

Enrollment in the school system generally is limited to those students who meet the domicile or residence requirements outlined in policy 4120, Domicile or Residence Requirements. However, on occasion, special circumstances may warrant a student's enrollment in a different school system. The board, in its discretion, may admit non-domiciled students into the school system and may release domiciled students to another school system in accordance with this policy.

All discretionary admissions decisions will be made in a manner that is not arbitrary, capricious, discriminatory, prohibited by state or federal law, or for personal or political reasons.

A. ADMISSION CRITERIA

The board may choose to admit a non-domiciled student only if the following conditions are met.

1. The parent, legal guardian, or legal custodian explains in writing why, in the opinion of the parent, legal guardian, or legal custodian, the student needs to attend school in the school system. An explanation of need will be considered valid grounds for discretionary admission only if there are compelling, specific circumstances indicating that the student should attend school in the school system.

A request for a student to transfer from one school to another within the Montgomery County School district may be approved if the principals of both schools agree. Parents will be notified by mail of the decision.

Effective April 1, 2013, any student who transfers between schools in Montgomery County will not be eligible to participate in athletics for one (1) full calendar year from the date of transfer.

An exception will be granted when an employee is employed or transferred and wishes their child to attend the school or feeder school where they are employed. The student will be allowed to transfer once without any athletic penalty. Should the student desire to return to their assigned school they may do so without any athletic penalty.

However, if a second transfer is requested the student will not be eligible to participate in athletics for one (1) full calendar year from the date of transfer.

Any reason having to do with athletics or participation in athletics is not a valid or sufficient explanation of need.

2. The board must have determined that space is available in the school system and in the

particular school or program in which the student seeks to enroll.

3. The student must demonstrate that he or she was in good standing in the previous school attended by that student, in terms of academics, discipline, and other measures of standing and progress in the school system. The student also must satisfy the requirements in policy 4115, Behavior Standards for Transfer Students.

The student must furnish a transcript and other student record data, including evidence of compliance with the North Carolina immunization requirements.

4. If the student is transferring from another school system in North Carolina, the student must submit a release approved by the board of education of the ~~other~~ school system from which the transfer is made. If the student's discretionary admission request is granted, the admission will be subject to the terms and conditions agreed to in writing between the board and the board of education of the other school system.
5. If the student resides with an adult who is not the student's parent, legal guardian, or legal custodian, the student must furnish the school system with a notarized document showing that the parent, legal guardian, or legal custodian consents to the student attending school in the school system and authorizes the adult with whom the student lives to make all decisions relating to the student's education, including, but not limited to, any decisions relating to placement, services, field trips, medical treatment, grading and reporting, discipline, participation in extracurricular activities, and participation in athletics.
6. If the student does not reside within the assignment area of the school the student will attend, the parent, legal guardian, or legal custodian must agree to provide transportation to and from school.
8. If the student is asserting residency in the geographic area served by the school system, sufficient evidence, such as a copy of utility bills, must be provided.

B. DISCRETIONARY ADMISSION DECISIONS

1. Application and Decisions

Non-domiciled students who meet the admission criteria may submit a written application for discretionary admission to the superintendent or designee. The application must be accompanied by all required supporting documents, as described above in Section A. Applications from students who are residents of the geographic area served by school system will have first priority. After reviewing

the application and supporting documents, the superintendent or designee shall

make a recommendation to the board to approve or deny the discretionary admission request. The board may grant Admission for up to one full school year. Students who are admitted based upon false or misleading information on their application will have their application voided and acceptance rescinded.

The board will provide a written response to an applicant within 30 working days of receipt of the information required under this policy. Final decisions regarding discretionary admissions may be delayed until the board has determined whether space is available in the requested school. Therefore, the written response may provide either a final decision or a notification that a final decision is pending until the board determines space availability.

2. Renewals

An application must be submitted each subsequent school year in which admission is desired. For the renewal of admission in subsequent school years, the student must continue to meet all admission criteria and ~~must~~ be in good standing in terms of academics, attendance, and discipline.

C. RELEASE TO ANOTHER SCHOOL SYSTEM

A student domiciled in the school system may request a release from the board to attend a school in a different school system in North Carolina.

The superintendent or designee may develop and administer a procedure to implement this policy.

Legal References: G.S. 7B, art. 35; 35A, art. 6; 50-13.1 to 13.3; 115C-231, -364 to -366.1

Cross References: Behavior Standards for Transfer Students (policy 4115), Domicile or Residence Requirements (policy 4120).

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