

1 Enrollment in the school system generally is limited to those students who meet the domicile or
2 residence requirements outlined in policy 4120, Domicile or Residence Requirements. However,
3 on occasion, special circumstances may warrant a student's enrollment in a different school
4 system. The Transylvania County Board of Education (the "board"), in its discretion, may admit
5 non-domiciled students into the school system and may release domiciled students to another
6 school system in accordance with this policy.
7

8 All discretionary admissions decisions will be made in a manner that is not arbitrary, capricious,
9 discriminatory, prohibited by state or federal law, or for personal or political reasons. The
10 superintendent or designee shall approve or deny requests for admission to the school system for
11 students who do not meet the domicile or residence requirements outlined in policy 4120,
12 Domicile or Residence Requirements. Applications from residents of the school system will be
13 given consideration before others. Admission may be granted for up to one full school year. An
14 application must be submitted each subsequent school year in which admission is desired.
15

16 A. ADMISSION CRITERIA

17
18 The board may choose to admit a non-domiciled student ~~may be admitted and enrolled,~~
19 ~~at the discretion of the superintendent,~~ only if the following conditions are met.
20

21 1. The parent, legal guardian, or legal custodian ~~must submit a request in writing~~
22 ~~that explains~~ in writing why, in the opinion of the parent, legal guardian, or legal
23 custodian, the student needs to attend school in the school system. An
24 explanation of need will be considered valid grounds for discretionary admission
25 only if there are compelling, specific circumstances indicating that the student
26 should attend school in the school system. ~~may be considered when:~~
27

28 a. ~~there are compelling, specific circumstances indicating that the student~~
29 ~~should continue his or her education in the school system (as, for example,~~
30 ~~when the student is in his or her senior year when the parent, legal~~
31 ~~guardian, or legal custodian becomes domiciled outside the school~~
32 ~~system);~~
33

34 b. ~~there is an extraordinary, compelling, specific family need (as, for~~
35 ~~example, when a parent, legal guardian, or legal custodian is clearly~~
36 ~~unable to care for the child); or~~
37

38 c. ~~another extraordinary, specific, and compelling need or hardship is~~
39 ~~demonstrated.~~
40

41 Any reason having to do with athletics or participation in athletics is not a valid or
42 sufficient explanation of need.
43

- 44 2. The ~~Transylvania County Board of Education (the “board”)~~ board must have
45 determined that space is available in the school system and in the particular
46 school or program in which the student seeks to enroll.
47
- 48 3. The student must demonstrate that he or she was in good standing in the previous
49 school attended by that student, in terms of academics, discipline, and other
50 measures of standing and progress in the school system. The student also must
51 satisfy the requirements in policy 4115, Behavior Standards for Transfer Students.
52
- 53 4. ~~With the initial application,~~†The student must furnish a transcript and other
54 student record data, including evidence of compliance with the North Carolina
55 immunization requirements.
56
- 57 5. If the student is transferring from another school system in North Carolina, the
58 student must submit a release approved by the board of education of the ~~other~~
59 school system from which the transfer is being made. **If the student’s
60 discretionary admission request is granted, the admission will be subject to the
61 terms and conditions agreed to in writing between the board and the board of
62 education of the other school system.**
63
- 64 6. If the student resides with an adult who is not the student’s parent, legal guardian,
65 or legal custodian, the student must furnish the school system with a notarized
66 ~~written~~ document showing that the parent, legal guardian, or legal custodian
67 consents to the student attending school in the school system and authorizes the
68 adult with whom the student lives to make all decisions relating to the student’s
69 education, including, but not limited to, any decisions relating to placement,
70 services, field trips, medical treatment, grading and reporting, discipline,
71 participation in extracurricular activities, and participation in athletics.
72
- 73 7. **If the student does not reside within the assignment area of the school the student
74 will attend, the parent, legal guardian, or legal custodian must agree to provide
75 transportation to and from school.**
76
- 77 8. If the student is asserting residency in the **geographic area served by the** school
78 system, sufficient evidence, **such as a copy of utility bills,** must be provided ~~with
79 the initial application, such as a copy of utility bills.~~
80
- 81 9. **The parent, legal guardian, or legal custodian must agree to pay tuition if required
82 by policy 4135, Tuition for Discretionary Admissions.**
83

84 B. DISCRETIONARY ADMISSION DECISIONS

- 85
86 1. **Final Application and Decisions**
87

88 Non-domiciled students who meet the admission criteria may submit a written
 89 application for discretionary admission to the superintendent or designee. The
 90 application must be accompanied by all required supporting documents, as
 91 described above in Section A. Applications from students who are residents of
 92 the geographic area served by the school system will have first priority. After
 93 reviewing the application and supporting documents, the superintendent or
 94 designee shall make a recommendation to the board to approve or deny the
 95 discretionary admission request. The board may grant admission for up to one
 96 full school year. ~~may be granted based upon the information contained in the~~
 97 ~~application and supporting documents.~~ Nonresident students who are admitted
 98 based upon false or misleading information on their application will have their
 99 application voided and acceptance rescinded.

100
 101 The board will provide superintendent or designee shall send a written response to
 102 an applicant within ~~ten (10)~~ 30 working days of receipt of the information
 103 required under this policy. Final decisions regarding discretionary admissions
 104 may be delayed until the board has determined whether space is available in the
 105 requested school. Therefore, the written response may provide either a final
 106 decision or a notification that a final decision is pending until the board
 107 determines space availability.

108
 109 2. ~~Appeals~~

110
 111 A final decision may be appealed to the board in accordance with the procedures
 112 of subsection E.5 in policy 1740/4010, Student and Parent Grievance Procedure.

113
 114 2. Renewals

115
 116 An application must be submitted each subsequent school year in which
 117 admission is desired. For the renewal of admission in subsequent school years,
 118 the student must continue to meet all admission criteria and must be in good
 119 standing in terms of academics, attendance, and discipline, ~~and other measures of~~
 120 ~~standing and progress in the school system.~~

121
 122 **C. RELEASE TO ANOTHER SCHOOL SYSTEM**

123
 124 A student domiciled in the school system may request a release from the board to attend a
 125 school in a different school system in North Carolina. The student must have both
 126 approval of the board to release the student and approval of the receiving board of
 127 education to admit the student. The decision whether to admit the student is made under
 128 the policies of the receiving board of education.

129
 130 The superintendent or designee may ~~shall~~ develop and administer a procedure to implement this
 131 policy.

132
133 Legal References: G.S. 7B, art. 35; 35A, art. 6; 50-13.1 to 13.3; 115C-47(68), 231, -364 to -
134 366.1
135
136 Cross References: ~~Student and Parent Grievance Procedure (policy 1740/4010)~~, Behavior
137 Standards for Transfer Students (policy 4115), Domicile or Residence Requirements (policy
138 4120), **Tuition for Discretionary Admissions (policy 4135)**
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140 Adopted: May 1, 2017; **[DATE]**

REVISED