

Students who do not meet the domicile or residence requirements outlined in policy 4120, [Domicile or Residence Requirements School Admission](#), may apply for discretionary admission to the Guilford County Schools. Admission under this policy may be granted for up to one full school year. ~~An application must be submitted each subsequent school year in which admission is desired.~~

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

A non-domiciled student may be admitted and enrolled at the discretion of the Superintendent and/or Board of Education only if the following conditions are met.

1. The parent, legal guardian, or legal custodian must complete an application that explains why, in the opinion of the parent, legal guardian, or legal custodian, the student needs to attend school in the school district. 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 Guilford County school district, may be considered when:
  - ~~a. there are compelling, specific circumstances indicating that the student should continue his or her education in the school district (as, for example, when the student is in his or her senior year when the parent, legal guardian, or legal custodian becomes domiciled outside of Guilford County);~~
  - ~~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. 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.
2. The Superintendent or designee must have determined that space is available in the school district 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 district. 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. The student must demonstrate that he or she has not completed the prescribed courses for graduation from high school.
6. If the student is transferring from another school district in North Carolina, the student must submit a release approved by the Board of Education (or Superintendent/designee) of the other school district from which the transfer is being 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 district.
7. 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 district with a notarized written document showing that the parent, legal guardian, or legal custodian consents to the student attending school in the school district and authorizes the adult with whom the student lives to make all decisions relating to or affecting 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.
8. The student must pay the tuition then being charged by the school district unless, in accordance with policy 4135, Tuition for Discretionary Interdistrict Admissions, the tuition is waived, or the student is exempted by law from the payment of tuition.
9. If the student resides with an adult who lives outside the assignment area of the school to which the student is assigned, the student's parent, guardian, or the adult with whom the student is residing must agree to be responsible for the student's transportation to school.

#### **B. DISCRETIONARY ADMISSION DECISIONS**

Admission for up to one full school year may be granted based upon the information contained in the application and supporting documents. The Superintendent's designee is authorized to approve or deny admission under this policy for students who are domiciled outside North Carolina. The Superintendent or designee shall make a recommendation to the Board regarding the admission of a student who is domiciled in another North Carolina school administrative unit, after determining whether space is available at the requested/assigned school. In accordance with state law, the admission of a student who is domiciled in another North Carolina school administrative unit must be approved by the Board. The Superintendent or Board, as applicable, will provide a written response to an applicant within 30 working days of receipt of the information required under this policy.

If at any time the Superintendent or designee determines that an admitted student is

ineligible for admission under the terms of this policy, the student shall be notified immediately and removed from Guilford County Schools.

### C. APPEALS

A student whose request for admission under this policy is denied by the Superintendent or designee may appeal the decision to the Board. A written request for an appeal hearing must be received by Superintendent or designee within five (5) working days following receipt of the decision to deny admission. The appeal will be conducted in accordance with procedures developed by the Superintendent and will be heard by a panel of the Board. The panel will forward its recommendation to the full Board for a final decision on the issue of the student's admission.

### D. 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, ~~and other measures of standing and progress in the school district.~~

### E. RELEASE TO ANOTHER SCHOOL DISTRICT

A student domiciled in Guilford County may request a release from the board to attend a school in a different school district in North Carolina. The student must have approval both of the Guilford County Board of Education to release the student and approval of the receiving board of education to admit the student. The decision whether to admit the student is made under the policies of the receiving board of education.

The Superintendent 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: Behavior Standards for Transfer Students (policy 4115), Domicile or Residence Requirements (policy 4120), School Admission (policy JBC), Tuition for Discretionary Interdistrict Admissions (policy 4135)

Replaces: JBC (in part) (revised November 17, 2016)

Adopted: July 25, 2019