

A. ASSIGNMENT AREAS

The superintendent shall recommend to the board school assignment areas for the schools in the system.

The assignment areas will be developed in accordance with state requirements and court rulings; the need to serve all school-age children who live in the school system; and the effective use of each school facility. Assignments must be made in a non-discriminatory manner.

The superintendent shall review periodically the attendance areas and submit recommendations for revisions to the board when necessary.

B. ASSIGNMENT OF STUDENTS

The superintendent shall assign students to particular schools based upon the established assignment areas. Notwithstanding the provisions of this policy, the superintendent shall assign homeless students in a manner consistent with state and federal law and policy 4125, Homeless Students.

A student with an Individualized Education Program (IEP) shall be assigned to a school within his or her assignment area to the extent that appropriate facilities and programs are available at the school. However, a student with an IEP may be assigned to a school outside his or her assignment area with appropriate facilities and programs in accordance with his or her IEP.

Students who are participating in or whose parent is participating in the North Carolina Address Confidentiality Program established by G.S. Chapter 15C will be assigned on the basis of their actual address, but such address will remain confidential in accordance with law and policy 4250/5075/7316, North Carolina Address Confidentiality Program.

Parents or guardians also have the option of applying for admission to one of the school system's magnet-open enrollment schools, including Central Elementary, Meadowbrook Elementary, and Haywood Early College. Admission decisions for magnetopen enrollment schools will take into account the following criteria:

1. maintaining a socioeconomic, geographic, and student achievement diversity that is reasonably reflective of the school system as a whole;
2. efficient use of school facilities;
3. any program criteria that must be met by the student for admission to the particular school;

4. enabling siblings to attend the same school; and
5. hardship on the student or parent that has been documented by the parent.

C. REQUESTS FOR REASSIGNMENT

1. Procedure for Requesting Reassignment Before Notice of Assignment

Before notice is given of assignment for the following school year, parents or guardians may request assignment to a school outside of their regular attendance area. Such a request must be submitted in writing to the superintendent by ~~June 1~~July 1. The superintendent shall consider and make a determination based upon the best interest of the child, the orderly and efficient administration of the public schools, the proper administration of the school to which assignment is requested, and the instruction, health, and safety of the pupils there enrolled. A decision will be made and the parent notified by ~~June 30~~July 31. If the parent is dissatisfied with the superintendent's response, the parent may request the board to reassign the student as provided below.

2. Procedure for Requesting Reassignment After Notice of Assignment

Within 10 days of notice of the assignment or the last publication thereof, the parent may request in writing the reassignment of the child to a different public school. The request must specify the reason why reassignment is sought. If the application for reassignment is disapproved, the board will give notice to the applicant by registered or certified mail.

Within five days of receiving the notice of the disapproval, the parent may request a hearing on the reassignment request. The board or a panel of the board will hear the appeal. If a panel hears the appeal, the panel's recommendation will be submitted to the full board for a final determination. At the hearing the board will consider and make a determination based upon the best interest of the child, the orderly and efficient administration of the public schools, the proper administration of the school to which reassignment is requested, and the instruction, health, and safety of the pupils there enrolled. The board will promptly render a decision, and notice of the decision will be given to the applicant by mail, telephone, telefax, e-mail, or any other method reasonably designed to achieve notice.

D. TRANSFER OF STUDENTS DURING THE SCHOOL YEAR

1. Change of Residence

Students whose legal residence changes from one school assignment area to another within the school system during the same school year may choose to

finish out that school year in the same school or attend school in the area to which they have moved. If they elect to remain in the first school in order to complete that year, they will be assigned to the school according to the area in which they live at the beginning of the next school year. Students whose legal residence has changed but who choose to complete the school year at their first school will be responsible for their own transportation to school.

2. Unsafe School Choice Transfer under the No Child Left Behind Act

Transfers for students who are victims of violent criminal offenses at school or for students attending persistently dangerous schools as defined by State Board of Education policy will be made pursuant to policy 4152, Unsafe School Choice Transfer.

3. Transfer of Homeless Students

Students who become homeless between academic years or during an academic year may request to remain at the school of origin for the duration of their homelessness or may request to be enrolled in any public school that other students living in the same attendance area are eligible to attend. Any decision about the transfer or reassignment of a homeless student will be consistent with legal requirements and based on the student's best interest. (See policy 4125, Homeless Students.)

4. Other Transfers

The superintendent shall consider student requests for transfer to another school during the school year based upon space availability, the needs of the child, the effect on the school to which transfer is requested, principal recommendations, and other criteria established by the superintendent. Other transfers include those requested due to work-related hardships or other special circumstances unique to an individual student, and such hardships and special circumstances must be documented and verified prior to the student's transfer.

Requests for such transfers must be submitted in writing to the superintendent and may be appealed to the board in accordance with Section C.2, above.

E. CONDITIONS FOR REASSIGNMENT OR TRANSFER

The following conditions apply in regard to any reassignments or transfers made in accordance with sections C and D of this policy.

1. The parent is responsible for transportation (except for homeless student transfers, for which the system will provide transportation in a manner consistent with legal requirements and policy 4125).

2. The transfer or reassignment is valid for no more than one school year (except for (a) unsafe school choice transfers, for which the length of reassignment will be consistent with legal requirements and policy 4152, and (b) homeless student transfers, for which the length of reassignment will be consistent with legal requirements and policy 4125).
3. Any transfer request that is approved based upon false or misleading information will be declared void, and the transfer will be rescinded.
4. The transfer or reassignment may be revoked at the discretion of the superintendent due to excessive tardies, absences, or other recurring issues related to a student's behavior.
5. A reassignment or transfer to an open enrollment school (e.g., Central Elementary, Meadowbrook Elementary, or Haywood Early College) must be requested by July 1 and approved by July 31 before the student requesting the reassignment or transfer may enroll.

F. ASSIGNMENT TO ALTERNATIVE SCHOOL

Students will be assigned to the alternative school in accordance with policy 3470/4305, Alternative Learning Programs/Schools.

G. RECORDS OF REASSIGNMENTS AND TRANSFERS

The superintendent shall maintain complete and accurate records of all requests for reassignment and transfer under this policy.

Legal References: McKinney-Vento Homeless Assistance Act, 42 U.S.C. 11431 *et seq.*; No Child Left Behind Act, 20 U.S.C. 6301 *et seq.*; *Unsafe School Choice Option Non-Regulatory Guidance*, U.S. Department of Education (May 2004); U.S. Department of Education approval of Elementary and Secondary Education Act (ESEA) Flexibility Request (May 29, 2012); G.S. 15C-8; 115C-36, -366, -367, -369; State Board of Education Policy HRS-A-006

Cross References: Alternative Learning Programs/Schools (policy 3470/4305), Homeless Students (policy 4125), Unsafe School Choice Transfer (policy 4152), North Carolina Address Confidentiality Program (policy 4250/5075/7316)

Adopted: