

P6-03-002 Entrance Requirements/Documentation

I. Residency Documentation

A. The parent / ~~or~~ legal guardian is required to present documentation to verify their legal residency to each school in which they have a child enrolled. The burden of proof for documenting residency in Henrico County rests with the parent/~~or~~ legal guardian.

Failure to provide the required residency documentation will result in the student being out of compliance with residency requirements, and the student will not be enrolled. If the student has already been provisionally enrolled, the student will be withdrawn from Henrico County Public Schools within five **(5)** business days of written notification to the parent/legal guardian unless the required documentation is received.

B. Within 10 business days of a change in domicile (recent move), the parent/legal guardian shall be required to provide valid and current residency documentation to each school in which they have a child enrolled. The parent/legal guardian will have 30 days to provide the second piece of documentation. (Refer to R6-03-002, "Verifying Residency/Reporting Address Changes," for acceptable residency documentation.) Failure to provide the second piece of documentation within the 30-day time frame will result in the student being out of compliance with residency regulation. The student may be withdrawn from Henrico County Public Schools within five business days of written notification to the parent/legal guardian **or the date on the provisional enrollment letter** unless the required documentation is received.

C. Copies of each residency document will be maintained in the student's file. Prior to providing copies of these documents to the school, the parent / ~~or~~ legal guardian should redact any personal information of the parent not necessary to document residency, including rent or mortgage amounts, bank balances, and account numbers. All other information, including, but not limited to, names, **list of occupants**, addresses, dates, and signatures, shall remain unaltered. If a parent / ~~or~~ legal guardian has redacted information necessary to the determination of residency, the parent or legal guardian may be required to provide non-redacted copies for verification.

D. Pursuant to § 22.1-264.1 of the Code of Virginia, any person who knowingly makes a false statement concerning the residency of a child, as determined by § 22.1-3, in a particular school division or school attendance zone, for the purpose of (1) avoiding the tuition charged authorized by § 22.1-5 or (2) enrollment in a school outside the attendance zone in which the student resides, shall be guilty of a class 4 misdemeanor and shall be liable to the school division in which the child was enrolled as a result of such false statements for tuition charges, pursuant to § 22.1-5, for the time the student was enrolled in such school division.

II. Birth Certificates/Records

"Birth certificates required upon admission; required notice to the local law-enforcement agency.

A. No ~~pupil~~**student** shall be admitted for the first time to any public school in any school division in this Commonwealth unless the person enrolling the ~~pupil~~**student** shall present, upon admission, a certified copy of the ~~pupil's~~**student's** birth record. The principal or his designee shall record the official state birth number from the ~~pupil's~~**student's** birth record into the ~~pupil's~~**student's** permanent school record and may retain a copy in the ~~pupil's~~**student's** permanent school record. If a certified copy of the ~~pupil's~~**student's** birth record cannot be obtained, the person so enrolling the ~~pupil~~**student** shall submit an affidavit setting forth the ~~pupil's~~**student's** age and explaining the inability to present a certified copy of the birth record. If the school division cannot ascertain a child's age because of the lack of a birth certificate, the child shall nonetheless be admitted into the public schools if the division superintendent determines that the person submitting the affidavit presents information sufficient to estimate with reasonable certainty the age of such child."

When the legal guardianship of a child enrolled in a HCPS school changes to a different legal guardian, the new legal guardian is required to enroll the student. The new legal guardian must provide documentation that he or she is a legal guardian, as appointed by the court, of the child, as well as residency documentation for their domicile. This can be satisfied by presenting the child's birth certificate listing the legal guardian as a parent or providing a custody order from the court granting that adult custody of the child as further described in

Regulation 6-03-003, "Guidelines for Documenting and Investigating a Student's Residency."

If another parent attempts to enroll a child they will have to provide a copy of the birth certificate showing that they are listed as the parent. If a copy of the birth certificate is in the student's cumulative file, the birth certificate can be used to verify whether a person is a parent.

"However, if the student seeking enrollment is a homeless child or youth as defined in section 22.1-3, the school shall immediately enroll such student, even if such student is unable to produce the records required for enrollment, and shall immediately contact the school last attended by the student to obtain relevant academic and other records, and shall comply with the provisions of the federal McKinney-Vento Homeless Assistance Act, as amended, including immediately referring the parent of the student or the youth to the local school division liaison, who shall assist in obtaining the necessary records for enrollment.

B. Upon the failure of any person enrolling a ~~pupil~~**student** to present a certified copy of the ~~pupil's~~**student's** birth record, the principal of the school in which the ~~pupil~~**student** is being enrolled or his designee shall immediately notify the local law-enforcement agency. The notice to the local law enforcement agency shall include copies of the submitted proof of the ~~pupil's~~**student's** identity and age and the affidavit explaining the inability to produce a certified copy of the birth record.

C. Within fourteen days after enrolling a transferred ~~pupil~~**student**, the principal of the school in which the ~~pupil~~**student** has been enrolled or his designee shall request that the principal or his designee of the school in which the ~~pupil~~**student** was previously enrolled submit documentation that a certified copy of the ~~pupil's~~**student's** birth record was presented upon the ~~pupil's~~**student's** initial enrollment.

D. Principals and their designees shall be immune from any civil or criminal liability in connection with any notice to a local law-enforcement agency of a ~~pupil~~**student** lacking a birth certificate or failure to give such notice as required by this section."

Reference: Code of Virginia, § 22.1-3.1

Refer to policy and regulation 6-09-015, "Missing Children," and "Procedures Pertaining to Reporting Missing Children."

III. "School Entrance Physical Examinations

A. No ~~pupil~~**student** shall be admitted for the first time to any public kindergarten or elementary school in a school division unless such ~~pupil~~**student** shall furnish, prior to admission, (i) a report from a qualified licensed physician, a licensed physician assistant, or a licensed nurse practitioner acting under the supervision of a licensed physician, of a comprehensive physical examination of a scope prescribed by the State Health Commissioner performed no earlier than twelve months prior to the date such ~~pupil~~**student** first enters such public kindergarten or elementary school, or (ii) records establishing that such ~~pupil~~**student** furnished such report upon prior admission to another school or school division and providing the information contained in such report.

If the student is a homeless child or youth as defined in subdivision 6 of § 22.1-3 of the Code of Virginia, and for that reason cannot furnish the report or records required by (i) or (ii) of this subsection, and the person seeking to enroll the ~~pupil~~**student** furnishes to the school division an affidavit so stating, the school division shall refer the student for physical examination by the county or city health department and admit

the ~~pupil~~ **student** to school pending receipt of the report from such physical examination." Refer to Policy 6-03-003, "Residents."

"B. The physician, licensed nurse practitioner, or licensed physician assistant making a report of a physical examination required by this section shall, at the end of such report, summarize the abnormal physical findings, if any, and shall specifically state what, if any, conditions are found that would identify the child as handicapped.

C. Such physical examination report shall be placed in the **student's** ~~child's~~ health record at the school and shall be made available for review by any employee or official of the State Department of Health or any local health department at the request of such employee or official.

D. Such physical examination shall not be required of any **student** ~~child~~ whose parent /~~or~~ **legal** guardian shall object on religious grounds and who shows no visual evidence of sickness, provided that such parent /~~or~~ **legal** guardian shall state in writing that, to the best of his knowledge, such child is in good health and free from any communicable or contagious disease.

E. The health departments of all of the counties and cities of the Commonwealth shall conduct such physical examinations for medically indigent children without charge upon request and may provide such examinations to others on such uniform basis as such departments may establish.

F, G. (Repealed.)

H. The provisions of this section shall not apply to any child who was admitted to a public school prior to July 1, 1972.

I. Parents/~~or~~ **legal** guardians of entering students shall complete a health information form which shall be distributed by the local school divisions. Such forms shall be developed and provided jointly by the Department of Education and Department of Health, or developed and provided by the school division and approved by the Superintendent of Public Instruction. Such forms shall be returnable within fifteen days of receipt unless reasonable extensions have been granted by the Superintendent or designee. ~~Upon failure of the parent or guardian to complete such form within the extended time, the Superintendent may send to the parent or guardian written notice of the date he intends to exclude the child from school."~~

Reference: Code of Virginia, § 22.1-270

IV. "Immunization Requirements

A. No student shall be admitted by a school unless at the time of admission the student or his parent or **legal** guardian submits documentary proof of immunization to the admitting official of the school or unless the student is exempted from immunization pursuant to subsection C or is a homeless child or youth as defined in subdivision 6 of § 22.1-3 of the Code of Virginia. If a student does not have documentary proof of immunization the school shall notify the student or his parent/ ~~or~~ **legal** guardian (i) that it has no documentary proof of immunization for the student; (ii) that it may not admit the student without proof unless the student is exempted pursuant to subsection C including any homeless child or youth as defined in subdivision 6 of § 22.1-3; (iii) that the student may be immunized and receive certification by a licensed physician, registered nurse, or an employee of a local health department; and (iv) how to contact the local health department to learn where and when it performs these services. Neither this Commonwealth nor any school or admitting official shall be liable in damages to any person for complying with this section.

Any physician, registered nurse, or local health department employee performing immunizations shall provide to any person who has been immunized or to his parent or **legal** guardian, upon request, documentary proof of immunizations conforming with the requirements of this section.

B. Any student whose immunizations are incomplete may be admitted conditionally if that student provides documentary proof at the time of enrollment of having received at least one dose of the required immunizations accompanied by a schedule for completion of the required doses within ninety days.

The immunization record of each student admitted conditionally shall be reviewed periodically until the required immunizations have been received. Any student admitted conditionally and who fails to comply with his schedule for completion of the required immunizations shall be excluded from school until his immunizations are resumed.

C. No certificate of immunization shall be required for the admission to school of any student if (i) the student or his parent or **legal** guardian submits an affidavit to the admitting official stating that the administration of immunizing agents conflicts with the student's religious tenets or practices; or (ii) the school has written certification from a licensed physician or a local health department that one or more of the required immunizations may be detrimental to the student's health, indicating the specific nature and probable duration of the medical condition or circumstance that contraindicates immunization.

However, if a student is a homeless child or youth as defined in subdivision 6 of § 22.1-3 and (a) does not have documentary proof of necessary immunizations or has incomplete immunizations and (b) is not exempted from immunization pursuant to clauses (i) or (ii) of this subsection, the school division shall immediately admit such student and shall immediately refer the student to the local school division liaison, as described in the federal McKinney-Vento Homeless Assistance Act, as amended (42 U.S.C. § 11431 et seq.) (the Act), who shall assist in obtaining the documentary proof of, or completing, immunization and other services required by such Act.

D. The admitting official of a school shall exclude from the school any student for whom he does not have documentary proof of immunization or notice of exemption pursuant to subsection C, including notice that such student is a homeless child or youth as defined in subdivision 6 of § 22.1-3.

E. Every school shall record each student's immunizations on the school immunization record. The school immunization record shall be a standardized form provided by the State Department of Health, which shall be a part of the mandatory permanent student record. Such record shall be open to inspection by officials of the State Department of Health and the local health departments.

The school immunization record shall be transferred by the school whenever the school transfers any student's permanent academic or scholastic records.

Within thirty calendar days after the beginning of each school year or entrance of a student, each admitting official shall file a report with the local health department. The report shall be filed on forms prepared by the State Department of Health and shall state the number of students admitted to school with documentary proof of immunization, the number of students who have been admitted with a medical or religious exemption and the number of students who have been conditionally admitted, including those students who are homeless children or youths as defined in subdivision 6 of § 22.1 of the Code of Virginia.

F. The requirement for Haemophilus Influenzae Type b immunization as provided in 32.1-46 of the Code of Virginia shall not apply to any child admitted to any grade level, kindergarten through grade 12.

G. The Board of Health shall promulgate rules and regulations for the implementation of this section in congruence with rules and regulations of the Board of Health promulgated under § 32.1-46 of the Code of Virginia and in cooperation with the Board of Education." Reference: Code of Virginia, § 22.1-271.2

V. "Immunization of Children Against Certain Diseases

A. The parent, ~~legal~~ guardian or person standing in loco parentis of each child within this Commonwealth shall cause such child to be immunized in accordance with the Immunization

Schedule developed and published by the Centers for Disease Control and Prevention (CDC), Advisory Committee on Immunization Practices (ACIP), the American Academy of Pediatrics (AAP), and the American Academy of Family Physicians (AAFP). The required immunizations for attendance at a public elementary, middle or secondary school shall be those set forth in the State Board of Health Regulations for the Immunization of School Children." No student will be admitted to HCPS without the required immunizations as described in Code of Virginia §§ 22.1-271.2, 32.1-12, and 32.1-46, unless an exception met in these code sections is satisfied.

"B. A physician, registered nurse, or local health department administering a vaccine required by this section shall provide to the person who presents the child for immunizations a certificate that shall state the diseases for which the child has been immunized, the numbers of doses given, the dates when administered and any further immunizations indicated.

C. The vaccines required by this section shall meet the standards prescribed in, and be administered in accordance with, regulations of the Board of Health.

D. The provision of this section shall not apply if:

1. The parent or **legal** guardian of the child objects thereto on the grounds that the administration of immunizing agents conflicts with his religious tenets or practices, unless an emergency or epidemic of disease has been declared by the Board of Health, or

2. The parent or **legal** guardian presents a statement from a physician licensed to practice medicine in Virginia, or a licensed nurse practitioner, that states that the physical condition of the child is such that the administration of one or more of the required immunizing agents would be detrimental to the health of the child;

3. Because the human papillomavirus is not communicable in a school setting, a parent or **legal** guardian, at the parent's or **legal** guardian's sole discretion, may elect for the parent's or **legal** guardian's child not to receive the human papillomavirus vaccine, after having reviewed materials describing the link between the human papillomavirus and cervical cancer approved for such use by the Board."

Reference Code of Virginia, Section 32.1-46, 22.1-271.2

VI. "Exclusion From School of Children Not Immunized

Upon the identification of an outbreak, potential epidemic or epidemic of a vaccine preventable disease in a public or private school, the Commissioner shall have the authority to require the exclusion from such school of all children who are not immunized against that disease."

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Reference Code of Virginia, Section 32.1-47

Refer to Regulation **6-03-002**, "Verifying Residency/Reporting Address Changes"

