

All students in the Buncombe County School system shall attend school in the district in which the student's parent/legal guardian are domiciled (see policy 4150, School Assignment and 4120, Domicile or Residence Requirements) unless discretionary admission or release is approved first by the principal/s, then by the Superintendent or designee. A Discretionary Admission/Release Application must be completed each year. Applications are available on the school system's website and at the front desk of all Buncombe County Schools.

Athletic eligibility is determined by the North Carolina High School Athletic Association rules. In general, athletic eligibility may be forfeited for one year if the student is approved for discretionary admission after the beginning of the ninth- grade year.

A. ADMISSION CRITERIA

A non-domiciled student may be admitted and enrolled, at the discretion of the superintendent, if the following conditions are met.

1. The parent/guardian must submit a Buncombe County Schools Discretionary Admission/Release Application with an approved reason code selected. Any reason to do with athletics or participation in athletics is not a valid or sufficient explanation of need. The application must be approved by both the releasing school or school system and the receiving school. A new application must be submitted before the beginning of each school year, and no later than May 31.
2. If the student is asserting residency in the school system, sufficient evidence must be provided with the initial application, such as a copy of a mortgage statement or rental/lease agreement and a utility bill.
3. The principal must have determined that space is available in the receiving school.
4. The student must demonstrate that he or she was in good standing in the previous school attended by that student, in terms of attendance, discipline, and other measures of standing and progress in the school system. The student also must satisfy the requirements in policy 4115, Discipline Status Standards for All Students.
5. With the initial application, the student may be required to furnish a transcript and other student record data, including evidence of compliance with the North Carolina immunization requirements.
6. If the student is approved for discretionary admission from another school system, the student must submit a release approved by the board of education of the other school system in which the student is domiciled.

7. If the student resides with an adult who is not the student's parent or legal guardian the appropriate Educational Residency Affidavit must be completed.

B. TUITION

If a student who is domiciled outside Buncombe County is granted discretionary admission to Buncombe County Schools, the student shall be required to pay tuition as specified in G.S. 115C-366.1. Tuition is equal to the per pupil local current expense appropriation from the Buncombe County Board of Commissioners for the previous school year. (See policy 4135, Tuition for Discretionary Admissions).

1. A tuition contract and full payment must be completed at the time the Discretionary Admission/Release Application is submitted, no later than the application due date, May 31. Tuition is to be paid in cash or check directly to Buncombe County Schools in the Student Services Department at the Board of Education on or before the due date of May 31.
2. Discretionary admission of an exceptional student from another school system must be accompanied by payment or a written contract from the other school system to cover the cost of education.
3. Students with unpaid tuition after the May 31 due date may be denied continued discretionary admission into Buncombe County Schools.

C. RELEASE CRITERIA

A student domiciled in the Buncombe County School system may be released to attend another school system at the discretion of the principal and superintendent or designee. The parent/guardian must submit a Buncombe County Schools Discretionary Admission/Release Application with an approved reason code selected. Any reason having to do with participation in athletics is not a valid or sufficient explanation of need. The application must be approved by the releasing principal and must be submitted before the beginning of each school year, and no later than May 31.

D. DISCRETIONARY ADMISSION OR RELEASE DECISIONS

The approval or denial of Discretionary Admission/Release Applications will be based upon space availability, the needs of the child, the effect on the school to which transfer is requested, principal recommendations and other criteria established by the superintendent or designee. Applications from residents of the Buncombe County Schools system will be given consideration before applications from Asheville City Schools or other counties. Admission may be granted for students for up to one full school year. A new Discretionary Admission/Release Application must be submitted by May 31 prior to each subsequent school year in which discretionary admission or release is desired.

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. Students who are admitted based upon false or misleading information on their application will have their application voided and acceptance rescinded.

Once the Discretionary Admission/Release Application is finalized with all required approvals, the student may begin attending the receiving school. Official approval will be given by the Board of Education at the next regularly scheduled board meeting. Final decisions regarding discretionary admissions may be delayed until the board has determined whether space is available in the requested school.

2. Appeals

A final decision may be appealed to the board in accordance with the procedures of section E.5 in policy 1740/4010, Student and Parent Grievance Procedure.

3. Renewals

A new Discretionary Admission/Release Application must be completed and approved before the beginning of every school year, but no later than May 31. The student must continue to meet all admission criteria and must be in good standing in terms of discipline, attendance, and other measures of standing and progress in the school system.

The superintendent or designee shall develop and administer a procedure to implement this policy.

Legal References: [S.L.2023-107, Sec. 5](#); G.S. 7B, art. 35; 35A, art. 6; 50-13.1 to 13.3; 115C-47 (68), -231, -364 to -366.1

Cross References: Student and Parent Grievance Procedure (policy 1740/4010), Behavior Standards for Transfer Students (policy 4115), Domicile or Residence Requirements (policy 4120)

Takes the place of Policy 110 and Administrative Regulation 410R

History of Policy 110

Adopted: August 6, 1992

Revised: January 14, 1999

History of Administrative Regulation 410

Adopted: April 7, 2011

NCSBA wording and revisions replacing Policy 110 and AR 410 adopted: April 11, 2013

Revised: September 7, 2017

Revised: April 4, 2019

Revised: January 3, 2024 (minor changes not affecting content)