

This policy governs the drawing of school attendance lines, the assignment of students to particular schools, and the ways students may be transferred from one school in the district to another. For information about the general requirements for admission to the Wake County Public Schools administrative unit, see Policy 4100.

A. DRAWING OF SCHOOL ATTENDANCE AREAS

The superintendent shall recommend to the Board of Education school assignment areas for the schools in the system. The Board will review the Superintendent's recommendation and make adjustments when needed. Assignment area boundaries shall be shown on maps approved by the Board and open to public inspection.

The Board shall complete any review of the assignment areas by January 1. Any proposed changes in the school assignment areas after January 1 shall require notice, a waiver of this policy provision, and a public hearing. Notification of assignment for students for the coming school year shall be made and distributed prior to June 1.

1. The assignment areas will be developed by balancing, to the extent reasonable, the goals and factors set forth below and will include target ranges, where appropriate, to accomplish these goals and factors:

- a. Student Achievement

~~To the extent practicable~~, student populations at each school will provide an optimal opportunity for academic success for all students. Factors for consideration include:

- 1) providing an opportunity for families to request ~~designated application schools, such as, early colleges, magnet, and year-round schools~~ ~~schools for multi-track year-round calendar, magnet, and early college schools~~ ~~application schools to support an individual student's educational needs~~;
- 2) minimizing high concentrations of low-performing students at each school; and
- 3) minimizing high concentrations of students from low income families at each school.

- b. Stability

~~The~~ ~~To the extent practicable~~, the district will ~~make positive efforts to provide~~ ~~allow students~~ ~~Students will have~~ the opportunity to stay at the same base school with their siblings through the exit grade without experiencing

involuntary changes in school assignment. However, this is not always possible. For example, overcrowding and the opening of new schools may require reassignments. ~~As new schools are opened and schools are experiencing overcrowding, the District may adjust school assignments. when reassignments are necessary for the opening of a new school this may not be guaranteed. Factors for consideration include:~~

- ~~1) providing an opportunity for students to remain at the same base school which they are attending (stay where you start);~~
- ~~2) providing an opportunity for siblings to attend the same school at the same time; and~~
- ~~3) providing an opportunity for year round track/calendar alignment for siblings in grades K-8.~~

c. Proximity

To the extent practicable, base school assignments will be within a reasonable distance of the student's home. Factors for consideration include:

- 1) allowing students living within the immediate vicinity of a school, defined by the assignment plan, to attend that school; and
- 2) minimizing splitting of neighborhoods when developing base attendance areas.

d. Operational Efficiency

To the extent practicable, assignments will optimize the use of school facilities and transportation resources. Factors for consideration include:

- 1) minimizing under-enrolled schools;
- 2) minimizing overcrowded schools; and
- 3) maximizing transportation efficiencies.

2. As needed to control and stabilize the growth in student membership at overcrowded schools, the board may reassign students to less crowded schools through the use of strategies, including but not necessarily limited to:

- a. The designation of alternate school assignments to serve future residents of housing developments on parcels of land that are vacant and undeveloped at the time of the alternate assignments. Such assignments are effective on the date specified by the board and shall continue until the board approves

a change in the school assignments for the affected parcels of land.

- b. The implementation of an assignment strategy, effective on a date established by the Board, after which all residential subdivisions approved by an authorized jurisdiction will be, automatically and without further action of the Board, included in the assignment areas for alternate schools designated by the Board. Such assignments shall continue until the Board approves a change in the school assignments for the affected subdivisions.
- c. In the case of redrawing of attendance boundaries, transfer and other non-base students may be subject to reassignment as a part of the Superintendent's recommended assignment plan.

B. TEMPORARY MEMBERSHIP CAPS

As needed to control and stabilize the growth in student membership at overcrowded schools, the Board may temporarily establish a maximum student membership (cap) with the designation of an alternate school assignment for students ineligible to attend the capped school.

Implementation of a membership cap for any and all schools designated by the Board shall become effective on a date specified by the Board, but not later than May 1 prior to the beginning of the school year of implementation. Students in membership at the capped school on the implementation date specified by the Board shall be eligible to attend the capped school. The superintendent shall develop Regulations and Procedures to establish additional criteria for eligibility to attend the capped school.

After establishment of an enrollment cap, the Board will take action by April 1 of the subsequent year to review the cap and revise or remove it if appropriate.

C. ASSIGNMENT OF STUDENTS TO PARTICULAR SCHOOLS

1. Students Admitted Based on Domicile

Students admitted to the Wake County Public Schools based on domicile pursuant to Policy 4100.2 shall be assigned the school of the appropriate grade span within the attendance area of the student's domicile. For a definition of the term "domicile" and an explanation of how it applies to unemancipated minors and to the children of divorced and separated parents, see Policy 4100.2.

Students who change domicile within the school district during the school year may enroll at the school in the attendance area of the new domicile or, at the option of the parents or guardians, may request to complete the school year at the previously assigned school by submitting a transfer request. Such students will be reassigned to the appropriate base school for his or her new address for the subsequent school year unless a new transfer request is submitted and granted pursuant to this policy.

2. Application Schools

Any student enrolled in the Wake County Public School System is eligible to apply for admission into one of a designated set of application schools such as early colleges, magnet, or year-round schools. ~~multi-track year-round, magnet, or early college options. the magnet, calendar, or other application programs.~~ Admission decisions for application schools will take into account the following factors:

- a. program capacity;
- b. enabling entering grade (grades K, 6, or 9) siblings to attend the same school;
- c. maintaining socioeconomic, ~~geographic,~~ and student achievement diversity;
- d. effective use of school transportation and facility resources; and
- e. any program criteria applicable to the specific school or program applied for.

Enrollment in an application program may be revoked by the Superintendent or designee for excessive absences or tardies, failure to meet any program-specific requirements for enrollment, or significant disciplinary infractions.

3. Children of Out-of-District Employees

Students whose parents or legal guardians are current full-time employees of the Wake County Public Schools (as defined in section I of Policy 4100.4) who are domiciled outside the school district and are admitted pursuant to Policy 4100 shall be assigned to the school where the employee works or an available school of the appropriate grade span as determined by the superintendent or designee, regardless of any temporary membership cap. If the employee works at multiple school sites, the student will be eligible to enroll at the primary work site or an available school of the appropriate grade span as determined by the superintendent or designee. If the employee works at a non-school site, the student will be assigned to a school by the superintendent or designee. Students with disabilities will be assigned as provided above unless the superintendent or designee determines that a different assignment is appropriate in order to provide the student access to a program or service required under the IEP or 504 plan.

The parents or legal guardians will be solely responsible for transportation to and from school. If, for any reason, the parent or guardian ends his or her employment with the Wake County School or because of a change in status is no longer a “full-time” employee, the parent may request that the student be permitted to finish the

school year at the assigned school upon the conditions set forth in Policy 4100, but will thereafter be eligible for continued enrollment only if he or she applies for discretionary admission and is re-admitted pursuant to Policy 4100.4.

4. Students Participating in the Address Confidentiality Program

Students who are participating in or whose parent is participating in the North Carolina Address Confidentiality Program established by Chapter 15C of the North Carolina General Statutes shall be assigned on the basis of their actual address, but such address will remain confidential in accordance with law and Board policy.

5. Students with Disabilities

Students with disabilities receiving services under an Individualized Education Program (IEP) or 504 plan shall be assigned to schools pursuant to the sections A, B, C, and D of this policy unless the superintendent or designee determines that a different assignment is appropriate in order to provide the student access to a program or service required under the IEP or 504 plan.

6. Alternative Schools

Students will be assigned to alternative schools or programs in accordance with Board policy on Alternative Learning Programs.

D. REQUESTED SCHOOL TRANSFERS

Students may be transferred from one school in the district to another as provided below. Except as provided below **or otherwise required by law**, transfers are valid through the terminal grade of the school or until revoked in accordance with this policy. Once a transfer has been granted, no subsequent transfer within the same year will be permitted, barring extraordinary circumstances. Any transfer request that is approved based on false or misleading information will be revoked.

1. Requests for Transfer

a. Process for Requesting a Transfer

Transfer requests must be submitted within ten days of receiving notice of the school assignment **or within the district established designated transfer application windows**. Transfer applications **may must** be submitted via the WCPSS Office of Student Assignment website and should indicate the priority of school choices (i.e. first choice, second choice, third choice).

b. Transportation

Reassignment to another school based upon a voluntary request for transfer

shall result in the waiver of the school system's requirement to provide transportation, and the parents or guardians will assume responsibility for transporting the child to and from school (except in some circumstances for homeless students transfers and transfers of students in foster care based on the student's best interest, for which whom the school system will provide transportation to the extent required by law in a manner consistent with legal requirements and Homeless Students).

c. Authority of Office of Student Assignment

The Office of Student Assignment is authorized to grant transfer requests for the following reasons, if capacity and other resources are available at the school to which reassignment is requested and the request is:

1. for an entering grade (grades K, 6, or 9) student to be assigned to a school where a sibling is currently attending the school and will continue to attend the school for the following school year;
2. to align school calendars for siblings in grades K-8;
3. to be reassigned to the student's base school;
4. to remain at the student's current school due to a Board of Education approved change in assignment and the approved grandfathering provisions; or
5. from employees for their students to attend the same school, campus where the parent is employed or the calendar option school that matches the calendar of the parent;
6. to remain at the student's current school following a family move to another Wake County address for grades 5, 8, and 12
7. a hardship for the family centered around childcare for their elementary age children.

The Office of Student Assignment is authorized to grant or deny transfer requests for reasons other than those listed above, in keeping with the goals of the Board's assignment plan and the efficient use of school system resources. The Superintendent or designee will develop guidelines to govern consideration of transfer requests which will include consideration of the following factors:

1. the best interest of the child, including consideration of any hardship concerns in support of the request;

2. the orderly and efficient administration of public schools, including consideration of the goals and factors adopted by the Board in developing school attendance areas; and
3. the proper administration of the schools, and the instruction, health, and safety of the pupils there enrolled.

The administration shall deny transfer requests under the following circumstances:

1. Applications for transfer filed more than ten (10) business days after the date of the original receipt of assignment **or outside the district designated transfer window** except for extraordinary or unusual reasons.
2. Applications for transfer to **schools designated as closed to transfer students or schools with enrollment caps. a school without sufficient capacity at the school and/or at the grade level or to a school under a temporary membership cap.** The superintendent may identify additional schools that are in danger of requiring a membership cap and are presumptively closed to transfers. Such designations will be made publicly available and reviewed annually.
3. Applications for transfer that cite disagreement with school staff regarding school decisions involving grades, homework, discipline, retention, or class assignment.
4. Applications for transfer when a previous transfer to the same school requested has been revoked.
5. Applications for transfer when there has been a previous falsification of address.
6. Applications for transfer where there has been a previous transfer application granted in the same school year barring extraordinary circumstances.

Transfer requests denied by the administration may be appealed to the Board of Education pursuant to section F of this policy.

2. 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 Homeless Students.)

3. 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.

4. Revocation of Transfers

The superintendent or designee may revoke a transfer and return a student to his or her base school assignment for excessive absences or tardies, significant disciplinary infractions, or if it is determined that a transfer was granted or renewed based on false information submitted by the parent or guardian.

5. Athletic Participation for Transfer Students

A student who is granted a voluntary transfer away from the base or assigned school shall not participate in athletic activities that come under the jurisdiction of the North Carolina High School Athletic Association (NCHSAA) and the State Board of Education for 365 days from the final date of attendance at the prior school. The superintendent or designee may review appeals of this provision and may grant permission for students to participate in athletic activities. The Superintendent shall implement written regulation and procedures to govern appeals of this provision. Students entering ninth grade for the first time are eligible to participate in athletic activities and are not required to file an appeal.

E. OTHER TRANSFERS

1. Compulsory Transfers

a. The superintendent shall transfer to another school within Wake County Public Schools any student who is convicted of cyber-bullying a school employee or another student. If there is no other appropriate school in the district, the student shall be transferred to a different class or assigned to a teacher who was not involved as a victim of the cyber-bullying. The superintendent may modify the required transfer of an individual student convicted of cyber-bullying on a case-by-case basis in writing.

b. Upon request, the superintendent shall transfer to another school within the district any student who is eligible for a transfer under the federal law due to being the victim of a "violent criminal offense" or attending a school

designated as “persistently dangerous,” as those terms are defined in State Board of Education policy.

2. Administrative Transfers

The Superintendent or designee may administratively assign a student to any school in the system when the Superintendent or designee determines that such action is in the best interest of the student and schools affected, and that such action would not contravene the overall intent of the Board's school assignment policies.

Whenever a student is charged with a criminal offense, either as a juvenile or an adult, the Superintendent or designee, based upon a review of the allegations associated with the arrest or criminal charges and an informal meeting with the student and parent/legal custodian, shall have the authority to effect an immediate involuntary transfer if the Superintendent or designee, based upon a preponderance of the evidence, is of the opinion that peace, health, safety, or welfare of the students or staff of the Wake County Public School System may be disturbed by maintaining the student in his or her current placement. The student's parent/legal custodian may request a Board hearing to review the involuntary transfer. Any request for Board review must be submitted to the Superintendent's office within ten days of the notice of the involuntary transfer.

Families who are dissatisfied with any such administrative transfer may appeal to the Board of Education pursuant to section F of this policy.

F. TRANSFER APPEALS PROCESS

Within ten days of receiving notice of a transfer denial or administrative transfer, the parent may request a hearing by submitting a written hearing request to the Office of Student Assignment. Transfer appeals will be heard by a hearing officer or administrative panel. The Superintendent shall appoint said hearing officers and/or administrative panels and establish procedures for transfer appeal hearings. After each transfer appeal hearing, the hearing officer or administrative panel will make recommended findings of fact and a recommended decision, which will be conveyed to a quorum of the Board of Education in closed session for final determination.

In reviewing each transfer appeal, the Board will consider the best interest of the child, including consideration of any hardship concerns in support of the request; the orderly and efficient administration of public schools, including considerations of the goals and factors adopted by the Board in developing school attendance areas; the proper administration of the schools, and the instruction, health, and safety of the pupils there enrolled. The student shall be assigned in accordance with these factors. The applicant will receive prompt notification of the Board's final decision by mail, telephone, fax, email, or other method reasonably designed to achieve notice.

Legal Reference: 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); ~~and~~ *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>; ~~G.S. 15C-8;~~ ~~115C-36, -366, -3647, -369~~; State Board of Education Policy ~~HRS-A-006~~SSCH-006

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