REQUEST FOR STUDENT TRANSFER

The Lincoln County Board of Education shall ensure that all students will have an equal opportunity to receive a quality education regardless to which school the student is assigned. The Board of Education also believes that a student transfer to another school outside the student’s assigned area is a privilege. The Board of Education has established this as a means to approve or deny student transfer requests.

A. DOMICILE REQUIREMENTS FOR STUDENTS:

Except as otherwise provided herein, no student shall be enrolled in the school system without the payment of tuition unless the student is domiciled within the geographic area served by the school system and the student qualifies for admission under state law and in accordance with board Policy 4100 Age Requirements for Initial Entry and Policy 4110 Immunization and Health Requirements for School Admission.

B. TRANSFERS AND REMAINS:

Except as otherwise specifically provided herein for mandatory transfers and subject to the availability of transfer slots, it shall be the duty of the superintendent or his/her designee at his/her discretion to approve or deny the following:

- a student’s request to remain
- a school to school transfer request
- an out-of-county transfer request
- an employee’s student transfer request

However, in the event the superintendent or his/her designee determines at his/her discretion that the transfer or remain request of a student is necessary to account for and provide for the student’s physical, mental and/or emotional well-being or education deprivation, the superintendent or his/her designee may approve such transfer or remain request regardless of the availability or remain of slots in the particular school to which the transfer or remain request is made.

C. DEFINITIONS:

**School to School Transfer:** is defined as a transfer of a student who is domiciled within the geographic area served by the school system and properly enrolled in a school within this school system to another school within this school system.

**Out-of-county Transfer:** is defined as a transfer of a student who is domiciled outside the bounds of Lincoln County to a school within the Lincoln County Schools’ system.

**Employee:** is defined, for purposes of this policy, as a person who is, at the time of the transfer request, employed in a permanent full-time position with Lincoln County Schools. Permanent
full-time employees are defined as working 30 hours or more per week.

**Employee’s Child:** is defined, for purposes of this policy, as the employee’s biological child, adoptive child, step-child (provided the step-child is actually living at the same residence of the employee), child for whom the employee is the legal custodian or legal guardian, or child being enrolled by the employee pursuant to G.S. 115C-366(a3).

**Sibling:** is defined, for purposes of this policy, as the biological or adoptive brother or sister of a student or the step or half brother or sister of a student who is domiciled in the same home as the student.

### D. DETERMINING TRANSFER AVAILABILITY:

The availability of transfer slots at each school within the system shall be determined by the board at the board’s discretion. On or before April 15 of each year, the board shall establish the availability of transfer slots at each school, if any.

On or before April 15 each year, the superintendent shall project enrollment for the specific school year which shall be determined based on the following criteria:

1. the total enrollment reflected on the Principal’s Monthly Report less the total number of students in the exit grade plus the number of students projected to enter the entry grade for the particular school’s grade span;

2. the classroom teacher allotment distribution sheets based upon projected enrollment numbers which shall be completed by each principal each school year at a time to be determined by the superintendent or his/her designee; and

3. the classroom space available as identified in the school capacity chart.

Based upon the foregoing, the superintendent shall submit his/her recommendation as to available transfer slots as to the following:

- the number of transfer slots available at each grade level in elementary, middle and high schools.

Notwithstanding any provisions set forth herein, the board, at its sole discretion may close any school within the system to future transfers during any period of time.

### E. PRIORITY OF TRANSFER REQUESTS:

Except with regards to mandatory transfers, remains, and transfers granted in order to account for and provide for a student’s physical, mental and/or emotional well-being or education deprivation, the superintendent or his/her designee shall apply the following order of priority in granting transfer requests:
• **Transfers for Children of Permanent Full-time Employees:** All transfer requests for children of permanent full-time employees shall be considered first whether the student is domiciled within or outside the bounds of Lincoln County.

• **School to School Transfers:** School transfer requests for a sibling of a student already enrolled in the school to which the transfer is requested shall be considered second. All other school transfer requests for students domiciled within the geographic area served by the school system shall be considered third.

• **Out-of-County Transfers:** Out-of-county transfer requests for a sibling of a student already enrolled in the school to which the transfer is requested shall be considered fourth. All other out-of-county transfers will be considered fifth.

Transfer requests shall be considered on a lottery basis. Employee transfers are not subject to the lottery process.

The parent of a student requesting a transfer for a sibling of a student already enrolled in this school system shall provide proof, to the satisfaction of the superintendent or his/her designee, that the student requesting the transfer is, indeed, a sibling of a student already enrolled in this school system.

**F. TRANSFERS FOR CHILDREN OF PERMANENT FULL-TIME LINCOLN COUNTY SCHOOLS EMPLOYEES:**

A permanent full-time Lincoln County Schools employee may request one of the following transfer options for the employee’s biological child, adoptive child, step-child (providing the step-child is actually living at the same residence of the employee), child for whom the employee is the legal custodian or legal guardian or child being enrolled by the employee pursuant to:

1. If the employee is assigned to work at a particular school, within ten (10) days of the assignment or within the annual transfer request period, the employee may request that their child be transferred to the school to which the employee is assigned or to a school within that school’s attendance area.

2. If the employee is not assigned to work at a particular school site (e.g. the employee works at the county office, maintenance or transportation, etc.), the employee may request that their child be transferred to a specific school within the school system in order to accommodate child care needs, transportation needs, or other needs which the superintendent or his/her designee at his/her discretion deems compelling and appropriate.

3. The employee must complete and sign an application on a form prescribed by the superintendent or his/her designee for the transfer of employee’s child to the school system and particular school and shall include in such application, the reasons the student is requesting to be admitted to, enrolled in or transferred to the school system, and or a particular school.
4. The student demonstrates that he/she was in good standing in the previous school attended by that student, in terms of academics, discipline, attendance, tardies, and other measures of standing and progress in the school system.

5. The student is not, at the time of the request for transfer, under a term of suspension or expulsion from another school and has not been convicted of a felony in this state or any other state or territory of the United States.

6. For out-of-county transfer requests, the parent must submit a release approved by the board of education of the other school system from which the transfer is being made.

7. If the student resides with an adult who is not the student’s parent, legal guardian or legal custodian and such adult is seeking to enroll the student pursuant to G.S.115C-366(a3), the requirements of this policy must be met.

G. SCHOOL TO SCHOOL TRANSFERS:

Each school year, the superintendent shall establish a period of time within which he/she will accept applications for school transfers of students.

Provided a student is domiciled in the geographic area served by the school system and qualifies for admission under state law and in accordance with board Policy 4100 Age Requirements for Initial Entry and Policy 4110 Immunization and Health Requirements for School Admission, the superintendent or his/her designee may, at his/her discretion, allow a student to transfer to a school other than the school to which the student has been assigned by the board provided all of the following conditions are met:

1. The parent, legal guardian or legal custodian must complete and sign an application on a form prescribed by the superintendent or his/her designee for school transfer and shall include in such application, the reasons the student is requesting to be admitted to, enrolled in, or transferred to the school system and or a particular school.

2. Such transfer request may be approved by the superintendent or his/her designee if the superintendent or his/her designee determines, at his/her discretion that there are extraordinary, compelling, specific circumstances indicating that the student should be enrolled in a particular school.

3. The board has determined that space is available in the school system and in the particular school or program to which the student seeks to be admitted, enrolled or transferred. Provided, however, in the event the superintendent or his/her designee determines at his/her discretion that a transfer student is necessary to account for and provide for the student’s physical, mental and/or emotional well-being or education deprivation, the superintendent or his/her designee may approve such transfer request regardless of the availability of transfer slots of the particular school to which the transfer request is made.
4. The student demonstrates that he/she was in good standing in the previous school attended by that student, in terms of academics, discipline, attendance, tardies and other measures of standing and progress in the previous school system.

5. The student is not, at the time of the request for transfer, under a term of suspension or expulsion from another school and has not been convicted of a felony in this state or any other state or territory of the United States. The student’s parent must complete an affidavit under penalty of perjury verifying this fact and the student also must satisfy the requirements in Policy 4115 Behavior Standards for Transfer Students.

If the student resides with an adult(s) who are not the student’s parent, legal guardian or legal custodian and such adult is seeking to enroll the student pursuant to G.S.115C-366(a3), the requirements of this policy must be met.

H. OUT-OF-COUNTY TRANSFERS:

Each school year, the superintendent shall establish a period of time within which he/she will accept applications for out-of-county transfers of students.

Requirements for Initial Entry and Policy 4110 Immunization and Health Requirements for School Admission, the superintendent or his/her designee may, at his/her discretion admit or enroll a student or allow a student to transfer to a school within this school system provided all of the following conditions are met:

1. The parent, legal guardian or legal custodian must complete and sign an application on a form prescribed by the superintendent or his/her designee for out-of-county transfer, and shall include in such application, the reasons the student is requesting to be admitted to, enrolled in, or transferred to the school system and or a particular school.

2. Such transfer request may be approved by the superintendent or his/her designee if the superintendent or his/her designee determines, at his/her discretion that there are extraordinary, compelling, specific circumstances indicating that the student should be enrolled in this school system and or a particular school.

3. The board has determined that space is available in the school system and in the particular school or program to which the student seeks to be admitted, enrolled or transferred. Provided, however, in the event the superintendent or his/her designee determines at his/her discretion that a transfer of a student is necessary to account for and provide for the student’s physical, mental and/or emotional well-being or education deprivation, the superintendent or his/her designee may approve such transfer request regardless of the availability of transfer slots of the particular school to which the transfer request is made.

4. The student demonstrates that he/she was in good standing in the previous school attended by that student, in terms of academics, discipline, attendance, tardies, and other measures of standing and progress in the school system.
5. The student is not, at the time of the request for transfer, under a term of suspension or expulsion from another school and has not been convicted of a felony in this state or any other state or territory of the United States. The student’s parent must complete an affidavit under penalty of perjury verifying this fact and the student also must satisfy the requirements in Policy 4151 Behavior Standards for Transfer Students.

6. The student furnishes a transcript and other student record data, including evidence of compliance with the North Carolina immunization requirements. The student submits a release approved by the board of education of the other school system from which the transfer is being made.

7. If the student resides with an adult who is not the student’s parent, legal guardian or legal custodian and such adult is seeking to enroll the student pursuant to G.S.115C-366(a3), the requirements of this policy must be met.

8. Tuition shall be charged to students domiciled, except permanent full-time employees, outside the bounds of Lincoln County. Tuition shall equal the local per pupil allocation for current expenses as provided by the board of commissioners from the preceding year. The tuition must be paid in full at least fourteen days prior to the first day of school each year and a release must be obtained from the student’s home school district.

I. LENGTH OF TRANSFERS AND REMAINS:

Except as otherwise provided herein for the revocation or rescindment of a transfer, the superintendent or his/her designee may, at his/her discretion, allow the student to transfer to a particular school for any length of time the superintendent or his/her designee deem appropriate. The superintendent or his/her designee may allow the student to remain enrolled in the same school for either the remainder of the school year or until the student completes the highest grade level in that school.

J. REVOCATION / RESCINDMENT OF TRANSFERS OR REMAINS:

If the student’s behavior is determined by the principal to be unmanageable or the principal determines that the student is no longer in good standing with regard to academics, discipline, attendance, tardies, and other measures of standing and progress in the school system, such transfer may be revoked and rescinded by the superintendent or his/her designee at his/her discretion.

In addition, and except as otherwise provided herein, a transfer for an employee’s child may, at the superintendent’s discretion, be revoked if the employee ceases to be employed as a permanent full-time employee with the school system. However, if the employee ceases to be employed as a permanent full-time employee during the school year, the transfer of the employee’s child shall remain in effect until the end of the school year at which time the transfer of the employee’s child shall be revoked.
Furthermore, any transfer or remain request which is approved based upon false or misleading information by the student, the student’s parent, legal guardian, legal custodian or person standing in loco parentis shall be declared void and such transfer revoked and rescinded immediately upon the discovery of the fraudulent information.

K. TRANSPORTATION:

Except for transfers approved as a result of a transfer request based upon a student’s homeless designation as set forth in Policy 4125 Homeless Students, and except as otherwise provided herein, the parent, legal guardian, legal custodian or person standing in loco parentis of a student who has been granted any transfer or request to remain, shall be solely responsible for the transportation of such students to and from the school to which the student was transferred or allowed to remain.

Transportation for students with identified exceptionalities will be provided in accordance with the State Board adopted Procedures Governing Programs and Services for Children with Special Needs. All students with disabilities shall be provided all rights as provided by law.

L. TUITION:

Tuition shall be charged to students domiciled, except permanent full-time employees, outside the bounds of Lincoln County. Tuition shall equal the local per pupil allocation for current expenses as provided by the board of commissioners from the preceding year. Tuition may be waived as follows if a student meets one of the following criteria:

1. The student is domiciled within the bounds of Lincoln County.

2. At the beginning or during the school year, the student’s domicile was located inside the geographic area served by the school system but during the school year the student becomes domiciled outside the bounds of Lincoln County. In this circumstance, the student will be eligible for continued enrollment in this school system during that school year with a prorated payment of tuition due 14 days of relocation outside of Lincoln County. The exception would be seniors. The student shall be charged full tuition for subsequent years should they remain.

3. A child of an employee who is granted to remain or a transfer shall not be charged any tuition payment for attending school within this school district during any period the employee is employed with Lincoln County Schools.

Except with regard to the transfer of an employee’s child, if the out-of-county transfer request is granted and the student is scheduled to be enrolled in this school system during the school year and not prior to the school year beginning, the payment of tuition, when applicable, shall be paid in full prior to the student being enrolled in the school to which the student has been transferred. For all other payments of tuition required by the granting of a remain or transfer, the payment of tuition shall be paid in full at least fourteen (14) calendar days before the first day of school for
students. Tuition paid for student transfers is nonrefundable.

M. DECISION BY SUPERINTENDENT OR HIS/HER DESIGNEE:

The superintendent or his/her designee shall send a written response to an applicant for a transfer at least twenty (20) calendar days prior to the first day of school for students. However, if the reason for the transfer request is to account for and provide for the student’s physical, mental and/or emotional well-being or education deprivation, the superintendent or his/her designee shall send a written response to an applicant for such transfer within thirty (30) days of the school system’s receipt of application.

N. APPEALS:

The decision of the superintendent or his/her designee regarding the denial of a request to transfer or remain may be appealed to the board in accordance with Policy 1740/4010 Student and Parent Grievance Procedure.

O. ATHLETICS:

ELIGIBILITY REQUIREMENTS FOR ATHLETES TRANSFERRING INTO A SCHOOL

Student transfers from one school to another shall not be based on participation in athletics and will be governed in such a manner as to not impair the ability of students in their home school to have appropriate access to participate in the athletic programs. A student is eligible for athletics in the feeder zone in which they have legal domicile.

A. Transfers within Lincoln County Schools:

1. A student transferring from one member school to another member school within Lincoln County Schools is eligible for athletic participation upon the initial transfer. By mutual agreement that the transfer is not for athletic purposes, a student’s first transfer from Local Education Agency (LEA) school to LEA school, and absent a bona fide move, is not subject to the North Carolina High School Athletic Association (NCHSAA) Transfer Policy.

   a. Absent mutual agreement and in consideration of the above, exceptions for immediate athletic eligibility for transfers from one LEA school to a different LEA school will be reviewed during the transfer application process.

   b. If a student transfers from one Lincoln County School to another Lincoln County School and then attempts to transfer to another Lincoln County School, the student shall be deemed ineligible for athletics for a 365 calendar day period.

B. Transfers from LEA to LEA
1. A student transferring from one member school in one LEA to another member school in a different LEA must sit out two consecutive semesters, or 365 days, whichever is less, for athletic participation.

NOTE: A student’s participation in cheerleading is not subject to the NCHSAA Transfer Policy.

   a. By mutual agreement that the transfer is not for athletic purposes, a student’s first transfer from LEA to LEA, and absent a bona fide move, is not subject to the NCHSAA Transfer Policy.

      i. Absent mutual agreement, and in consideration of the above, exceptions for immediate athletic eligibility for transfers from one LEA to a different LEA will be heard by the NCHSAA Transfer Committee.

      ii. The NCHSAA Transfer Committee will be composed of the NCHSAA Executive Committee and at least one (1) non-district affiliated member school representative.

      iii. A transfer application should be accompanied with an official LEA release form from the student’s previous LEA.

   b. The two-consecutive semester application occurs when a student is enrolled for at least 50% of the semester in which the student initially enrolled and all of the following semester.

   c. Students transferring to the same member school where the student’s coach has relocated within a calendar year will be deemed ineligible in any sport in which the coach is involved.

   d. A student may not participate in practices or workouts, in-season or out-of-season, until the student’s transfer has been validated by the NCHSAA.

2. If a member school is not part of a defined LEA (e.g., charter school, non-boarding parochial school, etc.), then the member school itself will be considered its own LEA for purposes of this policy (i.e., exceptions involving these member schools will fall under subsection (i) above).

3. If a student transfers from a NCHSAA member school to a non-member school (including a transfer to a North Carolina Department of Public Instruction (NCDPI) approved home school) and then attempts to transfer to any NCHSAA member school within a 365-day period, such initial transfer will be disregarded for purposes of this transfer rule and the subsequent transfer will be treated as if it were an NCHSAA member school to NCHSAA member school transfer and evaluated by the NCHSAA as provided in section (2) above.

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