

**A. ATTENDANCE AREAS**

The superintendent shall recommend to the board the school attendance areas for the schools in the system. The attendance 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 district; and the effective use of each school facility. Assignments must be made in a non-discriminatory manner. The following factors will be considered in establishing attendance areas.

**1. Maximum Use of Facilities**

Projected enrollment in a school should be between 85% and 115% of approved campus capacity. New schools may operate with less than 85% of capacity enrolled if some grade levels will not be assigned during the first year or if significant growth is anticipated in the following years.

**2. Student Proximity to Facilities**

Attempts will be made to assign each student to the school closest or next closest to the student's domicile.

**3. Transportation**

Student bus rides should not exceed 90 minutes one-way.

**4. Student Diversity**

Education in a diverse setting helps to prepare students to become good citizens in an increasingly complex, pluralistic society. Student achievement will be the critical factor used to measure the diversity of proposed attendance areas.

**5. Feeder Patterns**

Alignment into a kindergarten through grade 12 attendance plan is desirable but may not always be possible. It is understandable that students and parents appreciate clean feeder patterns through which students make friends and remain with those friends from kindergarten through graduation. However, other considerations such as efficiency, costs of transportation, etc., may prevent the board from being able to make true alignment a priority. If other factors allow a kindergarten through grade 12 alignment to be implemented, the board will be sensitive to this desire.

**6. Stability**

To the degree possible, every effort will be made to minimize the number of students that are redistricted out of any individual school. To avoid a student being redistricted twice while in elementary school or twice while in middle school or twice while in high school, every effort will be made not to redistrict neighborhoods that recently were redistricted.

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

## **B. ASSIGNMENT OF STUDENTS**

### **1. Assignment Generally**

The superintendent shall assign students to particular schools based upon the established attendance areas. Each student will be assigned to a school based on the attendance area of his or her domicile (or residence location if exempted from domicile requirements as described in policy 4120, Domicile or Residence Requirements).

### **2. Homeless Students**

Notwithstanding the provisions of this policy, the superintendent shall assign homeless students in a manner consistent with state and federal law and policy 4125, Homeless Students.

### **3. Students in Foster Care**

Notwithstanding the provisions of this policy, the superintendent shall assign students in foster care to their school of origin unless contrary to their best interest, as required by federal law.

### **4. Students in the North Carolina 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 of School System Employees**

If a student who is domiciled outside the school system has been admitted into the school system because the student's parent is a full-time school system employee, the student will be assigned to a school in the attendance area where the parent works. If a student is domiciled within the school system and the student's parent

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is a full-time school system employee, the student has the option of attending any school in the attendance area where the parent works, where the student is domiciled or any open enrollment school that is not over student capacity.

If a student is attending a school based on the employee parent's work location and the parent terminates employment with the school system during the regular school year, the student may remain at the school through the end of that school year.

Unless the law, board policy, or the superintendent provides otherwise, bus transportation will not be provided to students attending school outside of the attendance area in which they reside.

## C. REQUESTS FOR REASSIGNMENT

### 1. Reassignment Factors

Students may be reassigned to a different school in the system based on certain factors, including the following.

#### a. Open Enrollment

In an effort to increase enrollment and maximize opportunities, a student may be reassigned to another school participating in open enrollment. Those schools participating in open enrollment will be identified in a list approved annually by the board prior to March 1.

- (1) The Lottery Registration Period for open enrollment will be from March 1 at 8:00 a.m. to March 15 at 5:00 p.m., unless that day is a weekend, holiday or weather closure, in which case the end of the Registration Period shall be 5:00 pm of the next day school is in session. All students who submit an application during the Registration Period shall be deemed to have simultaneously submitted their application one second after the beginning of the Registration Period. At the close of the Registration Period, if there is not space available for all of the applicants for a particular program, class, or grade level, as determined by the Superintendent, or designee, a lottery conducted by the Superintendent, or designee, will determine which students are assigned to the particular program, class or grade level that does not have space available for all applications received during the Registration Period. If a lottery is necessary at the close of the Registration Period for a particular program, class or grade level, a waiting list will be created for those children not selected in the lottery, using the lottery to determine the order of assignment. The superintendent shall adopt a procedure to provide greater specificity as to how the lottery shall be conducted.

(2) Following the close of the Lottery Registration Period, open enrollment reassignments may be requested in accordance with the Procedure for Requesting Reassignment set forth in Section (C)(2) of this policy. Consideration for open enrollment reassignments will be based upon a first-come, first-serve basis, space availability, and the resulting impact on the schools affected. If there is not space available in the particular program, class, or grade level for which the student is applying as determined by the superintendent or designee, the parents will be advised of options to attend open enrollment schools with available space.

b. Curriculum

Unique situations regarding instructional needs will be reviewed on a case-by-case basis for students in kindergarten through grade 12 requesting reassignment.

A high school student may request reassignment if the student needs a particular course or program of study that is not offered, either in person or online, in the assigned school, provided the student has met all prerequisites for the course or program and provided the course or program has not reached its enrollment capacity. The reassignment will be approved only if there is not an option to maintain enrollment in the assigned school while attending the other school only for a single period to take the course.

c. Stability

If a student is redistricted for a second time while in elementary school, while in middle school, or while in high school, the student may be reassigned back to the current school. In addition, following a redistricting, a rising exit grade student may be reassigned back to the current school.

d. Hardship or Unusual Circumstances

A student may be reassigned because of undue hardship when it is established that such a transfer is in the best interest of the student and the affected schools.

e. Siblings of Students in the Exceptional Children's Program

Siblings of students assigned to a school system Exceptional Children's Program may be reassigned if they have a sibling in the Exceptional Children's Program at the school to which they wish to be assigned (and otherwise meet the school's academic requirements).

f. SY2017-2018 Eighth Grade Students domiciled in Cedar Ridge, Irish Creek, Treetops, and Dudley's Grant Neighborhoods

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Upon application in accord with the requirements of this Policy 4150, students who were classified as in the eighth grade during the 2017-2018 school year and domiciled (or residence location if exempted from domicile requirements as described in policy 4120, Domicile or Residence Requirements) in the Cedar Ridge, Irish Creek, Treetops, or Dudley's Grant neighborhoods may be reassigned by the Superintendent to D.H. Conley High School for the school year following the application date. A new application is needed each year. The initial application must be for the ninth grade at D.H. Conley High School.

g. Siblings of Students Admitted to a School Through Sections (C)(1)(a) - (C)(1)(f) of this Policy 4150

- (1) The purpose of this Section (C)(1)(g) is to allow siblings to attend the same school in an academic year.
- (2) If a student (1) has been reassigned to a school pursuant to Section (C)(1)(a) (Open Enrollment), Section (C)(1)(b) Curriculum, Section (C)(1)(d) Hardship or Unusual Circumstances, or Section (C)(1)(f) (SY2017-2018 Eighth Grade Students domiciled in Cedar Ridge, Irish Creek, Treetops, and Dudley's Grant Neighborhoods) of this Policy 4150 and (2) will attend the school during the year of enrollment for any siblings, siblings of the student may be reassigned to the school.
- (3) If a sibling (1) has been reassigned to a school pursuant to Section (C)(1)(g)(2) above or pursuant to this Section (C)(1)(g)(3) and (2) will attend the school during the year of enrollment for any additional siblings, the additional siblings may be reassigned to the school.
- (4) Sibling reassignments described in the preceding paragraphs of this Section (C)(1)(g) may be requested in accordance with the Procedure for Requesting Reassignment set forth in Section (C)(2) of this Policy 4150.

2. Procedure for Requesting Reassignment

A parent who is dissatisfied with a school assignment should discuss the case with the principal of the school to which the student is assigned. If the parent would like a reassignment, the parent must complete and submit a student reassignment form to the superintendent between March 1 and June 1 prior to the year of enrollment. Forms submitted after June 1 will be considered only if there are extenuating circumstances, such as an unanticipated and significant change in the student's status occurring after June 1 or other circumstances outside of the parents' control that prevented them from meeting the application deadline. Being unaware of the deadline is not considered an extenuating circumstance.

The superintendent shall review all reassignment request forms and make a determination as to the adequacy of the documentation provided. The parents will be contacted if additional information is requested. Each request will then be evaluated by the superintendent or designee, the principal of the school to which the student was assigned, and the principal of the school the student desires to attend. If the reassignment request is denied, notice will be sent to the applicant.

Within five days of receiving the notice of the denial, the parent may request a hearing on the reassignment request by submitting a completed appeal form. A panel of the board will hear the appeal. The panel's recommendation will be submitted to the full board for a final determination. 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.

#### **D. TRANSFER OF STUDENTS DURING THE SCHOOL YEAR**

##### **1. Change of Residence**

Students whose domicile changes from one school attendance 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 domicile 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 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.)

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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.

**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. Unless the law or the superintendent provides otherwise, the parent is responsible for transportation. The school system will provide transportation for homeless students and students in foster care in a manner consistent with legal requirements and policy 4125.
2. A high school transfer or reassignment approved for curriculum related reasons is valid for the current school year unless otherwise stated. All other transfers or reassignments are valid through the exit grade unless otherwise stated.
3. Any student who transfers schools within Pitt County, other than through a bona fide change of residence, once they have started ninth grade, is not eligible for athletic participation for 365 days. For purposes of this policy, a bona fide change of residence is defined in a manner consistent with North Carolina High School Athletic Association policies. These policies require at least the following facts to be present to establish a bona fide change of residence: (a) the original residence must be abandoned as a residence; that is sold, rented, or disposed of as a residence, and must not be used as a residence by any member of the family; (b) the entire family must make the change and take with them the household goods and furniture appropriate to the circumstances; (c) the change must be made with the intent that it is permanent; and (d) the change must not be made for athletics purposes. A bona fide change of residence does not include return to a student's original attendance area high school.
4. Any transfer request that is approved based upon false or misleading information will be declared void, and the transfer will be rescinded.

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**F. ASSIGNMENT TO ALTERNATIVE SCHOOL**

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

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); 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=In>; 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), Homeless Students (policy 4125), Domicile or Residence Requirements (policy 4120), Unsafe School Choice Transfer (policy 4152), North Carolina Address Confidentiality Program (policy 4250/5075/7316)

Adopted: March 7, 2016

Revised: February 6, 2017

Revised: April 3, 2017

Revised: May 1, 2017

Revised: June 28, 2017

Revised: October 2, 2017

Revised: October 9, 2017 (*technical corrections only*)

Revised: December 4, 2017

Revised: February 5, 2018

Revised: August 6, 2018

Revised: April 6, 2020