

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 (1) assign homeless students in a manner consistent with state and federal law and policy 4125, Homeless Students; and (2) assign students in foster care to their school of origin unless contrary to their best interest, as required by federal law.

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.

Students also have the option of applying for admission to Haywood Early College. An application to Haywood Early College will be accepted when a student is in eighth grade, or, at the latest, at the end of ninth grade. All inquiries regarding Haywood Early College, including requests for information, should be directed to the principal of Haywood Early College or to the principal of the student's current middle school.

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 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 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 Elementary and Secondary Education 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. Transfer of Students in Foster Care

Students who are assigned to foster care between academic years or during an academic year will remain in their school of origin unless remaining in the school of origin is not in the best interest of the student. The best interest of the student will be decided based on all relevant factors, including consideration of the appropriateness of the educational setting and proximity to the school in which the child is enrolled at the time of placement in foster care.

5. 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 and transfers of students in foster care based on the student's best interest, for which the system will provide transportation in a manner consistent with legal requirements and policy 4125).

2. The transfer or reassignment is valid until the student exits the school to which the student was transferred or reassigned. The length of reassignment for unsafe school choice transfers will be consistent with legal requirements and policy 4152; the length of reassignment for homeless student transfers will be consistent with legal requirements and policy 4125; and the length of transfers or reassignments for students in foster care will be consistent with legal requirements.
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.

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.*; Elementary and Secondary Education Act, 20 U.S.C. 6301 *et seq.*; *Non-Regulatory Guidance: Ensuring Educational Stability for Children in Foster Care*, U.S. Department of Education and U.S. Department of Health and Human Services (June 2016) and *Non-Regulatory Guidance on Education for Homeless Children and Youths Program*, U.S. Department of Education (July 2016), both available at <https://www2.ed.gov/policy/elsec/leg/essa/index.html>; *Unsafe School Choice Option Non-Regulatory Guidance*, U.S. Department of Education (May 2004), available at <https://www2.ed.gov/policy/elsec/guid/edpicks.jhtml?src=ln>; G.S. 15C-8; 115C-36, -366, -367, -369; State Board of Education Policy SSCH-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: May 11, 2015

Revised: April 18, 2016; August 8, 2016; December 12, 2016; April 3, 2017; July 10, 2017