

## CRITERIA FOR OUT-OF-ZONE/SCHOOL ATTENDANCE AREAS

### A. Purpose

The School Board has established attendance and eligibility criteria, building utilization levels, attendance exceptions, and approval and appeal procedures and waivers for those students who request out-of-zone transfers or have been transferred to a school other than the students' established attendance area. The following regulation identifies and explains these requirements. Unless otherwise specified in policy or regulation, a request for an out-of-zone attendance shall not be approved by the appropriate school official where a school exceeds its optimum building utilization level.

### B. False Statement Penalty

It is a Class 4 Misdemeanor to knowingly make a false statement concerning the residence of a child in a particular school division or school attendance zone. False statements concerning residency may result in finding the student ineligible to enroll in or attend school in the school division or a particular school attendance zone or program. The person making such false statement may be liable for costs incurred by the school division in educating the student.

### C. Transfer of Student as the Result of Crime

When a student has been the victim of any crime against the person (defined in Virginia Code §18.2-30 et seq. and Virginia Code § 21.1-3.3), and the crime was committed by a student in the school, a School Board employee, a volunteer, a contract worker or another person regularly performing services in the school, or the crime was committed on school property or a school bus owned or operated by the school division, such student shall be granted a transfer to a comparable school within the school division if available, upon the request of the parent or legal guardian, or the student, if he/she is an emancipated minor. Such request shall be made in writing to the Superintendent or designee. The student is required to provide safe and punctual transportation to and from the new school.

### D. Last Year Options

#### Student Moving Out of Attendance Zone within the School Division

With the permission of the principal, seniors will be permitted to continue in their previously assigned school if they provide safe and punctual transportation to and from that school.

## E. Other Exceptions: Kindergarten through Grade 5

### Space Available

A request for out-of-zone attendance shall not be approved where a school exceeds its optimum building utilization level. The Superintendent or Designee may deny an out-of-zone request because the school exceeds the optimum grade level capacity

### Exceptional Circumstances

A request for out-of-zone attendance for reasons other than those listed in School Board Policy JEC-R or set forth in subsections A or B above may be approved in the limited circumstances set forth below:

a. Elementary student child care issues. The parent/legal guardian must demonstrate hardship in providing appropriate supervision for the child in the designated school area where the parent/legal guardian resides. Factors the division will consider include, but are not limited to, the age of the child, lack of child care providers in the designated school area, personal circumstances within the parent/guardian's household (i.e. the parent/guardian work schedule, ability to pay for child care, among others), length of time child has been with child care provider, type of care situation (private home vs. day care center), any family relation to child care provider, advantages of the care to be provided in the requested area, and whether the provider will provide safe and punctual transportation to/from the requested school;

b. With the permission of the Assistant Superintendent, students changing residence within the county may complete only the current school year in the school in which he/she was in attendance, providing the parents provide transportation to and from school;

c. Educational reasons, exceptional hardship or other extenuating circumstances other than those set forth in School Board Policy JEC-R or above;

d. Children of School Board employees will be allowed to attend the school to which such parent or guardian reports or is their primary assignment upon approval of the Assistant Superintendent, if the request is submitted in writing at least one month prior to the beginning of the new school year.

## F. Approval Process and Appeal of Decision: Kindergarten through Grade 5

### 1. Student Placement Request Form

The parent/legal guardian must complete a Student Placement Request Form, available in each school, on the school division's website at [www.greenecountyschools.com](http://www.greenecountyschools.com), and from the Office of the Superintendent, and submit the request form and any required documentation to the Assistant Superintendent.

### 2. Documentation

The parent/legal guardian must provide the following documentation with the Student Placement Request Form in order to have an out-of-zone request considered:

- a. Verification of current address (ex. current water, electric or landline telephone bill); and
- b. Verification from child care provider and information from parent/legal guardian addressing factors set forth in subsection E.2.c; or
- c. Verification from parent/legal guardian of change of residence (ex. housing contract or lease agreement); or
- d. Documentation showing educational reasons, exceptional hardship or other extenuating circumstances; or
- e. Documentation of school division employment status and verification of parent's/legal guardian's reporting school or primary assignment.

### 3. Central Office Review

The Assistant Superintendent shall review the Student Placement Request Form and necessary documentation to determine compliance with this regulation. In the event that the request pertains to a student with a disability, the principal shall consult with the Office of Student Services, before approving or denying such request. Parents will be notified in writing of the decision by the Assistant Superintendent.

### 4. Annual Review

A Student Placement Request Application will be annually accepted, reviewed and acted upon in the order in which it is received. Applications will be time and date stamped by Central Office staff upon receipt.

### 5. Length of Approval

Out-of-zone requests shall be approved for the current school year only. Parents/legal guardians must reapply to the Assistant Superintendent each year for approval. In the event that there is no space available in a school, as defined in Subsection A. above or Policy JEC-R no out-of-zone requests shall be approved unless otherwise specified in this regulation. A submitted application is not to be interpreted as "approved" until official notification has been issued in writing by the appropriate school administration representative as explained in Policy JEC-R and in this Regulation.

### 6. Appeal of Decision

The Assistant Superintendent in conference with the Superintendent will make the decision; therefore there is no appeal in this process. The decision of the Superintendent or Superintendent's designee is final.

#### G. Existing Out-of-Zone Students

Students currently approved for an out-of-zone school will be required to fill out a Student Placement Request Form, provide necessary documentation, and continue to meet one of the exceptions outlined herein when their current school year has ended. All new requests for out-of-zone attendance shall be made in accordance with the procedures set forth in this regulation.

#### H. Revocation of Approval

Approval of out-of-zone attendance can be revoked by the Superintendent at any time with written notification to the parent/legal guardian or adult student. Reasons for revocation include, but are not limited to, overcrowding, poor attendance, habitual tardiness, failure to provide safe and punctual transportation, Code of Student Conduct violations or other discipline issues, failure to maintain passing grades and any action or behavior by the student or parent/legal guardian that is uncooperative, disruptive and/or interferes with the educational process

Adopted: July 10, 2013

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#### Legal Reference:

Code of Virginia §22.1-3.3, as amended. Transfer of students under certain circumstances.

Cross Refs:   JEC                   School Admission