

A. ASSIGNMENT AREAS

The superintendent shall recommend to the Watauga 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, 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 following standards.

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 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 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.

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. The superintendent or designee(s) may also assign or reassign students needing exceptional children services to help balance student needs and school resources for these students. Assignment of students to the pre-kindergarten program shall be determined by the pre-kindergarten coordinator consistent with applicable state laws and policies.

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.

C. REQUESTS FOR REASSIGNMENT FOR THE FOLLOWING SCHOOLS YEAR

A parent or guardian who is dissatisfied with a school assignment may request reassignment to a different school as provided below. The superintendent or designee shall have the authority to approve or deny requests for reassignment for satisfactory reasons as established by the superintendent and communicated to students and parents and guardians. 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

Parents or guardians may request in writing the reassignment of the child to a different public school outside of their regular attendance area. The request for reassignment must be submitted to the Office of the superintendent in writing between April 1st and May 15th. An untimely request for reassignment will be treated as a transfer request.

The superintendent will establish procedures for this process. The request must specify the reason why reassignment is sought. The superintendent or designee will review the request and in consultation with appropriate staff (principal, transportation staff, etc.) will make a recommendation to the board of education to approve or deny the request. The board of education will review the request and recommendation at the next scheduled meeting. If the application for reassignment is denied, the parent will be notified by registered or certified mail. If the parent is dissatisfied with the board's decision, the parent may appeal the decision to the board as provided below.

2. Appeal to the Board When Reassignment Request Is Denied

Within five days of receiving the notice of the disapproval of the request for reassignment, the parent or guardian may request a hearing on the 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. See Administrative Regulation 4150-R.

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 or guardian is responsible for transportation (except for reassignments or transfers of homeless student or 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. Any transfer request that is approved based upon false or misleading information will be declared void, and will be rescinded.
3. The standards provided by the superintendent must be met.

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, -47(68), -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), Discretionary Admission (policy 4130), Unsafe School Choice Transfer (policy 4152), North Carolina Address Confidentiality Program (policy 4250/5075)

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Replaces: Policy 5.02.50, Student Assignments (in part)