

The Wilkes County Board of Education is committed to the principle that each child is entitled to the opportunity for a quality education regardless of the school to which the student is assigned. All schools should provide equitable opportunities for learning measured by the quality of its facilities, the quality and the variety of its programs, its pupil-teacher ratios, the experience of its faculty, and the quality and availability of its technology and instructional equipment.

A. ATTENDANCE AREAS

1. Attendance area boundaries may be changed only in accordance with standards adopted by the Board of Education and following compliance with applicable law. Public notice of these standards shall be issued prior to any change in attendance boundaries.
2. The superintendent shall determine whether or not a change in school attendance boundaries is necessary. A change in school attendance boundaries must be approved by the Board of Education following public notice of the proposed change. Any student may request a reassignment to a school outside his or her attendance area. School and individual grade level or classroom capacity will be included in the factors determining whether or not to grant a request for reassignment. Assignments and reassignments will be made in a non-discriminatory manner.

B. ASSIGNMENT OF STUDENTS

The superintendent will assign students to particular schools based upon the established attendance areas and domicile.

C. REQUESTS FOR REASSIGNMENT

The Wilkes County Board of Education believes that in most cases a child should attend the school that serves his/her residence; however certain factors justify a change in assignment.

1. Exceptional Children's Program

Students who are identified as exceptional under applicable state and/or federal law may be assigned to schools outside their attendance areas in order to ensure an appropriate placement for their educational needs. [The siblings of a student reassigned on the basis of exceptionality may attend upon request the school to which the exceptional child has been assigned.]

2. Change of Residence

A student whose residence changes from one attendance area to another attendance area during the school year will be permitted to attend the school of initial assignment for the remainder of that school year. The student's parent(s) will be responsible for transportation. At the end of that school year, the student shall be assigned to the school that serves the attendance area of his/her residence.

3. Children of Employees

Any employee of the Wilkes County Schools may request the reassignment of his/her child(ren) to a school in the attendance area of his/her place of employment.

4. Homeless Students

The superintendent will assign homeless students in a manner consistent with state and federal law and in accordance with Policy 4125, *Homeless Students*.

5. Discretionary Reassignment

The superintendent may reassign a student due to such other circumstances that indicate reassignment to be necessary or appropriate to fulfill the student's educational or disciplinary needs. In making this determination, the superintendent shall consider 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 proposed, and the instruction, health, and safety of the students there enrolled.

6. Provisions of *No Child Left Behind Act (NCLB)*

Students in Title I schools that fail to meet annual yearly progress (AYP) in any subgroup in the same subject for two consecutive school years will be given an opportunity to transfer to certain designated schools. In addition, students will be allowed to transfer when a school is determined to be "persistently dangerous" (as defined by North Carolina Department of Public Instruction) or when a student becomes the victim of a violent crime at school.

7. School of Choice Reassignment

A parent may request reassignment to a school of choice outside of a student's attendance area. Such request is subject to the following terms and conditions:

- a. The reassignment request form must be filed with the [principal](#) of the school to which

reassignment is requested.

- b. Applications for school of choice reassignments will be considered in the order of filing.
- c. Reassignment requests for grades K through 5 shall be considered on or before July 15 and on or after the tenth school day of each year. Reassignment requests for grades 6 through 12 may be considered at any time during the year.
- d. Reassignments will be granted only if the student's admission to the requested school and grade level does not result in class or grade level enrollment equal to or greater than the maximum permitted by applicable state or federal regulations.
- e. Reassignment requests will be granted only if a student is in good standing at his/her school of initial assignment. For purposes of this policy, the term "in good standing" is defined as (1) passing at least seventy (70) percent of his/her classes as shown on the student's most recent grading report, (2) being on track to graduate on time with his/her peers, and (3) not being suspended, expelled, or otherwise excluded from attendance.
- f. A student who is reassigned to a school of choice shall remain at that school until conclusion of the current school year. The student may return to his/her attendance area school for the following school year. Provided he/she maintains "in good standing" status (as defined above), a student who completes the school year at his/her school of choice may complete all grades at that school and shall be allowed to continue his/her educational progress at the higher level school(s) to which students residing in the attendance area of the school of choice ordinarily are assigned.
- g. The granting of a school of choice reassignment request applies only to the student for whom the request is filed and not to that student's siblings. A separate reassignment application is required for each student.
- h. The Wilkes County Schools is not required to provide transportation to any student whose school of choice reassignment request is granted. The student's parent is responsible for his/her transportation to and from a school of choice.
- i. A middle school student who is reassigned to a school of choice and whose domicile is not in the attendance area of the school of choice shall be ineligible to participate in any athletic program for which the season has already started. The student is eligible to participate in any athletic program for which the season has not started.

In addition, if the student's reassignment to the middle school of choice did not occur on or before the first day of the second semester of the student's eighth grade year, the student shall be ineligible to participate in any athletic program for 365 days at the high school in the attendance area of the middle school of choice. Exceptions for immediate athletic eligibility will be heard in accordance with subsection I below.

- j. A high school student who is reassigned to a school of choice and whose domicile is not in the attendance area of the school of choice shall be ineligible to participate in any athletic program for a period of 365 days. Exceptions for immediate athletic eligibility will be heard in accordance with subsection I below.
- k. Any student who is reassigned to a school of choice who thereafter elects to return to a school within his/her attendance area of domicile shall be ineligible to participate in any athletic program for a period of 365 days. Exceptions for immediate athletic eligibility will be heard in accordance with subsection I below.
- l. Any appeal of, or objection to, a reassignment decision based upon an athletic eligibility issue or any appeal of the 365 day athletic ineligibility period mandated in subsections i, j, or k above shall be submitted in writing to the Superintendent of the Wilkes County Schools. The Superintendent shall designate a committee composed of the county Athletic Director and the athletic directors of the middle schools or the high schools (dependant upon the age of the student) not involved in the reassignment. The committee shall establish a time to hear the appeal and make a recommendation to the Superintendent for a final decision.

D. PROCEDURE FOR REASSIGNMENT

- 1. Each student's reassignment request must be submitted by the student's parent on a standardized form developed by the Superintendent and approved by the Board of Education.
- 2. A request for reassignment form can be obtained from the superintendent or from any school. Except as provided in Section C.7.a. for school of choice reassignments, the form shall be delivered to the Superintendent following completion. Information to be provided on this form shall include:
 - the name, the physical address, and the telephone number of the applicant;
 - the name and the present physical address of the student;
 - the relationship of the applicant to the student;

- the school and grade level to which the student is presently enrolled or assigned; the school to which reassignment is requested;
 - the reason(s) for reassignment.
3. The Superintendent or his designee will consider each application for reassignment and make a determination based upon the best interest of the student, 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 students there enrolled. If a parent is dissatisfied with the superintendent's decision, the parent may appeal to the Wilkes County Board of Education.
 4. N.C.G.S. §115C-369 governs the appeal of all requests for reassignment. The provisions of Policy 2050, Hearings before the Board of Education, shall apply to appeals to the Board of Education.

E. DISCRETIONARY ADMISSION FOR NONRESIDENT STUDENTS

1. A student whose residence is not within Wilkes County may apply for admission to the Wilkes County Schools.
2. To be granted discretionary admission to the Wilkes County Schools, a student must be in good standing at his/her current school in terms of academics, attendance, and behavior. In order to be considered in good standing academically, a student must be passing at least seventy (70) percent of his/her classes as shown on the student's most recent grading report, and must be on track to graduate on time with his/her peers. A student who has been suspended, expelled, or otherwise excluded from attendance by another school system will not be considered for acceptance unless and until he/she is eligible for readmission. If the enrollment of a nonresident student jeopardizes the teacher-student ratio or detrimentally affects the overall quality of educational opportunities in the school and/or grade to which admission is requested, the student may be denied enrollment. Any nonresident student who is granted admission to the Wilkes County Schools is required to maintain good standing in academics, attendance, and behavior. Admission may be revoked if a student does not remain in good standing after he or she has been admitted to the Wilkes County Schools.
3. Any nonresident student who attends a school to which he or she has not been assigned shall be withdrawn from enrollment until proper assignment has occurred in accordance with this policy.
4. The parent of any student whose legal residence is outside Wilkes County is responsible for the student's transportation to and from any school within Wilkes County.

5. For students grades 9 through 12, the application for admission of a nonresident student must be received prior to the third day of a semester in order for the student to be considered for admission for that semester.
6. The admission of a nonresident student is also subject to the following requirements:
 - submission of the application form obtained from the superintendent;
 - payment of tuition, if applicable;
 - written release from the school administrative unit in which the student resides;
 - compliance with North Carolina High School Athletic Association regulations applicable to athletic eligibility.

F. RELEASE OF STUDENTS FROM THE WILKES COUNTY SCHOOLS

A student may request from the Wilkes County Board of Education a release to attend a school outside Wilkes County. The signature of the superintendent or his/her designee on behalf of the Board of Education is required for release.

G. CONDITIONS FOR REASSIGNMENT

The following conditions apply in regard to any reassignment made in accordance with Sections C, E, and F of this policy.

- The parent is responsible for transportation except as otherwise provided by applicable state or federal law.
- The reassignment is valid for no more than one school year except as otherwise provided in this policy or by applicable state or federal law.
- Any request for reassignment that is approved based upon false or misleading information will be declared void and the reassignment will be rescinded.

H. REFERENCE TO PARENT

As used in this policy, the term "parent" includes other legal guardian(s).

Legal References: *No Child Left Behind Act*, Public Law 107-110, 115 Stat. 1425-2094; *Unsafe School Choice Option Draft Non-Regulatory Guidance*, U.S. Department of Education (July 23, 2002); G.S. 115C-36, -366, -367, -369; State Board of Education Policy Number SS-A-006

SCHOOL ASSIGNMENT

Policy Code: **4150**

Cross References: Alternative Schools (policy 3470/4305), Unsafe School Choice Transfer (policy 4152), School Improvement Choice Transfer (policy 4153)

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