

DISCRETIONARY ADMISSION

The superintendent or designee will have the responsibility to recommend to the Avery County Board of Education approval or denial for requests for admission to the school district students who do not meet the domicile or residence requirements in 4120. Applications from residents of the school district 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.

ADMISSION CRITERIA

A non-domiciled student may be admitted and enrolled by the Board of Education upon the recommendation of the superintendent, if the following conditions are met:

1. The parent, legal guardian, or legal custodian must submit a request in writing which 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 may be considered when:

- 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
- 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 board has 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. If the student is transferring from another school district in North Carolina, the student must submit a release approved by the board of education of the other school district 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 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 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 district, sufficient evidence must be provided with the initial application, such as a copy of utility bills.

RESCINDMENT/RENEWAL OF DISCRETIONARY ADMISSION

Admission for up to one full school year may be granted based upon the information contained in the application and supporting documents. Nonresident students who are admitted based upon false or misleading information on their application will have their application voided and said acceptance will be rescinded. To be renewed for subsequent school years, all admission criteria must continue to be met and the student must be in good standing in terms of academics, discipline and other measures of standing and progress in the school district.

The superintendent or his or her designee will develop and administer a procedure to implement this policy.

Legal Reference: G.S. 7B art. 35; 35A, art. 6; 50-13.1 to 13.3; 115C-231, -364 to -366.21

Cross Reference: Behavior Standards for Transfer Students (policy 4115) Domicile or Residence Requirements (policy 4120)

Adopted: 10/6/08