

To a major extent, the residents of New Hanover County bear financial responsibility for the public school system, which is charged with providing education for school-age children domiciled (or in some cases residing) within the county. To ensure that school funds are spent for the benefit of residents, the board generally must limit admission to students who meet the domicile or residence requirements outlined in policy 4120, Domicile or Residence Requirements, or those covered under a written agreement with an adjoining administrative unit. Special permission for discretionary admission may be granted only upon recommendation by the superintendent and approval by the board.

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. REASONS FOR DISCRETIONARY ADMISSION**1. Student Admission as an Employee Benefit**

As a benefit of employment, full-time school system employees may enroll their non-domiciled students in the school in which they work or the school nearest to where they work, or in the case of the bus drivers, in a school for which they drive. To take advantage of this benefit, employees must complete a form in the receiving school principal's office providing their name, position, and place of employment, as well as their student's name and grade. Out-of-county employees also may make application to any open choice school just as any resident of New Hanover County.

~~Employees exercising this benefit are required to provide the student's transportation to and from school.~~ Excessive tardiness or excessive unexcused absences of the student may cause revocation of this benefit. Should an employee's work status or worksite change, the employee may request that his or her student be allowed to complete the grade level at the current school.

The Student Assignment Plan describes which schools are considered closest to an employee's place of employment, for purposes of this policy. The place of employment for system-wide employees is the school in which they spend the majority of their time.

2. Other Admissions

A non-domiciled student may be enrolled (1) to provide for the continuous progress of students whose families move to and from the school system during the school year or (2) if the parents or guardians have demonstrated a specific, extraordinary, compelling family need or hardship that can be meaningfully addressed only by admission to the New Hanover County School System.

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

B. ADMISSIONS REQUIREMENTS

1. 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.
2. 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.
3. 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.
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 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 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 ~~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.
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.
- 5-7. The parent, legal guardian, or legal custodian must agree to pay tuition if required by policy 4135, Tuition for Discretionary Admissions.

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C. DISCRETIONARY ADMISSION DECISIONS

1. ~~Final Application and~~ Decisions

Non-domiciled students who meet the admission criteria described in this policy may submit a written application for discretionary admission to the superintendent

or designee. The application must be accompanied by all required supporting documents. 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 A admission for up to one full school year may be granted based upon the information contained in the application and supporting documents. Nonresident sStudents who are admitted based upon false or misleading information on their application will have their application voided and acceptance rescinded.

The ~~board will provide superintendent or designee shall send~~ a written response to an applicant within ~~130~~ 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. 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.~~

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

D. 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 student must have both approval of the board 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 or designee ~~shall~~ 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: Student and Parent Grievance Procedure (policy 1740/4010), Behavior Standards for Transfer Students (policy 4115), Domicile or Residence Requirements (policy 4120), Tuition for Discretionary Admissions (policy 4135)

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Adopted: June 8, 2021