

The superintendent issues the following rules and procedures to supplement the Watauga County Board of Education's policies and address the assignment of students in the Watauga County School System.

A. Attendance Area Assignment

Watauga County is divided into eight elementary public school attendance areas and one public high school. Students are assigned to the school serving their grade level in the attendance area in which the student is domiciled; unless otherwise assigned by the Watauga County Board of Education. All students must be age eligible as defined by N.C. law and must have proof of required immunization and medical examination to be admitted.

Under no circumstances can a student have more than one domicile for the purpose of attendance. The domicile of any student shall be deemed to be that of his parents or the sole supervising parent. In the event the parents are separated or divorced, the domicile of the student shall be that of the parent to whom custody has been awarded by a court of competent jurisdiction. If no custody order has been entered, the domicile shall be deemed to be that of the parent who had actual custody immediately upon the separation. See Board Policy 4120, Domicile or Residence Requirements.

B. Exceptions to Domicile Requirement Board Policy 4120, Domicile or Residence Requirements

The following are statutorily created exceptions to the domicile requirement:

1. G. S. 115C-366.2 provides that a child whose parent or guardian is a student, employee, or faculty member of a college or university or a visiting scholar at the National Humanities Center need only be a resident of the school district in order to attend its schools.
2. G.S. 115C-366.2 provides that a child who is placed in or assigned to a group home, foster home, or similar facility need only be a resident of the school district in order to attend its school.
3. Federal and State law provides that state educational agencies are required to provide education to children of homeless individuals and to homeless youths regardless of their domicile. This exception is limited to "homeless individuals" as they are defined by the *Homeless Assistance Act*, 42 U.S.C. Section 11431 (also known as the McKinney Act).
4. The parent or legal guardian is one of the following: (1) on active military duty and is deployed out of the local school administrative unit in which the student resides, (2) a member or veteran of the uniformed services who is severely injured or medically discharged or retired (but only for a period of one year after

medical discharge or retirement of the parent or legal guardian), or (3) a member of the uniformed services who has died while on active duty or as a result of injuries sustained on active duty, but only for a period of one year after the death of the parent or legal guardian. For the purposes of this subsection, the term “active duty” does not include periods of active duty for training for less than 30 days. Assignment under this subsection is only available if some evidence of the deployment is tendered with the affidavits required under G.S. 115C-366.

C. Pre-School Assignments

Except as otherwise provided in law and board policy the following applies:

1. Only children domiciled in the Watauga County Schools administrative unit will be allowed to seek placement in the Watauga County Schools pre-school program.
2. Children that qualify for pre-school placement will be assigned to a school by the pre-school coordinator.
3. Pre-school assignment to a school outside the domiciled attendance area will not be considered as a basis for reassignment requests.

D. Kindergarten Orientation

Watauga County residents with children of kindergarten age and planning to attend kindergarten in a Watauga County School may only attend Kindergarten Orientation at the school in their domiciled attendance area. A rising kindergarten student whose parent or guardian is a permanent part-time or permanent full-time Watauga County School employee may attend Kindergarten Orientation in the school where the employee plans to request reassignment of the child.

E. Standards For All Transfer or Reassignment Requests See Policy 4150 E.4.

The following standards must be met before a request for reassignment can be submitted:

1. Parent/guardian shall provide documentation of legal residence of domicile based on a 911 address (building permit, certificate of occupancy, purchase agreement, lease agreement, utility bills, deed, and/or any other documentation deemed necessary).
2. Student(s) shall be in good academic standing having passed or currently passing all course work;
3. Student(s) shall have passed all state mandated tests;
4. Student(s) shall have a clean disciplinary record at their assigned school;
5. Student(s) shall have no more than 10 excused/unexcused absences from their assigned school unless granted prior approval from school administration;
6. Student(s) shall have no more than 10 excused/unexcused tardies from their assigned school.

7. Fresh Start Clause: Parents may request a Principal review for this purpose and upon unanimous agreement of the Principal, Superintendent, and Review Officer, items in Paragraph (E) 2-6 may be waived if reassignment is deemed to be in the best interest of the student.

F. Exceptions to Student Assignments During the School Year

Upon written request of the parent/guardian the Watauga County Board of Education may make exceptions for the following reasons considered legitimate for reassignment into a school district other than the one in which the student is domiciled:

1. School aged children of permanent full-time or permanent part-time Watauga County Board of Education employees will be allowed to attend the school where their parent is employed; however the Superintendent may deny transfer of employees' children to any school or grade level closed to transfer because of overcrowding. Parents who serve in an itinerant capacity will be allowed to have their children in the school where they spend the majority of their time.
2. Any student who is the victim of a violent offense committed on the grounds of a public school he or she attends shall be allowed to transfer to another school in the Watauga County Schools Administrative Unit.
3. Watauga County school age students having an Individualized Education Plan (IEP) which requires special placement in a Watauga County school which offers the necessary program components to meet the child's needs, may be allowed to be reassigned without the Board of Education's approval. However, the Director of the Exceptional Children's Programs will be responsible for submitting the request. Once the IEP objectives have been attained as determined by the IEP team and services are no longer needed, the child shall be returned to the original attendance area school.
4. Space permitting, siblings of students that require special placement in a school outside their district may request reassignment to that school for the duration the special placement is in effect.
5. Student(s) that have been placed by the courts or the Department of Social Services in a foster home outside their attendance area may request to remain at the school of previous domicile.
6. If a parent or guardian changes domicile after ninety (90) days from the beginning of the school year, the student may attend school in the district of the previous domicile for the remainder of that school year.

G. Requests for Student Reassignment During the Academic School Year

During the academic school year exceptions to student assignments will only be considered for requests based on the criteria listed in Board policy 4150 and part F of this regulation. See Board Policy 4150 Section D.

1. Procedure: Parents or court appointed guardians may submit a written request for reassignment to the Office of the Superintendent 14 days prior to a regularly scheduled board meeting. *Request for Reassignment* applications shall be furnished by the

Watauga County Board of Education and shall be kept on file with the Office of the Superintendent. Requests for reassignment shall be forwarded to the Review Officer for consideration.

2. Review Officer - The Superintendent shall appoint a review officer to screen and make decisions on all requests for reassignment or transfer that comply with all policy guidelines and when both principals are in favor of the request. However, the WCBOE may choose to rule on ANY request.

3. Recommendations of the Review Officer and Superintendent shall be presented to the Watauga County Board of Education for a ruling on the request when the request does not comply with this policy guidelines or when principals' recommendations do not agree.

In an effort to maintain proper enrollment ratios a specific school or grade level may be closed to out of attendance area reassignments.

H. Requests for Reassignment or Transfer For Following School Year Policy 4150 C.

1. Parents or court appointed guardians may submit a written request for reassignment to the Office of the Superintendent between April 1st and May 15th of the current school year. *Request for Reassignment* applications shall be furnished by the Watauga County Board of Education and shall be kept on file with the Office of the Superintendent. Request for reassignment shall be forwarded to the Review Officer for consideration.

2. Review Officer - The Superintendent shall appoint a review officer to screen and make decisions on all requests for reassignment or transfer that comply with all policy guidelines and when both principals are in favor of the request. However, the WCBOE may choose to rule on ANY request.

3. Recommendations of the Review Officer and Superintendent shall be presented to the Board of Education for a ruling on requests when the request does not comply with this policy guidelines or when principals' recommendations do not agree.

4. The request must specify the reason why reassignment is being sought. In reviewing requests, the Superintendent, Review Officer, and the Board of Education will consider such requests based on the law, Board policy and the following rationale:

- A. School aged children of permanent full-time or permanent part-time Watauga County Board of Education employees will be allowed to attend the school where their parent is employed; however, the Superintendent may deny transfer of employees' children to any school or grade level closed to transfer because of overcrowding. Parents who serve in an itinerant capacity will be allowed to have their children in the school where they spend the majority of their time.
- B. Watauga County school age students having an Individualized Education Plan (IEP) which requires special placement in a Watauga County school offering the necessary program components to meet the child's needs, may be allowed to be reassigned without Board of

Education approval. However, the Director of the Exceptional Children's Programs will be responsible for submitting the request. Once the IEP objectives have been attained as determined by the IEP team and services are no longer needed, the child shall be returned to the original attendance area school.

- C. Space permitting, siblings of students that require special placement in a school outside their district may request reassignment to that school for the duration the placement is in effect.
 - D. If a bona fide hardship exists for a student(s) (i.e., matters that may negatively impact the education, health or safety of the student) a request for reassignment may be made to the Board of Education.
 - E. The Board of Education requires documentation (i.e. legal, medical) to support specific reasons addressed in a request for reassignment.
 - F. The Board of Education will consider the impact reassignment would place on the enrollment of the requested school (the reassignment or transfer shall not cause a classroom to exceed state recommended average).
 - G. The Board of Education will consider the impact reassignment would place on the enrollment of the vacating school.
- 5. If a parent or guardian of a seventh (7th) grade student changes domicile after ninety (90) days from the beginning of the school year, the student may attend school in the district of the previous domicile through completion of the eighth (8th) grade.
 - 6. In cases where space is limited due to class size regulations, applications will be considered in the order in which they are received, with priority given to residents of Watauga County and school aged children of permanent full-time or permanent part-time Watauga County Board of Education employees.
 - 7. For all requests received by May 15th of each year, the Watauga County Board of Education will issue its decision in writing by June 30th.

In an effort to maintain proper enrollment ratios a specific school or grade level may be closed to out of attendance area reassignments.

I. Transfer of Student to Another Administrative Unit

The Watauga County Board of Education may release students domiciled in Watauga County to other school units if their parent(s) or legal guardian(s) provide compelling and sufficient reasons for such release.

J. Transfer of Student from Another Administrative Unit

The Watauga County Board of Education may approve enrollment of a student who resides in another administrative unit under certain conditions.

1. Parents or court appointed guardians must complete and submit a written request for reassignment to the Office of the Superintendent.
2. Evidence must be provided that the student requesting reassignment was in good standing upon leaving the student's previous school system.
3. Students requesting reassignment from outside the Watauga County Schools attendance area must be granted a release from their county and/or state of domicile.
4. All standards, procedures, and conditions stated in this policy must be met and/or followed for all out of district transfers.

K. Appeal Procedure Board Policy 4150 Section C2.

If the application for reassignment is denied, the Office of the Superintendent shall give notice to the applicant by registered or certified mail. The applicant may, within five (5) days after receipt of such notice, apply in writing to the Board of Education for an appeal hearing. The hearing on the appeal for reassignment to a different school shall be held at the next regular meeting or a special called meeting of the Board of Education. Both the sending and receiving schools' administration shall be given the opportunity to address the Board of Education during an appeal hearing. The Board of Education shall render a prompt decision on the appeal and shall send a notice of the decision to applicant by registered or certified mail.

L. Other Student Assignments

1. Students improperly enrolled: Students discovered to be enrolled without approval of the Board of Education shall be enrolled immediately in the school in the attendance area in which the student's domicile has been established.
2. Transfer students to Watauga High School:
 - a. Students under eighteen (18) years of age shall be accompanied by a parent or legal guardian, who shall present evidence of legal guardianship and legal evidence of domicile to the Office of the Superintendent.

- b. Students eighteen (18) through twenty-one (21) years of age shall present a transcript of previous high school credits, legal evidence of date of birth, and legal evidence of domicile to the Office of the Superintendent.
- c. All requests of transfer students to Watauga High School will be referred to the Review Officer for consideration in accordance with the procedures outlined in this policy.

M. Conditions for All Reassignments or Transfers 4150 Section E.

All reassignment requests that are approved will be valid for the duration of the students' career as long as the following conditions are met:

- 1. Reassigned students are expected to exhibit exemplary conduct at the schools to which they are assigned, to attend school regularly, to pass all courses in which the student is enrolled, and to pass all state mandated tests.
- 2. Reassigned students are expected not to exceed ten (10) or more excused or unexcused absences per year, nor have excessive number of tardies or early check outs (10 days per year).
- 3. Any reassignment request that is approved based upon false or misleading information will be declared void and the transfer will be rescinded.
- 4. The parent is responsible for transportation of a student granted reassignment (except for school improvement choice transfers where the district must provide transportation for as long as the original school is identified for Title I school improvement).
- 5. The transfer or reassignment is valid for the duration of the student's school career or until a review/change is deemed necessary by the Board of Education or the Office of the Superintendent.

N. Administrative Process For Reassignment Revocation

In the event that a student granted a reassignment fails to meet the standards and conditions set forth in this policy the following steps shall be taken:

- 1. The Principal requesting reassignment revocation shall submit the revocation recommendation in writing to the Office of the Superintendent ten (10) days prior to the next regularly scheduled meeting of the Board of Education.
- 2. The Principal shall notify the parents or legal guardian of the student in writing that a recommendation for reassignment revocation has been submitted to the Office of the Superintendent and that the recommendation for reassignment

revocation shall be heard by the Board of Education at its next regularly scheduled meeting.

3. The recommendation shall include all pertinent and compelling evidence. Examples: attendance records, academic performance, chronic discipline and safe school issues.
4. The administrative request for reassignment revocation shall be heard at the next regularly scheduled meeting of the Board of Education. The Board of Education shall render a prompt decision on the request and provide written notification to the parent or legal guardian by registered or certified mail.

Legal Ref.: Legal References: McKinney-Vento Homeless Assistance Act, 42 U.S.C. 11431 *et seq.*; No Child Left Behind Act, 20 U.S.C. 6301 *et seq.*; *Unsafe School Choice Option Non-Regulatory Guidance*, U.S. Department of Education (May 2004); U.S. Department of Education approval of Elementary and Secondary Education Act (ESEA) Flexibility Request (May 29, 2012); G.S. 15C-8; 115C-36, -366, -367, -369; State Board of Education Policy HRS-A-006

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