

RESIDENT STUDENTS ENROLLMENT REQUIREMENTS

I. GENERAL DOMICILE REQUIREMENT

All persons age 5 on or before August 31 of the year enrolled through age 20 who are domiciled within the boundaries of this school system and who have not been removed from school for cause, may attend public schools. They shall not be required to pay tuition.

Before admitting any child, the principal shall make every effort to determine if the child is domiciled in Pitt County. Domicile is the location where a person lives on a permanent or indefinite basis. Although a person may have more than one residence, by law he/she has only one domicile. One can establish a new domicile only by abandoning the current domicile with no intent to return to it.

The domicile of an un-emancipated minor student shall be deemed the same as that of his/her parents, one living parent, a court-ordered guardian, a court-ordered custodian, or an appointed guardian under a properly executed military Power of Attorney by a parent who is a deploying member of the United States Armed Forces.

1. For the purpose of admission to the Pitt County Schools, a domiciled child is one who meets at least one of the following criteria:

- a. The parent (or student if age 18 or older) is registered to vote in Pitt County.
 - b. The domicile of the parent (or student if age 18 or older) is subject to property taxes within Pitt County.
 - c. The child lives with (1) a parent or (2) a court-ordered guardian or (3) a court-ordered custodian who is domiciled within Pitt County.
 - d. In lieu of a court order for guardianship or custody, and only in exceptional cases where special considerations exist, or to prevent undue hardship, the Superintendent in his/her sole discretion may permit the enrollment of a child in the Pitt County Schools on the basis of a duly executed Child Custody Agreement to a custodian who is domiciled in Pitt County.
2. The domicile of married students and emancipated minors shall be the domicile of the couple or the emancipated minor rather than the domicile of the parents.
 3. If a child's parents live apart and have joint or unsettled custody, the child may attend school in the district of either parent's domicile, whether the child resides with that parent or not. If custody is resolved in favor of either parent, the child is domiciled only where that custodial parent lives.
 4. Any change in domicile must be bona fide. Determination of what constitutes a bona fide change of domicile depends upon the facts of each case, but in order for a change of domicile to be considered bona fide, at least the following facts must exist:

- a. The original residence of domicile must be abandoned (that is, sold, rented or disposed of as a residence, and no longer used as a residence by any member of the family).
- b. The entire family must make the change and take with them the household goods and furniture appropriate to the circumstances.
- c. The change must be made with the intent that it is permanent.

5. A child who lives temporarily at a location is not domiciled there. A child shall be considered a temporary occupant if:

- a. The child, parent or court-ordered guardian or court-ordered custodian indicates that the stay is temporary or that the child will live in the location less than half a semester.
- b. Investigation shows that the child retains most of his/her belongings or spends a significant portion of time at a location outside of the residence.

II. EXCEPTIONS TO THE DOMICILE REQUIREMENT

Children who reside in Pitt County and meet one of the following exceptions are eligible to enroll in the public schools even if their domicile is elsewhere. If such child's parent or court-ordered guardian is not living in Pitt County, every effort must be made to secure documentation regarding who is responsible for the child.

1. Special Education Students

Children with disabilities are required to meet county domicile requirements to be entitled to admission to school without payment of tuition unless they are "grandfathered" into the system as indicated below, or unless they otherwise meet one of the circumstances that entitle them to admission without payment of tuition.

A student is "grandfathered" if he/she is considered a child with a disability by the General Statutes and the North Carolina *Policies Governing Services for Children with Disabilities*; and the child was (a) enrolled in a particular school system on the last day of school for the 2006-2007 school year or (b) enrolled in and attending a school in a particular local school administrative unit on August 1, 2007 for the 2007-2008 school year, so long as the child lives within and is continuously enrolled in that system.

2. Foster Care/Group Home Residents

Children living in foster homes, group homes, or other institutions in Pitt County that have the primary purpose of rearing and caring for children who do not live with their parents. If the child is exceptional, consult with the Director of Special Education for enrollment procedures. [NCGS 115C-366(a1)]

3. Homeless Children

Children living in Pitt County whose parents are homeless, whether the children are living with the homeless parents or have been temporarily placed elsewhere by the parents. They shall be immediately enrolled and notice shall be given to the Homeless Education Liaison. [NCGS 115C-366(a2)]

4. Children with Certain Hardship Situations

Children living in Pitt County because of certain statutory hardship situations [such as the death or incarceration of a parent, abuse, neglect or abandonment by a parent or guardian, or active military duty (30 days or more)].

Caretakers of such children may consult with Legal Aid of North Carolina or a private attorney to see if they are eligible to enroll via an Educational Residency Affidavit for Custodial Adult under NCGS 115C-366(a3).

5. Children Placed for Adoption

Children placed for adoption in a home in Pitt County by the County Department of Social Services or a licensed placement agency. [NCGS 115C-366.2]

6. Children of College/University Students or Employees

Children whose parent, court-ordered guardian or court-ordered custodian resides in Pitt County and is a student, employee or faculty member of a college or university, or a visiting scholar at the International Humanities Center. [NCGS 115C-366.2]

7. Migrant Children

Children whose parents are migrants who live temporarily in Pitt County for the purpose of seasonal employment.

8. Children of Pitt County Schools' Employees

Children whose parent, court-ordered guardian or court-ordered custodian is a full time employee of Pitt County Schools but resides outside the county will be permitted to enroll in Pitt County Schools so long as the home district releases them.

III. SCHOOL ASSIGNMENT

Students will be assigned to schools based upon the guidelines in Pitt County Schools Board of Education Policy 10.108.

IV. LOSS OF ATHLETIC ELIGIBILITY (MIDDLE AND HIGH SCHOOL STUDENTS)

If any documentation and/or other provided information concerning a middle school or high school student's domicile is found to have been knowingly falsified by the student, his parent(s), or legal custodian(s), the student will be dropped from all interscholastic sports and he/she will be ineligible for 365 days from the date of notification. However, if before the first sports contest, the family admits that they have falsified information concerning the student's domicile, the student will not be dropped from all interscholastic sports.

Last Revision/Adoption: August 4, 2008, November 1, 2004

Legal References: McKinney Vento Homeless Assistance Act. 42 U.S.C. § 11431 et seq.; G.S. 7B, art. 35; 35A, art. 6; 15C-8(i); 50-13.1 to 13.3; 115C-106.3, -107.6, -108.1(a), -364, -366, -366.2.

Cross References: Policy 10.108 (Student Assignments)