

SCHOOL ADMISSION

Policy: 4120

The Guilford County Board of Education requires that all students meet the eligibility requirements of the State of North Carolina, and the Guilford County School System, including age, immunization and residence regulations.

AGE REQUIREMENT

Guilford County Schools follows the age requirements for admission outlined in state law and State Board of Education rule. See Policy 4100 Age Requirements for Initial Entry. Students may continue enrollment until they attain high school diplomas or the age of 21 for general education students or the age of 22 for students with Individualized Education Programs (IEPs) whichever occurs first.

HEALTH, VISION AND IMMUNIZATION REQUIREMENTS

Guilford County Schools follows the health, vision, and immunization requirements for admission outlined in state law and State Board of Education rule. See Policy 4110 Immunization and Health Requirements for School Admission.

DOMICILE REQUIREMENTS

A. Students Domiciled In Guilford County

A student who is domiciled in Guilford County and who otherwise qualifies for admission to its schools is entitled to be admitted without payment of tuition.

1. Domicile of Students Generally

The domicile of a student under 18 years of age is presumed to be the domicile of his/her parents, legal guardian or legal custodian as defined by the General Statutes of North Carolina and the law of North Carolina.

2. Domicile of Emancipated Students

If the student is at least 18 years of age or married or abandoned by his/her parents, or if the Court declares a student to be emancipated, the student may establish a domicile independent from that of his/her parents, legal guardian or legal custodian. A student who establishes domicile as a result of being emancipated shall be considered a domiciliary of Guilford County and shall be entitled to the same rights and privileges of other students domiciled in Guilford County.

3. Domicile of Students with Divorced or Separated Parents

In the event that the parents are divorced or separated and legal custody has been given to only one parent, a student's domicile follows that of the parent who has been granted legal custody. In the event that the parents are divorced or separated

and legal custody (1) has not been determined, (2) has been granted jointly to both parents, or (3) the custodial parent wishes the student to attend school in the non-custodial parent's district of residence, then and in either of these events, the parents must jointly agree on which of their two residences will be used to determine the child's domicile for the purpose of school attendance. The parents shall submit the selected residence in writing to the Superintendent or designee (Director of Student Assignment) at the beginning of each school year. The selection may not be changed during the school year unless the parents satisfy the Board's policies on transfers and releases. In the event the parents cannot agree on which residence shall be used to determine the child's domicile for school attendance purposes, the residence of the parent with physical custody of the child at the beginning of the school year shall prevail.

B. Students Not Domiciled in Guilford County

1. Homeless Students

Students experiencing homelessness may be admitted to a Guilford County school according to Policy 4125 Homeless Students.

2. [Children of Military Families](#)

[A military-connected student who is not domiciled in the school system attendance area is permitted to enroll by remote means, including electronic means, prior to commencement of the student's residency in the school system attendance area according to policy 4050 Children of Military Families.](#)

3. Non-Domiciled Students

A Non-Domiciled Student is defined as a student who: (a) does not meet the definition of homeless; and (b) is domiciled outside of the school administrative unit (including a student who resides in the school administrative unit with someone other than a parent, legal guardian or legal custodian but whose parent, legal guardian or legal custodian is domiciled outside of the school administrative unit).

a. Non-Domiciled Resident Students

A Non-Domiciled Student who resides in Guilford County may attend the Guilford County Schools only under all of the following conditions:

i. The student resides with a caregiver adult domiciled in Guilford County because of any of the following:

a) The death, serious illness or incarceration of a parent or guardian,

- b) The abandonment by a parent or legal guardian of the complete control of the student as evidenced by the failure to provide substantial financial support and parental guidance,
 - c) Abuse or neglect by the parent or legal guardian as adjudicated,
 - d) The physical or mental condition of the parent or legal guardian is such that he or she cannot provide adequate care and supervision of the student,
 - e) The relinquishment of physical custody and control of the student by the student’s parent or legal guardian upon the written recommendation of the department of social services or the Division of Mental Health, or
 - f) The parent or legal guardian is on active military duty and is deployed out of the local school administrative unit in which the student resides. (For purposes of this affidavit, the term “active duty” does not include periods of active duty for training for less than 30 days. Assignment under this section is only available if some evidence of the deployment is submitted with this affidavit.)
 - g) The loss or uninhabitability of the student’s home as the result of natural disaster; AND
- ii. The student is not currently under a term of suspension or expulsion from a school for conduct that could have led to suspension or expulsion from the Guilford County School; AND
 - iii. The student’s parent and the caregiver adult domiciled in Guilford County with whom the student resides submit separate affidavits to the Guilford County Schools Student Assignment Office which attest that:
 - a) The student meets the qualifications in sections (i) and (ii) above,
 - b) The student’s claim of residency is not primarily related to attendance at a particular school within Guilford County,
 - c) The adult with whom the student is residing has been given and accepts responsibility for educational decisions for the child, pursuant to [NCGA §115C-366](#), and
 - d) The affiant is aware that providing false information in the affidavit is a Class 1 misdemeanor, that the Guilford County

Schools will remove from its schools any student admitted under this policy because of false information in an affidavit, and that an affiant who provides false information in an affidavit will be required to repay any amount spent by the Guilford County Schools in educating any child admitted to its schools because of that false information.

iv. If a student's parent, guardian, or legal custodian is unable, refuses, or is otherwise unavailable to sign the affidavit, then the caregiver adult with whom the student is living shall attest to that fact in his/her affidavit, and the requirement that the student's parent, guardian or legal custodian submit a separate affidavit shall be waived.

v. Upon submission of the required affidavits to the Guilford County Schools, a Non-Domiciled, Resident Student shall be assigned to a school in the attendance area in which he/she resides.

vi. After a Non-Domiciled, Resident Student has been admitted to the Guilford County Schools, the student shall be treated in all respects under these policies as if he/she were domiciled at his/her place of residence, and as if the adult with whom the student is residing were the parent, guardian or legal custodian of the student.

b. Non-Domiciled, Non-Resident Students

The Superintendent or designee shall have the responsibility to approve or deny requests for admission to the Guilford County Schools by Non-Domiciled Students who do not reside in Guilford County. A Non-Domiciled, Non-Resident Student may be admitted and enrolled, at the discretion of the Superintendent or designee, if the following conditions are met:

i. An application form is completed by the parent, legal guardian, or legal custodian which explains why, in the opinion of the parent, legal guardian, or legal custodian, the student needs to attend school in the school administrative unit. An explanation of need may be considered when:

1) there are compelling, specific circumstances indicating that the student should continue his/her education in the school administrative unit (as, for example, when the child is in his/her senior year when the parent, legal guardian, or legal custodian becomes domiciled outside the school administrative unit); or,

2) 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);

3) other extraordinary, specific and compelling need or hardship is demonstrated.

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

ii. Space is available in the school administrative unit and in the particular school or program in which the student seeks to enroll.

iii. The student demonstrates that he/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.

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

v. The student demonstrates that he/she has not completed the prescribed courses for graduation from high school.

vi. If the student is transferring from another school administrative unit in North Carolina, the student submits a release approved by the Board of Education of the other school administrative unit from which the transfer is being made.

vii. If the student resides with an adult who is not the student's parent, legal guardian, or legal custodian, the enrolling adult and parent/guardian shall provide appropriate affidavits indicating that the adult with whom the student is residing has been given and accepts responsibility for educational decisions for the child, pursuant to [NCGA §115C-366](#).

viii. The student pays the tuition then being charged by the school administrative unit, unless exempted or waived because the student meets one of the following criteria:

1) A student who resides within the school administrative unit with a parent, legal guardian, or legal custodian who is a student, employee, or faculty member of a college or university, or a visiting scholar at the National Humanities Center.

- 2) A student who is admitted to the school administrative unit pursuant to an agreement between the Guilford County Board of Education and another Board of Education, where the agreement specifies that the payment of tuition by the individual shall not be required.
- 3) A homeless student living within the school administrative unit who otherwise qualifies for admission.
- 4) The parent, legal guardian, or legal custodian is a fulltime employee of Guilford County Schools.
- 5) Admission has been granted under section b1 above and the student qualifies for free or reduced lunch or demonstrates extraordinary financial hardship.

The Superintendent or designee shall develop and administer a procedure to implement this policy. In all instances if a non-domiciled student resides outside the boundaries of the local administrative unit, no transportation will be provided.

3. Appeal of Admission Decisions

An applicant for admission to the school administrative unit as a Non-Domiciled, Non-Resident Student shall be notified in writing of the decision of the Superintendent or designee within 10 working days of submitting all the information required under this policy. Appeals may only be considered due to an alleged violation of a specified federal or state law, federal or state regulation, State Board of Education policy or procedure, or local board of education policy or procedure pursuant to policy 1740/4010 Student and Parent Grievance. Such complaints must be received in writing no later than five (5) working days following receipt of the decision of the Superintendent or designee.

Legal References: [10 U.S.C. 2031\(f\); Elementary and Secondary Education Act, 20 U.S.C. 6303 et seq.](#); [McKinney-Vento Homeless Assistance Act, 42 U.S.C. 11431 et seq.](#); [Non-Regulatory Guidance: Ensuring Educational Stability and Success for Students in Foster Care, U.S. Department of Education and U.S. Department of Health and Human Services \(November 2024\), available at <https://www.ed.gov/media/document/non-regulatory-guidance-ensuring-educational-stability-and-success-students-foster-care-november-15-2024-108448.pdf>](#); [Non-Regulatory Guidance on Education for Homeless Children and Youths Program, U.S. Department of Education \(July 2016\), available at <https://www.ed.gov/sites/ed/files/2020/07/160240ehcyguidanceupdated082718.pdf>](#); [G.S. 7B art. 35; 35A art. 6; 15C-8\(i\); 50-13.1 to -13.3; G.S. 115C-81, 115C-231, 115C-364, 115C-366, -407.5 McKinney-Vento 2001 Reauthorization Act, G.S. 130A-440](#)

Adopted: March 14, 2023

[Revised: \[date\]](#)

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