enrollment

through the Falls Lake Academy enrollment lottery process will be admitted. Homeless children and youth are those who meet one or more of the following criteria:

- a) Live with another person or family due to loss of housing, economic hardship, or a similar reason.
- b) Lack a fixed, regular and adequate residence.
- c) Have a primary nighttime residence that is:
  - a supervised publicly or privately operated shelter designed to provide temporary living accommodations; or
  - a public or private place not designated for or ordinarily used as a regular sleeping accommodation for human beings ( such as a motel, hotel, transient trailer park, car, park, public space, abandoned building, substandard housing, bus or train station, or camping grounds).
- d) Stay in an emergency, transitional or domestic violence shelter.
- e) Are abandoned in hospitals.
- f) Are awaiting foster care placement.

- Children in Custodial Homes: Children who reside in non-adjudicated group homes, foster homes, or other similar facilities.

- Children who reside with non-custodial adults: Children who reside with non-parental, non-custodial adults as a result of any of the following:

- a) Death, serious illness, or incarceration of the child's parent or legal guardian.
- b) Abandonment by the child's parent or legal guardian of the complete control of the student as evidenced by the failure to provide substantial financial support and parental guidance.
- c) Abuse or neglect of the child by the parent or legal guardian.
- d) The physical or mental condition of the parent or legal guardian is such that he or she cannot provide adequate care and supervision of the child.
- e) Loss of habitability of the student's home as the result of a natural disaster.

In order to be admitted under this provision, the student cannot be currently under a term of suspension or expulsion from a school for conduct that could have led to suspension or expulsion from Falls Lake Academy.

- Children in the custody of the Department of Social Services

3) Discretionary Admission: The Board of Directors may approve or deny requests for admission to Falls Lake Academy by all non-domiciled students who do not meet any of the exceptions listed herein, but who are otherwise eligible for admission and who are selected for enrollment through the Falls Lake Academy enrollment lottery process. A non-domiciled student may be admitted and enrolled at the discretion of the Board only if there are compelling, specific circumstances indicating that the student should be allowed to do so.

4) Evidence: The Falls Lake Academy Principal is required to refuse admittance to any child whose parent or guardian does not present evidence of the child's legal domiciliary status according to the criteria set forth in this policy upon initial enrollment.

#### D. Transfer requirements

1) Non-Suspension/Expulsion Affidavit: North Carolina G.S. 115C-366(a4) states that when a student attempts to transfer into a new school, the Board MUST require the student's parent(s) or guardian(s) to provide a statement made under oath or affirmation before a qualified official,

indicating whether the student is, at the time, under suspension or exclusion from attending a private or public school in North Carolina or any other state, or has been convicted of a felony in North Carolina or any other state. This requirement does not apply to students who have never attended or been enrolled in a public or private school in North Carolina or any other state. Therefore, students enrolling in kindergarten for the first time are not subject to this requirement.

2) Student Records: Students transferring into Falls Lake Academy must furnish a transcript and other student record data, including evidence of compliance with the North Carolina immunization and domiciliary requirements.

## II. APPLICATIONS

The parent(s) or guardian(s) of all students seeking initial admittance are required to submit a completed application.

A. Application submissions: The Board shall make provision for student applications to be submitted either electronically or by traditional mailing of paper copies, at the discretion of the parents submitting the applications.

B. Application acceptance window: The Board of Directors shall establish, declare, and publish the timetable for receipt of applications for initial admittance of new students each year for the following school year. During that period of time each year, the Board shall receive completed applications for the number of openings in each grade level anticipated for the following school year. The parent(s) or guardian(s) of all potential students must submit a completed student application form during the declared application acceptance window in the spring prior to each potential student's anticipated initial enrollment. Applications must be received by the stated deadline on the published last day of the acceptance window each year in order to be considered for that year's lottery. Applications received after this deadline will be eligible for any admission slots remaining after the lottery. If no open slots exist following the lottery, those applicants will be placed on the waiting list.

C. Lottery number assignment: The Board shall assign numbers to all applications received which reflect the grade level for which the application is submitted. Alternately, the Board may elect to contract with an outside agency to accept applications and assign numbers, at its sole discretion. All applications will be assigned a number; the eligibility of students will not be determined or confirmed until after the lottery is held and each applicant's position in the admissions queue is determined.

D. Multiple-birth siblings: Students who are multiple birth siblings (twins, triplets, etc.) must each complete a separate application.

- 1) Only one multiple-birth sibling's application will be entered in the lottery. If that application is selected for admission, that sibling's twin, triplets, etc. will also be admitted, even if admission of the chosen applicant's sibling(s) puts the grade level(s) in question over the enrollment cap.
- 2) If multiple-birth sibling applicants are applying for initial admission into different grade levels, the applicants' parent(s) or guardian(s) must choose and designate which of the siblings' applications will be entered into the lottery. If that application is selected for admission, all siblings will be admitted, even into different grade levels and even if their admission exceeds the enrollment cap. If that application is not selected for admission, all siblings will be placed on the waiting list.

- 3) If an opening occurs during the first semester of a school year and the next student on the waiting list is a multiple-birth sibling whose sibling(s) also applied, all multiple-birth siblings shall be admitted, even if it causes one or more grade-level enrollment caps to be exceeded.

E. Re-application: Applications are good for one school year only. Students who are not admitted in any given year must re-apply for initial admission in each subsequent year until they are selected for admission or until they abandon their pursuit of admission to Falls Lake Academy.

### III. LOTTERY

Enrollment totals for each grade level are capped in accordance with the terms of the Falls Lake Academy charter. When the number of student applications for any grade level exceeds the number of openings in that grade level for the following school year, an admissions lottery shall be held to determine the order in which student applicants will be admitted.

A. Lottery administration: The Board may elect to either administer the lottery themselves or contract with an outside agency to administer the lottery, at its sole discretion.

B. All applications included: Every application submitted by the published application deadline in any given year shall be included in the lottery for anticipated openings in the designated grade level during the following school year.

C. Lottery procedures:

- 1) Students must reside within the State of North Carolina at the time of application.
- 2) All students must apply for the grade level they plan to enter in the following school year. Students may submit only one application each year.
- 3) The lottery shall be open to the public. Neither student applicants nor their parent(s) or guardian(s) need be present in order to be accepted for admission.
- 4) Students shall be placed on the admissions queue in the order in which their application numbers are selected for their indicated initial enrollment grade levels. Once the enrollment cap for each grade level is reached, all students whose application numbers are selected from that point forward are placed on the waiting list.
- 5) Parent(s) / guardian(s) of those students selected for admission in the lottery will be notified by e-mail as soon as practically possible following the close of the lottery.

### IV. ADMISSIONS

A. Preferential admissions:

- 1) Children of Falls Lake Academy full-time employees or board members are admitted, so long as the total number of staff students does not exceed 15% of the school's total enrollment. ~~regardless of impact on the enrollment cap for those grade levels in which they are admitted.~~ Open enrollment slots in each grade level are filled first from those students entered into the employee/board of director lottery before students in the general lottery are admitted.

- 2) ~~Board of Directors' children receive preferential admission for the first, inaugural school year only.~~
- 3) Siblings of previously-enrolled returning students who meet eligibility requirements under Board policy 4.2300 are entered into a "sibling lottery" for preferential admissions if open enrollment slots in their respective grade levels exist. Open enrollment slots in each grade level are filled first from those students entered into the sibling lottery before students in the general lottery are admitted.
4. Legacy students – defined as the younger siblings of FLA graduates – are eligible for preferential enrollment in the same manner as the siblings of currently-enrolled (see #3 above) students as long as the FLA graduate completed four years of enrollment at FLA.
5. Returning students: Once admitted and enrolled, returning students are not required to re-apply. Their enrollment slots are secure for each successive year for as long as they remain students in good standing and choose to return.
6. Opportunity students – defined as those FLA students who leave in order to pursue advanced academic or other unique opportunities (such as study and/or travel abroad, selection for NCSSM or NCSA, etc.) are eligible for preferential re-enrollment upon their return to FLA as though they had maintained continuous enrollment as per #5 above.

B. Admissions order: Students will be admitted according to their position on the admissions queue following the lottery (see Board policies #4.2305, WAITLIST CALL-UPS, and #4.2310, ENROLLMENT CONFIRMATION – STUDENT DAY #1). If there are fewer applicants than slots available in any grade level, all applicants for initial enrollment in that grade level that year will be admitted.

C. Waiting list: Students will be admitted in order from the waiting list as positions come available through the end of the first ~~semester~~ quarter of the school year for which they applied for initial enrollment.

D. Admissions period: Admissions for each school year shall be closed at the end of the last day of the first ~~semester~~ quarter unless otherwise determined by the board of directors.

## V. ENROLLMENT

A. Eligibility: In order to enroll, all students must be properly admitted as per the provisions of this policy.

B. Enrollment contract: Parents of students who are selected for admission will be notified via e-mail (or phone, if no e-mail addresses are available). Such notification shall include a letter outlining the terms of enrollment and an Enrollment Contract, which must be signed, dated, and returned by the student's parent(s) or legal guardian(s) by the deadline date indicated in the acceptance letter.

- 1) Enrollment Contracts returned unsigned, undated, and/or improperly signed and/or dated will be considered rejected by the admitted student and his/her parent(s) or guardian(s), and those enrollment slots will be offered to the next students on the waiting list.
- 2) The Board shall make all reasonable efforts to contact the parent(s) or guardian(s) of admitted students whose properly signed and dated Enrollment Contracts are not returned by the stated deadline in accordance with the procedures outlined in Board policy #4.2305, WAITLIST CALL-UPS and #4.2310, ENROLLMENT CONFIRMATION: STUDENT DAY #1.

C. Enrollment intake: Falls Lake Academy shall hold an Enrollment Intake session at or around the beginning of each school year. Attendance at this session shall be mandatory for all newly-admitted students and their parent(s) or guardian(s) unless their absence is approved in advance by the FLA Principal.

D. Enrollment deadline: Admitted students must be enrolled in membership at Falls Lake Academy by the end of the tenth school day each year or their admittance will be rescinded and their enrollment slot will be offered to the next student on the waiting list for that grade level. Students who experience unusual and/or unexpected hardship with respect to this requirement may seek advance approval from the FLA Principal to enroll in membership after the tenth day. In such cases, the Principal has the authority to approve the request for a delay in enrollment. If, in the opinion of the Principal, the request for delayed enrollment should be denied, the Principal shall seek approval from the Board members by individual-contact polling vote on whether or not to rescind the student's admittance and open his/her slot to the next student on the waiting list for that grade level.

E. Continuing enrollment: Enrolled students maintain continuing enrollment unless they officially withdraw from Falls Lake Academy or their admittance is rescinded by action of the Board of Directors upon recommendation of the Principal. Admittance may be rescinded for:

- 1) Attendance reasons: see Board Policy 4.2000 ATTENDANCE.
- 2) Disciplinary reasons: see Board Policy 4.3600 CODE OF STUDENT CONDUCT.
- 3) Fraudulence: If evidence of fraudulence on the part of the student or his/her parent(s) or guardian(s) in the application, admissions, and/or enrollment process is discovered, the Principal shall investigate. The results of his/her investigation shall be submitted to the Board of Directors, who shall deliberate and determine whether or not to rescind the student's admittance.

F. Voluntary suspension of continuing enrollment: Students whose parent(s) or guardian(s) seek and secure approval of the Principal to withdraw the student from membership and/or lay out of active membership for a period of time will be permitted to re-enroll without re-applying when the agreed-upon period of time has concluded. In such cases, all the following apply:

- 1) The student and his/her parent(s) or guardian(s) must present a clear and compelling reason for the suspension of continuing enrollment, such that the Principal is obliged to agree.
- 2) The suspension of continuing enrollment must be strictly voluntary, with no connection to any action of the Board of Directors or the Principal (or his/her designee) with regard to provisions E1, E2, and/or E3 above.
- 3) If the student does not re-enroll by the agreed-upon deadline, the Principal shall seek approval from the Board members by individual-contact polling vote on whether or not to rescind the student's admittance and open his/her slot to the next student on the waiting list for that grade level.