

## Policy Code: 4150 School Assignment

### 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 applicable legal requirements, 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 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 standards below and other educational or administrative concerns.

Once enrolled in a particular school, such school and feeder pattern becomes the student's assigned school unless the parent or guardian requests assignment to a different school using the process described in Section C of this policy.

#### 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. Out-of-County Transfer (Tuition) Students

Out-of-county students who are accepted for discretionary admission under policy 4130, Out-of-County Student Transfer, ordinarily will be assigned to the school located closest to their permanent residence. However, the board reserves the right to assign such students as it deems necessary for the orderly and efficient administration of the school system. The parent or guardian is responsible for transportation of out-of-county transfer students.

#### 3. Homeless Students and Students in Foster Care

Notwithstanding any other provisions of this policy, the superintendent or designee shall (1) assign homeless students in a manner consistent with state and federal law and board 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](#) shall be assigned on the basis of their actual address, but such address shall remain confidential in accordance with law and board policy 4250/5075/7316, North Carolina Address Confidentiality Program.

#### 5. Students with Disabilities

Students with disabilities receiving services under an Individualized Education Program (IEP) or

Section 504 plan will be assigned to schools in accordance with this policy unless the superintendent or designee determines the student needs a different assignment to provide access to a program or service required under the IEP or Section 504 plan, as determined by the student's IEP or Section 504 team.

#### 6. Administrative Assignment

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

#### 7. Assignment to Alternative Program or School

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

#### 8. Admission and Assignment to Magnet Schools or Other Schools of Choice

Acceptance into the magnet school program is based on a lottery system process established and administered by the Superintendent or designee. Newly-enrolling siblings of current magnet school students will be automatically assigned to the magnet school. After being accepted into the magnet program, the parent or guardian of the student must officially enroll the student in the magnet school by the first day of school.

Note: Once enrolled at the magnet school, the magnet school becomes the student's assigned school. If the parent or guardian wishes their student to return to their originally assigned school, a letter requesting reassignment should be submitted to the Superintendent or designee using the process described in Section C of this policy.

### **C. Requests for Reassignment**

A parent or guardian who is dissatisfied with a school assignment may request reassignment to a different school for the next school year (or for a student newly enrolling mid-year, reassignment for the current school year) as provided below. However, the Rockingham County Board of Education believes that in almost all cases, the child should attend the school that serves his/her domicile. Exceptions to this will be made in limited circumstances within the criteria provided below and any administrative procedures created by the superintendent.

The superintendent or designee shall have the authority to approve or deny requests for reassignment for the reasons established in Section E of this policy. A reassignment request denied by the superintendent or designee may be appealed to the board in accordance with subsection C.2, below.

#### 1. Procedure for Requesting Reassignment

A request for reassignment must be submitted in writing to the superintendent or designee by May 1 of each year. For new mid-year enrollees seeking a reassignment for the current school year, the request must be submitted within 10 days of receiving notice of the initial school assignment. The request must specify the allowable reason why reassignment is sought, as provided in Section E below.

The superintendent or designee shall consider the request for reassignment and make a determination in light of the factors set out in Section E, below. The parent will be notified with the final report card if the decision is approved. The parent will be notified via registered or

certified mail if the superintendent or designee denies the request. If the request is denied, the parent may appeal the decision to the board as provided below.

Note: If a parent or guardian wishes to opt out of an existing reassignment or transfer, this process must also be followed. Once a reassignment is effectuated, the reassigned school becomes the student's assigned school and return to the original school is only possible if one of the conditions in Section H below is met or by requesting a reassignment back to the originally assigned school.

## 2. Appeal to the Board When Reassignment Request Is Denied

Within five days of receiving notice that a request for reassignment was denied, the parent or guardian may request a hearing on the request. Requests for appeal must appear on the designated Parent or Student Appeal Form. 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, the instruction, health, and safety of the pupils there enrolled, and where not inconsistent with this standard, the allowable reasons outlined in Section E below. 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. Requests for Transfer During the School Year

A parent or guardian may request transfer of a student to another school during the school year. The superintendent will consider such requests based upon space availability, the needs of the child, the effect on the school to which transfer is requested, principal recommendations, the allowable reasons for reassignment/transfer as listed in Section E below, and any other criteria established by the superintendent.

### 2. Appeal of Decision Denying a Transfer Request

For decisions denying a transfer request under this section, a parent or guardian may appeal the decision of the superintendent to the board by giving written notice to the superintendent within five working days of the receipt of the superintendent's decision to deny the transfer request. Requests for appeal must appear on the designated Parent or Student Appeal Form. The board shall approve or deny the request for any lawful reason that it deems sufficient and shall provide notify the parent or guardian of the decision.

## **E. Allowable Reasons for Reassignment or Transfer**

Absent extraordinary circumstances, the Superintendent may grant reassignment and transfer requests only if the requested school has sufficient space, meaning the calculated school membership is under 95% of its capacity. If a particular school's capacity falls back below the 95% level, the school will be reopened to reassignments and transfers for the next school year.

The Superintendent may grant requests for reassignment or transfers based on the following considerations, provided that sufficient documentation is provided. Once all transfer and reassignment requests have been considered, all remaining seats in each school will be made available to interested students through a lottery system process.

## 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 except that a student who changes his/her domicile after the completion of the 11th grade may be reassigned for the 12th grade to the school serving his/her prior domicile. 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. Child Care

A student who is age 12 or younger may be reassigned if the working hours of the parents or guardians are such that the pupil would be unsupervised either before or after school hours, were he/she not kept by someone other than the parents or guardians. Child-care needs must be more than a matter of convenience. The superintendent may require written documentation of child-care provisions and employment of parents/guardians. Pupils who are age 13 or older are no longer considered to be in need of child care that requires school reassignment, absent a satisfactory showing of extraordinary circumstances.

## 3. Documented Student Hardship

A student may be reassigned or transferred administratively because of undue hardship when it is established that such reassignment or transfer is in the best interest of the student and that the student's behavior and/or achievement is likely to improve appreciably as a result of the new assignment.

## 4. Special Curricular Needs

A student who is unable to obtain in their regularly assigned school those specially needed courses or programs necessary to pursue career goals or who wish to participate in special academic programs established by the school system, may be reassigned to another school within the school system which can best meet the student's needs. Reassignment may be made on a space available basis if these courses are not offered in a modified form at the home school and cannot be taken through the N.C. Virtual Public School or on a part-time basis from another school.

## 5. Documented Medical Needs

A student may be reassigned if the student's mental, emotional, or physical health would be adversely affected by the student's attendance at the school to which he/she would normally be assigned. The need for such reassignment must be documented by a written statement from a psychiatrist or other licensed medical doctor, or a psychologist.

## 6. Children of Employees

As a non-monetary benefit, the child(ren) of any Rockingham County School employee will be assigned to the school of choice of the employee. Such child(ren) shall have priority in transfer requests. The employee's application for student transfer should be submitted to the Student Assignment office by May 1<sup>st</sup>. New employees who were employed after May 1<sup>st</sup> must submit the student transfer application no later than 15 school days from the employee's first day of orientation. Employees may request only one such transfer per year unless the employee is

moved by the school system.

#### 7. 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.

#### 8. 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.)

#### 9. 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.

#### 10. New Students with Siblings

If a student is entering the Rockingham County Schools for the first time, he or she may be reassigned to the school where his or her sibling attends, even if the sibling was previously reassigned.

Note: The Superintendent may require documentation for any factor affecting student reassignment or transfer. Failure by the parent(s) or guardian(s) to give accurate information to the school about current address/domicile or other pertinent family circumstances in order to secure a student reassignment or transfer will result in the subsequent denial of the reassignment or transfer request and immediate return of the student to the original school assignment.

### **F. Conditions for Reassignment or Transfer**

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

1. The parent or guardian is responsible for transportation (except for reassignments or transfers of homeless students or students in foster care based on the student's best interest, for which the school system will provide transportation in a manner consistent with legal requirements and board policy 4125).
2. The transfer or reassignment is valid for the grade span of the particular school and feeder pattern, except as otherwise may be required by law or this policy.
3. Any transfer or reassignment request that is approved based upon false or misleading information will be declared void and will be rescinded.
4. Reassignments and transfers are not permitted if the reason for the request is athletic

purposes.

5. Students are required to remain in good academic and disciplinary standing at the school to which they transfer or are reassigned. The superintendent shall have the authority to revoke transfers or reassignments granted to students who engage in serious misconduct, exhibit poor academic performance inconsistent with their abilities, or accumulate excessive absences, tardies, or early dismissals as defined by policy 4400 and administrative regulation 4300-R. Transfers and reassignments are generally revoked at the end of the school year; however, in extraordinary circumstances, the Superintendent shall have the authority to revoke a student's reassignment or transfer at the end of a grading period.

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), Domicile or Residence Requirements (policy 4120), Homeless Students (policy 4125), Out of County Student Transfer (policy 4130), Unsafe School Choice Transfer (policy 4152), North Carolina Address Confidentiality Program (policy 4250/5075/7316)

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## Rockingham County Schools

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