The Superintendent or designee shall make recommendations to the Cleveland County Board of Education (the “Board”) as to whether to approve or deny requests for admission to the school system for students who do not meet the domicile or residence requirements. 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. Cleveland County Schools will not provide transportation to students granted discretionary, out of district admission.

A. **ADMISSION CRITERIA**

A non-domiciled student may be admitted and enrolled, at the discretion of the Board and by the recommendation of the Superintendent or designee, if the following conditions are met.

1. The parent, legal guardian, or legal custodian must submit a request in writing on the Transfer of Assignment Request Form that explains why, in the opinion of the parent, legal guardian, or legal custodian, the student needs to attend school in the school system. Any reason having to do with athletics or participation in athletics is not a valid or sufficient explanation of need.

2. 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.

3. The student must demonstrate that he or she was in good standing in the previous school attended by that student, in terms of attendance, academics, discipline, and other measures of standing and progress in the school system.

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 and health assessment requirements.

5. 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.

B. **TUITION FOR OUT OF COUNTY ADMISSIONS**

Tuition will be charged to students admitted under this policy, unless they meet one of the exemptions listed below. Tuition may not exceed the local per pupil allocation for current expense as provided by the Board of County Commissioners. The tuition rate will be determined annually by the Board no later than August 1.

Tuition shall be waived if a student meets one of the following criteria: (1) The student resides on a military base within North Carolina or (2) The student’s parent(s) or guardian(s) are employed by the school system and are eligible for hospitalization and retirement benefits.
C. **OUT OF DISTRICT ADMISSION DECISIONS**

1. **Final Decisions**
   Admission for up to one full school year may be granted based upon the information contained in the application and supporting documents. Non-domiciled students who are admitted based upon false or misleading information on their application will have their application voided and acceptance rescinded. A written response will be provided communicating the Board’s final decision.

2. **Appeals**
   Within five (5) days after receipt of denial of a transfer request, the applicant may apply to the Board for a hearing and is entitled to a prompt and fair hearing. The hearing is informal, and the applicant may be present. The applicant may call such witnesses as he desires, one at a time. The other witnesses shall remain outside of the hearing room. The applicant shall have the right to be represented by counsel if he or she desires. Applicant shall notify the Superintendent or designee at least two working (2) days prior to the hearing that he or she will be represented by counsel. The hearing shall be in closed session. The burden of proof shall be on the applicant to satisfy the Board under the applicable law that the child should be reassigned. A transcript of the hearing will be prepared.

3. **Renewals**
   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 attendance, academics, discipline and other measures of standing and progress in the school system.

D. **STUDENTS UNDER SUSPENSION/EXPULSION OR CONVICTED OF A FELONY**

If a student seeking admission is under suspension or expulsion from another school or school district or if the student has been convicted of a felony, the parent or legal guardian must provide to the school system all requested information related to the conduct. The Superintendent or designee shall review the information and make a determination as to whether the student should be admitted and, if so, whether any reasonable conditions should be imposed.

1. **Suspension**
   The Superintendent or designee may deny admission to a student who is under a suspension for conduct that could have led to a suspension from a school within the school system. Admission may be denied until the suspension has expired.

2. **Expulsion**
   The Superintendent or designee may deny admission to a student who has been expelled from a school pursuant to G.S. 115C-390.11 or who has been expelled from a school for behavior that indicated the student’s continued presence in school constituted a clear threat to the safety of other students or employees. The student may request reconsideration of the Board’s decision in accordance with policy.
3. Felony Conviction
The Superintendent or designee may deny admission to a student who has been convicted of a felony in this state or any other state. The student may request reconsideration of the Board’s decision in accordance with policy.

Legal References: G.S. 7B, art. 35; 35A, art. 6; 50-13.1 to 13.3; 115C-231, -364 to -366.1

Adopted: November 26, 2018

Replaces: Board policy 4050, School Admissions (in part)