

The superintendent or designee shall approve or deny requests for admission to the school system for students who do not meet the domicile or residence requirements outlined in policy 4120, Domicile or Residence Requirements. Applications from residents of the school system will be given consideration before others. Admission may be granted for up to one full school year. An application must be submitted each subsequent school year in which admission is desired.

**A. ADMISSION CRITERIA**

A non-domiciled student may be admitted and enrolled, at the discretion of the superintendent, if the following conditions are met:

1. **The parent, legal guardian or legal custodian must submit a request in writing that explains 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 may be considered when:**
  - a. there are compelling, specific circumstances indicating that the student should continue his or her education in the school system (as, for example, when the student is in his or her senior year when the parent, legal guardian or legal custodian becomes domiciled outside the school system);
  - b. there is an extraordinary, compelling, specific family need (as, for example, when a parent, legal guardian or legal custodian is clearly unable to care for the child); or
  - c. another extraordinary, specific, and compelling need or hardship is demonstrated.

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. Transfer requests will be processed **once** a year. All requests for transfer must be received by June 1. 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.
4. With the initial application, the student must furnish a transcript and other student record data, including evidence of compliance with the North Carolina immunization requirements.
5. 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 being made.
6. **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 written 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.**
7. **If the student is asserting residency in the school system, sufficient evidence must be provided with the initial application, such as a copies of utility bills.**

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**B. DISCRETIONARY ADMISSION DECISIONS****1. Final Decisions**

Admission for up to one full school year may be granted for out of county students based upon the information contained in the application and supporting documents. All admission criteria must be met and the student must remain in good standing in terms of academics, discipline, and progress in the school. There will be no transportation provided and if tardiness, attendance or behavior becomes a problem, the student will be returned to their assigned school. Nonresident Students who are admitted based upon false or misleading information on their application will have their application voided, and acceptance rescinded.

Once a student, who is a resident of Montgomery County, is approved to attend school out of district, he/she is approved for continuous enrollment throughout the highest grade in that school provided all admission criteria continues to be met and the student remains in good standing in terms of academics, discipline, and progress in the school district. There will be no transportation provided and if tardiness, attendance or behavior becomes a problem the student will be returned to their assigned school. Students must reapply at middle and high school level if the school is not in their attendance district.

The superintendent or designee shall send a written response as soon as possible to an applicant after 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. Appeals**

A final decision may be appealed, to the board in accordance with the procedures of section E.5 in policy 1740/4010, Student and Parent Grievance Procedure.

**3. Renewals**

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, discipline and other measures of standing and progress in the school system.

The superintendent or designee shall 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: Student and Parent Grievance Procedure (policy 1740/4010)

Behavior Standards for Transfer Students (policy 4115), Domicile or Residence Requirements (policy 4120)

Adopted: April 10, 2000

Revised: May 5, 2008

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Updated: March 2, 2010

Updated:

## **DISCRETIONARY ADMISSION**

(Assignment and Transfer of Students)

*Policy Code:* **4130-R**

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The Montgomery County Board of Education shall provide for the assignment to a public school of each child residing within the administration unit who is qualified under state law for admission to a public school. Except as otherwise provided by the law, the authority of the Montgomery County Board of Education in the matter of assignment of children to the public schools shall be full and complete, and its decision as to the assignment of any child to any school shall be final.

The Montgomery County Board of Education requires students living in the school district to attend the schools zoned for their legal residence. The Principal of each school must determine that each child presented for enrollment resides within the attendance boundaries of the school. The parent or guardian must provide three (3) proofs of residency and provide an official copy of the custody agreement if the child does not reside with both parents, before the child may be enrolled. It is the responsibility of the Principal to monitor and act upon students improperly enrolled.

It shall be the policy of the Board to permit certain administrative transfers to students who have special curriculum needs, physical or mental handicaps, or special adjustment problems. An administrative transfer may be approved by the Superintendent if a transfer is in the best interest of the student. Initial requests for transfer within the system must be submitted for approval directly to the office of the Assistant Superintendent of Operations. Transfer requests will be processed **once** a year. All requests for transfer must be received by June 1. Parents will be notified by mail of the decision.

Requests for transfers will only be approved when classroom space is available. Requests for transfer must be filed for each child regardless of previous family member school assignments.

Students must register at the school in their attendance area until the transfer is acted upon by the Board of Education. No kindergarten student will be considered for transfer without first registering at the school to which he/she is assigned.

Once a student is approved to attend school out of district, he/she is approved for continuous enrollment throughout the highest grade in that school. Students must reapply at middle and high school if the school is not in their attendance district.

Montgomery County School Employees will be allowed to take their child to the school where they are employed. If the student is transferring from another school system the employee must submit, each year, a release approved by the board of education of the school system from which the transfer is being made.

At the completion of this school, the child will be required to complete a request for reassignment if they choose to remain in that district. Employees must submit a request for transfer for their child by June 1.

Students, whose legal residence may change from one school assignment area to another within the school district 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 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. When a student's legal residence changes parents must provide the school with the physical address of the student and three (3) proofs of residency.

If the parent is dissatisfied with the results of the selection process, the parent may request a review by the Administrative Review Panel. Review Requests must be made in writing and submitted to the Superintendent no later than ten (10) calendar days following notification by the Administrative Review Panel

### **Procedure for Requesting Special Assignment**

Transfer and release request forms are available at [www.montgomery.k12.nc.us](http://www.montgomery.k12.nc.us) and must include the following information:

1. Student's complete name
2. Date of birth
3. Physical address
4. School assignment and grade level
5. Reason for request
6. Signature and phone number of custodial parent or legal guardian

In cases where attendance lines are adjusted by Board action, or where school facilities are closed (likewise by Board action), The Board and Administration will devise plans which minimize, the extent practical, the movement of students from one school to another.

If transfer is granted the following conditions apply:

**There will be no transportation provided by Montgomery County Schools and if absences, tardiness or behavior becomes a problem the child will be returned to their assigned school.**

**This policy does not supersede the transfer of student as required by federal guidelines.**

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Updated: April 13, 2010

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Updated: