

STANDARDS FOR NONRESIDENT STUDENTS

Policy Code:

4115

This policy applies to transfer students seeking admission to the school district. Transfer students are students who have been enrolled in or attended a private or public school in this state or another state.

The Elkin Board of Education recognizes the difficulty of admission of new students after a semester of instruction has begun. In order to reduce the incidence of inappropriate and dysfunctional programming for these students, a nonresident elementary student (grades K-6) shall not be allowed admission to Elkin Elementary School after the first 20 school days of a semester, unless the student is a new resident to the area. Such new residents shall be admitted at any time during the semester, provided that enrollment occurs within 30 days of the residence change. A nonresident secondary student (grades 7-12) shall not be allowed admission to Elkin High School after the first 3 school days of a semester.

In accordance with State law, the student's parent, guardian or custodian must provide a statement made under oath or affirmation before a notary indicating (1) whether at the time of the admission request the student is under suspension or expulsion from attendance at a private or public school in this or any other state or (2) has been convicted of a felony in this or any other state.

The principal is granted the authority to deny admission to any nonresident student (grades K-12) if the student's academic, attendance or discipline record has been unsatisfactory.

STUDENTS UNDER SUSPENSION/EXPULSION OR CONVICTED OF A FELONY

If at the time of the admission request the student is under a suspension or an expulsion or has been convicted of a felony, the parent, guardian or custodian must provide to the school system all requested information related to the conduct. The superintendent or designee shall review the information and make a recommendation to the board as to whether the student should be admitted and, if so, whether any reasonable conditions should be imposed.

1. **Suspension:** The board 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 board 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 G.S. 115C-390.12.

3. Felony Conviction: The board 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 G.S. 115C-390.12.

In any of the above-described circumstances in which admission may be denied, the board alternatively may place reasonable conditions on the admission of the student. Such conditions include, but are not limited to, behavior contracts, alternative school placement and limits on free time and extracurricular activities. Drug testing and weapon searches also may be reasonable conditions so long as they meet any constitutional requirements.

Notwithstanding the provisions of this policy, students under a suspension or an expulsion who have been identified as having a disability pursuant to the Individuals with Disabilities Education Act and otherwise meet the requirements for enrollment in the school system are entitled to services to the extent mandated by federal and state law.

Legal Reference: G.S. 115C-366 (a3),(a4), (a5) Individuals with Disabilities Education Act, 20 U.S.C. 1400 *et seq.*, 34 C.F.R. pt. 300, -390.5, -390.7, -390.10, -390.11, -390.12

Cross Reference: Discretionary Admission (policy 4130)

Adopted: August 28, 2000

Revised: August 22, 2011