

## SCHOOL ASSIGNMENT

Policy Code:

4150

### 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 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. Assignments must be made in a non-discriminatory manner based on a lottery system for all schools except for Rockingham Early College High School.

The superintendent shall review periodically the attendance areas and submit recommendations for revisions to the board when necessary.

### B. ASSIGNMENT OF STUDENTS

The superintendent shall assign students to particular schools based upon the established assignment areas and other educational or administrative concerns.

Notwithstanding any other provisions of this policy, the superintendent 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.

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.

### C. ASSIGNMENT OF STUDENTS TO MAGNET SCHOOLS

Acceptance into the magnet school program is based on a lottery system process established and administered by the Superintendent or designee. 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 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 Part D of this policy.

## D. REQUESTS FOR REASSIGNMENT

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.

### 1. Procedure for Requesting Reassignment Before Notice of Assignment

Before notice is given of assignment for the following school year, parents or guardians may request assignment to a school outside of their regular attendance area. Such a request must be submitted in writing to the superintendent between April 1 and May 1 of each year, and must include the specific reason for the request as provided in Section E below. The superintendent or his/her designee shall 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 assignment is requested, the instruction, health, and safety of the pupils there enrolled, and the criteria found in Section F below. A decision will be made and the parent notified with the final report card. If the parent is dissatisfied with the superintendent's response, the parent may request the board to reassign the student as provided below.

### 2. Procedure for Requesting Reassignment After Notice of Assignment

Within 10 days of notice of the assignment, the parent may request in writing reassignment of the child to a different public school. The request must specify the reason why reassignment is sought. If the application for reassignment is disapproved, the board will give notice to the applicant by registered or certified mail.

Within five days of receiving the notice of the disapproval, the parent may request a hearing on the reassignment 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, the instruction, health, and safety of the pupils there enrolled, and criteria as outlined in Section F 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.

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 assigned school and return to the original school is

only possible if one of the conditions in Section G below is met or by requesting a reassignment back to the originally assigned school.

**E. TRANSFER OF STUDENTS DURING THE SCHOOL YEAR**

The superintendent will 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, the allowable reasons for reassignment/transfer as listed in section F below, and other criteria established by the superintendent.

**F. POSSIBLE 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.

Nothing in this policy shall be construed to limit the Superintendent's authority to effectuate administrative reassignments or transfers.

The Superintendent may grant request for reassignment or transfers for one or more of the following reasons.

**1. Change of Residence**

Students whose legal residence may change 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. 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 less may be reassigned where the working hours of the parents 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. 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. 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.

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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 will 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, 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 qualified medical doctor, psychiatrist, or 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 be transferred prior to considering any other student transfer request. Employee's Application for student transfer should be submitted to the Student Assignment office on the third Tuesday of April each year. Any employee that was not employed by the third Tuesday of April each year must submit the student transfer application no later than 15 school days from their first date of orientation. However, 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. Failure by the parent(s) to give accurate information to the school about current address/domicile or other pertinent family circumstances in order to secure a student transfer will result in the subsequent denial of the transfer request and immediate return of the student to the original school assignment.

**G. CONDITIONS FOR REASSIGNMENT OR TRANSFER**

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

1. The parent is responsible for transportation (except for homeless student transfers and transfers of 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. Reassignments and transfers do not apply to feeder schools. This provision does not apply to (a) unsafe school choice transfers for which the length of reassignment

will be consistent with legal requirements and board policy 4152; (b) homeless student transfers for which the length of reassignment will be consistent with legal requirements and board policy 4125); and (c) transfers of students in foster care, for which the length of reassignment will be consistent with legal requirements.

3. Any transfer request that is approved based upon false or misleading information will be declared void and the transfer 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 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 Policy 4300-R. Transfers 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 transfer at the end of a grading period.

#### **H. ASSIGNMENT TO ALTERNATIVE SCHOOL**

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

#### **I. APPEAL OF DECISIONS**

For decisions other than those addressed in section D above, parent(s) 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 of denial of the transfer request. Requests for appeal must appear on the adopted Parent or Student Appeal Form.

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); *Non-Regulatory Guidance on Education for Homeless Children and Youths Program*, U.S. Department of Education (July 2016); *Unsafe School Choice Option Non-Regulatory Guidance*, U.S. Department of Education (May 2004); G.S. 15C-8, 115C-36, -366, -367, -369; State Board of Education Policy HRS-A-006

Cross References: Alternative Learning Programs/Schools (policy 3470/4305), Homeless Students (policy 4125), Unsafe School Choice Transfer (policy 4152), North Carolina Address Confidentiality Program (policy 4250/5075/7316),

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