A. Assignment Areas

The Superintendent shall recommend to the Cleveland County Board of Education (the “Board”) school attendance zones for the schools in the system. The attendance zones will be developed in accordance with state requirements and court rulings; the need to serve all school-age children who live in the school system; and the effective use of each school facility. Assignments must be made in a non-discriminatory manner. The Superintendent shall review periodically the attendance areas and submit recommendations for revisions to the Board when necessary.

B. Assignment of Students

The Superintendent shall assign students to particular schools in accordance with the following standards.

1. Students Enrolled Based on Domicile
   Except as otherwise provided in this policy, students enrolled in the Cleveland County Schools based on domicile will be assigned to the school of the appropriate grade span within the attendance zone of the student’s domicile (or residence location if the student is exempted from the domicile requirements, as described in policy).

2. Students Accepted for Out of District Admission
   Students who are accepted for out of district admission shall be assigned to a school as determined under policy 4130.

3. Homeless Students and Students in Foster Care
   Notwithstanding the provisions of this policy, the Superintendent shall (1) assign homeless students in a manner consistent with state and federal law and Board policy; and (2) assign students in foster care to their school of origin unless contrary to their best interest, as required by federal law.

4. Administrative Assignment
   The Superintendent or designee may administratively assign or reassign a student to a school other than the one to which the student would otherwise be assigned pursuant to Sections A and B of this policy when deemed in the best interest of the student and/or the effective administration of the schools, such as for reasons related to student safety, discipline, or programmatic issues.

C. Requests for Reassignment

1. General Procedure for Requesting Reassignment
   Before notice is given of assignment for the following school year, parents or guardians may request assignment to a school outside of their regular attendance zone for the upcoming school year. Such a request must be submitted in writing
using the Transfer of Assignment Request Form to the Superintendent or designee by the first Monday in April. The Superintendent or designee shall consider and make a recommendation to the Board based upon the best interest of the child, the orderly and efficient administration of the public schools, which includes, but is not limited to student attendance and discipline records and the capacity limits of the requested school. The parent or guardian will be notified of the Board’s decision no later than June 30. If the parent is dissatisfied with the Board’s decision, the parent may appeal as provided below.

2. **Procedure for Requesting Appeal of Reassignment Decision**

   Within five (5) days of receiving the notice of the disapproval, the parent may apply in writing to the Superintendent or designee for a hearing before the Board 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.

   The Board shall consider the best interest of the student, the orderly and efficient administration of the public schools, the proper administration of the school to which reassignment is requested, the instruction, health, and safety of the pupils enrolled, and shall assign the student in accordance with such factors. The Board will notify the applicant of their decision by mail.

**D. TRANSFER OF STUDENTS DURING THE SCHOOL YEAR**

1. **Change of Residence**

   Students whose legal residence changes from one school assignment area to another within the school system during the same school year may choose to finish out that school year in the same school, provided a transfer is requested and approved, or they may attend school in the area to which they have moved. Students whose legal residence has changed but are approved to complete the school year at their first school will be responsible for their own transportation to school.

2. **Transfer of Homeless Students**

   Students who become homeless between academic years or during an academic year may request to remain at the school of origin for the duration of their homelessness or may request to be enrolled in any public school that other students living in the same attendance area are eligible to attend. Any decision about the transfer or reassignment of a homeless student will be consistent with legal requirements and based on the student’s best interest.
3. Transfer of Students in Foster Care
Students who are assigned to foster care between academic years or during an academic year will remain in their school of origin unless remaining in the school of origin is not in the best interest of the student. The best interest of the student will be decided based on all relevant factors, including consideration of the appropriateness of the educational setting and proximity to the school in which the child is enrolled at the time of placement in foster care.

4. Discretionary Transfers
a. The Board shall consider student requests for transfer to another school during the school year based upon space availability, the needs of the child, including student attendance and discipline, the effect on the school to which transfer is requested, principal recommendations, and other criteria established by the Superintendent.

b. The Board will not entertain requests for reassignment to schools with a projected enrollment, which is at or exceeds the capacity limits established for that school. With the exception of Cleveland Early College High School, this provision may be waived upon approval of the Superintendent or designee for the following categories of pupils:
   (1) Students with an older sibling previously approved for reassignment to the same school;
   (2) Students whose parents or legal guardians are employees of the school system and are eligible for hospitalization and retirement benefits; and
   (3) Students whose parents show documented proof of hardship circumstances resulting in the need for the student to attend another school.

5. Compulsory Transfers
a. The Superintendent shall transfer to another school within Cleveland County Schools any student who is convicted of cyber-bullying a school employee or another student. If there is no other appropriate school in the district, the student shall be transferred to a different class or assigned to a teacher who was not involved as a victim of the cyber-bullying. The Superintendent may modify the required transfer of an individual student convicted of cyber-bullying on a case-by-case basis in writing.

b. Upon request, the Superintendent shall transfer to another school within the district any student who is eligible for a transfer under the federal law due to being the victim of a “violent criminal offense” or attending a school designated as “persistently dangerous,” as those terms are defined in State Board of Education policy.
E. CONDITIONS FOR REASSIGNMENT OR TRANSFER

The following conditions apply in regard to any reassignments or transfers made in accordance with sections C and D of this policy.

1. The parent is responsible for transportation (except as required by law or policy).

2. Out of district transfers or reassignments are valid for no more than one school year (except as required by law or policy).

3. In county transfers or reassignments are valid for the grade span of the school.

4. Any transfer request that is approved based upon false or misleading information will be declared void, and the transfer will be rescinded.


Adopted: November 26, 2018

Replaces: Board policy 4060, Assignment and Reassignment of Students