

A. ASSIGNMENT AREAS

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

The assignment areas will be developed in accordance with applicable legal requirements, ~~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~~ assignment areas and submit recommendations for revisions to the board when necessary.

B. ASSIGNMENT OF STUDENTS

The superintendent ~~or designee~~ shall assign students to particular schools in accordance with the following standards ~~based upon the established assignment areas~~.

1. Students Admitted Based on Domicile

Except as otherwise provided in this policy, students admitted to the school system based on domicile will be assigned to the school of the appropriate grade span within the assignment area of the student’s domicile (or residence location if the student is exempted from the domicile requirement, as described in policy 4120, Domicile or Residence Requirements).

2. Students Accepted for Discretionary Admission

Students who are accepted for discretionary admission under policy 4130, Discretionary Admission, will be assigned to a school that meets the best interest of the student and the orderly and efficient administration of the school system.

3. Homeless Students and Students in Foster Care

Notwithstanding any other ~~the~~ provisions of this policy, the superintendent ~~or designee~~ 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.

4. Students Participating in the Address Confidentiality Program

Students who are participating in or whose parent is participating in the North Carolina Address Confidentiality Program established by G.S. Chapter 15C will

45 be assigned on the basis of their actual address, but such address will remain
46 confidential in accordance with law and policy 4250/5075/7316, North Carolina
47 Address Confidentiality Program.

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49 **5. Students with Disabilities**

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51 Students with disabilities receiving services under an Individualized Education
52 Program (IEP) or Section 504 plan will be assigned to schools in accordance with
53 this policy unless the superintendent or designee determines the student needs a
54 different assignment to provide access to a program or service required under the
55 IEP or Section 504 plan, as determined by the student's IEP or Section 504 team.

56
57 **6. Administrative Assignment**

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59 The superintendent or designee may administratively assign a student to a school
60 other than the one to which the student would otherwise be assigned under this
61 policy when deemed in the best interest of the student and/or the effective
62 administration of the schools, such as for reasons related to student safety,
63 discipline, or programmatic issues, or when required by law.

64
65 **7. Assignment to Alternative Program or School**

66
67 Students will be assigned to an alternative education program or school in
68 accordance with policy 3470/4305, Alternative Learning Programs/Schools

69
70 **8. Admission to Magnet Schools or Other Schools of Choice**

71
72 ~~Parents or guardians also have the option of applying~~ Students may apply for
73 admission to one of the school system's magnet schools or other schools of
74 choice. Unless otherwise established by the board for specific programs,
75 Admission decisions for magnet schools will take into account the following
76 criteria:

- 77
78 a. maintaining a socioeconomic, geographic, and student achievement
79 diversity that is reasonably reflective of the school system as a whole;
80
81 b. efficient use of school facilities and transportation resources;
82
83 c. any program criteria that must be met by the student for admission to the
84 particular school;
85
86 d. enabling siblings to attend the same school; and
87
88 e. hardship on the student or parent that has been documented by the parent.

89
90 **C. REQUESTS FOR REASSIGNMENT**
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92 A parent or guardian who is dissatisfied with a school assignment may request
93 reassignment to a different school as provided below. The superintendent or designee
94 shall have the authority to approve or deny requests for reassignment for satisfactory
95 reasons as established by the superintendent and communicated to students and parents
96 and guardians. A reassignment request denied by the superintendent or designee may be
97 appealed to the board in accordance with subsection C.2, below.
98

99 1. Procedure for Requesting Reassignment ~~Before Notice of Assignment~~
100

101 ~~Before notice is given of assignment for the following school year, parents or~~
102 ~~guardians may request assignment to a school outside of their regular attendance~~
103 ~~area. Such a~~ A request for reassignment must be submitted in writing to the
104 superintendent or designee within the school system's established school
105 reassignment window or within 10 days of receiving notice of the school
106 assignment. The request must specify why reassignment is sought. An untimely
107 request for reassignment will be treated as a transfer request under Section D. ~~by~~
108 ~~June 1.~~

109
110 The superintendent or designee shall consider the request for reassignment and
111 make a determination based upon the best interest of the child, the orderly and
112 efficient administration of the public schools, the proper administration of the
113 school to which assignment is requested, and the instruction, health, and safety of
114 the pupils there enrolled. ~~A decision will be made and~~ The parent will be
115 notified by ~~June 30~~ registered or certified mail if the superintendent or designee
116 denies the request. If the parent is dissatisfied with the superintendent's or
117 designee's response, the parent may request appeal the decision to the board to
118 reassign the student as provided below.
119

120 2. ~~Procedure for Requesting Reassignment After Notice of Assignment~~
121

122 ~~Within 10 days of notice of the assignment or the last publication thereof, the~~
123 ~~parent may request in writing the reassignment of the child to a different public~~
124 ~~school. The request must specify the reason why reassignment is sought. If the~~
125 ~~application for reassignment is disapproved, the board will give notice to the~~
126 ~~applicant by registered or certified mail.~~
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128 2. Appeal to the Board When Reassignment Request is Denied
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130 Within five days of receiving the notice that a request for reassignment was
131 denied of the disapproval, the parent or guardian may request a hearing on the
132 reassignment request. The board or a panel of the board will hear the appeal. If a

133 panel hears the appeal, the panel's recommendation will be submitted to the full
134 board for a final determination. At the hearing the board will consider and make a
135 determination based upon the best interest of the child, the orderly and efficient
136 administration of the public schools, the proper administration of the school to
137 which reassignment is requested, and the instruction, health, and safety of the
138 pupils there enrolled. The board will promptly render a decision, and notice of
139 the decision will be given to the applicant by mail, telephone, telefax, e-mail, or
140 any other method reasonably designed to achieve notice.

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142 **D. TRANSFER OF STUDENTS DURING THE SCHOOL YEAR**

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144 1. Change of Residence

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146 Students whose legal residence changes from one school assignment area to
147 another within the school system during the same school year may choose to
148 finish out that school year in the same school or attend school in the area to which
149 they have moved. If they elect to remain in the first school in order to complete
150 that year, they will be assigned to the school according to the area in which they
151 live at the beginning of the next school year. Students whose legal residence has
152 changed but who choose to complete the school year at their first school will be
153 responsible for their own transportation to school.

154
155 2. Unsafe School Choice Transfer under the Elementary and Secondary Education
156 Act

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

162
163 3. Transfer of Homeless Students

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

172
173 4. Transfer of Students in Foster Care

174
175 Students who are assigned to foster care between academic years or during an
176 academic year will remain in their school of origin unless remaining in the school

177 of origin is not in the best interest of the student. The best interest of the student
178 will be decided based on all relevant factors, including consideration of the
179 appropriateness of the educational setting and proximity to the school in which
180 the child is enrolled at the time of placement in foster care.

181
182 5. Other Transfers

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

188
189 **E. CONDITIONS FOR REASSIGNMENT OR TRANSFER**

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

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194 1. The parent **or guardian** is responsible for transportation (except for **reassignments**
195 **or transfers of** homeless students **or transfers and transfers of** students in foster
196 care based on the student's best interest, for which the system will provide
197 transportation in a manner consistent with legal requirements and policy 4125).
- 198
199 2. The transfer or reassignment is valid for no more than one school year (except for
200 (a) unsafe school choice transfers, for which the length of **reassignment** will be
201 consistent with legal requirements and policy 4152; (b) homeless student transfers
202 **or reassignments** for which the length of **reassignment** will be consistent with
203 legal requirements and policy 4125; and (c) transfers or reassignment of students
204 in foster care, for which the length of **reassignment** will be consistent with legal
205 requirements).
- 206
207 3. Any transfer **or reassignment** request that is approved based upon false or
208 misleading information will be declared void; and ~~the transfer~~ will be rescinded.

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210 ~~**F. ASSIGNMENT TO ALTERNATIVE SCHOOL**~~

211
212 ~~Students will be assigned to the alternative school in accordance with policy 3470/4305,~~
213 ~~Alternative Learning Programs/Schools.~~

214
215 Legal References: McKinney-Vento Homeless Assistance Act, 42 U.S.C. 11431 *et seq.*;
216 Elementary and Secondary Education Act, 20 U.S.C. 6301 *et seq.*; *Non-Regulatory Guidance:*
217 *Ensuring Educational Stability for Children in Foster Care*, U.S. Department of Education and
218 U.S. Department of Health and Human Services (June 2016) and *Non-Regulatory Guidance on*
219 *Education for Homeless Children and Youths Program*, U.S. Department of Education (July
220 2016), both available at <https://www2.ed.gov/policy/elsec/leg/essa/index.html>; *Unsafe School*

221 *Choice Option Non-Regulatory Guidance*, U.S. Department of Education (May 2004), available
222 at <https://www2.ed.gov/policy/elsec/guid/edpicks.jhtml?src=ln>; G.S. 15C-8; 115C-36, -366, -
223 367, -369; State Board of Education Policy SSCH-006

224
225 Cross References: Alternative Learning Programs/Schools (policy 3470/4305), **Domicile or**
226 **Residence Requirements (policy 4120)**, Homeless Students (policy 4125), **Discretionary**
227 **Admission (policy 4130)**, Unsafe School Choice Transfer (policy 4152), North Carolina Address
228 Confidentiality Program (policy 4250/5075/7316)

229
230 Adopted: July 17, 2017

231
232 **Revised: [DATE]**

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