

1 **A. ASSIGNMENT AREAS**

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3 The superintendent shall recommend to the [Transylvania County Board of Education \(the](#)
4 [“board”](#)) school assignment areas for the schools in the system.

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

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

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14 **B. ASSIGNMENT OF STUDENTS**

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16 The superintendent shall assign students to particular schools based upon the established
17 assignment areas. Notwithstanding the provisions of this policy, the superintendent shall
18 (1) assign homeless students in a manner consistent with state and federal law and policy
19 4125, Homeless Students; and (2) assign students in foster care to their school of origin
20 unless contrary to their best interest, as required by federal law.

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

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27 Parents or guardians also have the option of applying for admission to one of the school
28 system’s magnet schools. Admission decisions for magnet schools will take into account
29 the following criteria:

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- 31 1. maintaining a socioeconomic, geographic, and student achievement diversity that
 - 32 is reasonably reflective of the school system as a whole;
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 - 34 2. efficient use of school facilities;
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 - 36 3. any program criteria that must be met by the student for admission to the
 - 37 particular school;
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 - 39 4. enabling siblings to attend the same school; and
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 - 41 5. hardship on the student or parent that has been documented by the parent.
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43 **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. 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. 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

88 changed but who choose to complete the school year at their first school will be
89 responsible for their own transportation to school.

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91 **2. Unsafe School Choice Transfer under the Elementary and Secondary**
92 **Education Act**

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

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99 **3. Transfer of Homeless Students**

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

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109 **4. Transfer of Students in Foster Care**

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

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118 **5. Other Transfers**

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120 The superintendent shall consider student requests for transfer to another school
121 during the school year based upon space availability, the needs of the child, the
122 effect on the school to which transfer is requested, principal recommendations,
123 and other criteria established by the superintendent.

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125 **E. CONDITIONS FOR REASSIGNMENT OR TRANSFER**

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

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130 1. The parent is responsible for transportation (except for homeless student transfers
131 and transfers of students in foster care based on the student's best interest, for

132 which the system will provide transportation in a manner consistent with legal
133 requirements and policy 4125).

134
135 2. The transfer or reassignment is valid for no more than one school year (except for
136 (a) unsafe school choice transfers, for which the length of reassignment will be
137 consistent with legal requirements and policy 4152; (b) homeless student transfers
138 for which the length of reassignment will be consistent with legal requirements
139 and policy 4125; and (c) transfers or reassignment of students in foster care, for
140 which the length of reassignment will be consistent with legal requirements).

141
142 3. Any transfer request that is approved based upon false or misleading information
143 will be declared void, and the transfer will be rescinded.

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145 **F. ASSIGNMENT TO ALTERNATIVE SCHOOL**

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

149
150 Legal References: McKinney-Vento Homeless Assistance Act, 42 U.S.C. 11431 *et seq.*;
151 Elementary and Secondary Education Act, 20 U.S.C. 6301 *et seq.*; *Non-Regulatory Guidance:*
152 *Ensuring Educational Stability for Children in Foster Care*, U.S. Department of Education and
153 U.S. Department of Health and Human Services (June 2016) and *Non-Regulatory Guidance on*
154 *Education for Homeless Children and Youths Program*, U.S. Department of Education (July
155 2016), both available at <https://www2.ed.gov/policy/elsec/leg/essa/index.html>; *Unsafe School*
156 *Choice Option Non-Regulatory Guidance*, U.S. Department of Education (May 2004), available
157 at <https://www2.ed.gov/policy/elsec/guid/edpicks.jhtml?src=ln>; G.S. 15C-8; 115C-36, -366, -
158 367, -369; State Board of Education Policy SSCH-006

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

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164 Adopted:

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