



**Karen B. Salmon, Ph.D.**  
State Superintendent of Schools

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**TO:** Members of the State Board of Education  
**FROM:** Karen B. Salmon, Ph.D.  
**DATE:** December 4, 2018  
**SUBJECT:** Factors that Impact School Transfers

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**PURPOSE:**

To provide the State Board information regarding the state-rated capacity, utilization, and educational facilities master plans as they relate to school transfer policies. In addition, a report from the *Education Commission of the States* entitled *50-State Comparison: Open Enrollment Policies* is provided.

**EXECUTIVE SUMMARY:**

The State Board indicated at the October Board meeting that they wanted to discuss local school system's transfer policies. These materials are provided to facilitate the Board's discussion of the local school system transfer data from 2014-2015 through 2017-2018 school years. The most common reasons for transfer requests and denials for the 2017-2018 school year are also provided.

**ACTION:**

For information only.

Attachments:

*Capacity, Utilization, Educational Facilities Master Plans, Program Offerings  
Education Commission of the States - Open Enrollment Quick Guide  
Education Commission of the States - 50-State Comparison: Open Enrollment Policies  
Intra-District School Transfer Data Summary  
Local School System: Transfer Data and Policies*

# School Facilities

## Capacity, Utilization, Educational Facilities Master Plans, Program Offerings

### State Rated Capacity

- State rated capacity is used as a planning tool to identify the potential occupancy of an individual school building and to determine the need for seats in an area when a Local Education Agency (LEA) request a project to add capacity.
- The official state rated capacity is determined by the Maryland Department of Planning based on review of the final floor plans and space assignments for a school.
- The starting calculation is based on 20 students per general use classroom for pre-kindergarten, 22 for kindergarten, and 25 for grades 1 - 12. Special education, specialty, and physical education teaching situations all have their own number of students per teaching station.
- For elementary schools, general use and special education classroom count towards state rated capacity.
- Four high schools, all teaching stations count toward state rated capacity and the total is multiplied by .85 to account for the fact that every space is not occupied for every period.
- Some LEAs also determine a local rated capacity, which would be based on the LEAs policies concerning class-size and other factors. The local rated capacity would also be factored in local decisions concerning student placements.
- The state rated capacity, local rated capacity, and adjacent schools are entered by the LEAs into the facility inventory maintained by the Interagency Commission on School Construction.
- The Schools Facilities Division is in the process of revising the calculation method for middle schools to align with the team approach. Only general use, special education, and science classrooms would count in the capacity calculation.

### Utilization

- Utilization, as currently and commonly understood, is enrollment/state rated capacity.
- Utilization can also be a measure of what proportion of the school day or school week teaching stations are used for teaching.
- LEAs determine what utilization level would indicate that more students should not be sent to a school.

### Educational Facilities Master Plans

- The Educational Facilities Master Plan (EFMP) is developed by the LEA and primarily review by the Maryland Department of Planning.

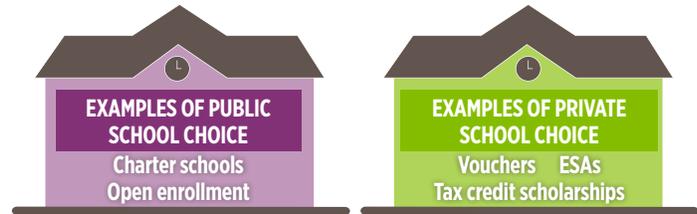
- The EFMP describes current conditions, emerging trends, and identified development patterns to help the LEA plan and prioritize systemic renovation, renovation/replacement, addition, and new school projects.
- The EFMP provides a basic framework for future school construction projects and serves as a starting point for discussions among the LEA, local government, and State agencies on how to best address future needs.

### **Program Offerings**

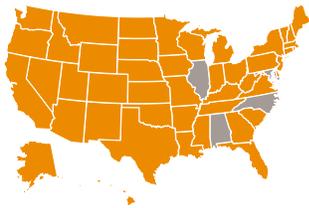
- How to provide a robust range of program offerings is a local decision within the framework of State curriculum and completion requirements.
- LEAs provide the range of program offerings to meet graduation requirements and college and career readiness pathways through several methods.
- Specialized academic program offerings, such as arts, STEM, or international focus may be offered based on entrance criteria specific to those programs.
- Career Technology Education (CTE) programs may also be distributed among high schools in a region of a LEA, with students able to choose among programs in a specific region.
- LEAs that have comprehensive high schools and CTE centers will often cluster the CTE programs at the CTE centers.

## Open enrollment is one form of public school choice.

Open enrollment lets students select and transfer to the public school they would like to attend, rather than attending a school based on where they live.



## 46 states, plus the District of Columbia, have open enrollment policies.

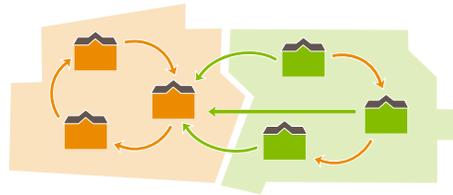


Only Alabama, Illinois, Maryland and North Carolina do not address open enrollment in state policy. See this [50-State Comparison](#) for more about open enrollment in each state.

## Across states, open enrollment policies vary widely by program element.

### INTRADISTRICT

**35 states** have policies that allow students to select and attend another school *within* their resident district.



### INTERDISTRICT

**42 states** have policies that allow students to select and attend another school *outside* their resident district.

**28 states** have **mandatory** policy provisions, which mean they **require** districts to offer open enrollment in at least some circumstances.

**34 states** have **voluntary** policy provisions, which mean districts may **choose** whether to participate.

States may also **limit availability** of programs by:

- ✓ Stipulating which students or schools can participate.
- ✓ Limiting the number of students who can transfer.
- ✓ Allowing districts to have final approval.

## States often require districts to set enrollment priorities for students ...

- Living in the school or district residence zone.
- Who are siblings of currently enrolled students.
- Whose parents are school employees or military personnel.
- Transferring from low-performing schools.
- From low-income families.
- In foster care or those with disabilities.



## Open Enrollment 50-State Report - All Data Points

Last updated: October 2018

Open enrollment policies allow a student to transfer to a public school of his or her choice. There are two basic types of open enrollment policies.

- **Intradistrict:** Students transfer to another school *within* their resident school district.
- **Interdistrict:** Students transfer a school *outside* of their resident district.

Depending on the state, open-enrollment policies are mandatory, voluntary, or both.

- **Mandatory** policies require districts to participate in the program.
- **Voluntary** policies allow districts to choose whether to participate in open enrollment, often allowing districts the discretion to enter into transfer agreements with other districts.
- States with **both mandatory and voluntary** policies usually require mandatory open enrollment in low-performing schools or districts, in defined regions of the state or in other specific circumstances while allowing voluntary open enrollment in the rest of the state.

View the full open enrollment database [here](#). Please contact Micah Ann Wixom (303.299.3673 or [mwixom@ecs.org](mailto:mwixom@ecs.org)) with questions or comments.

	Does the state have open enrollment programs?	Do desegregation provisions impact open enrollment programs?	Does the state set priorities for districts to follow when accepting students for open enrollment?	Who is responsible for student transportation?
Alabama	No. However, there are open enrollment provisions specific to charter schools.	No open enrollment policies.	No open enrollment policies.	No open enrollment policies.
Alaska	Yes, mandatory intradistrict for students attending a school designated as persistently dangerous.	Not addressed.	Not addressed.	Not addressed.
Arizona	Yes, mandatory intradistrict and interdistrict. School districts must establish open enrollment policies, including admission criteria, application procedures, and transportation provisions. School districts may enter into voluntary agreements	No	No. However, districts may give preference to children of school or school district employees or to students in foster care.	Each district's open enrollment policies include transportation provisions. A receiving district may provide transportation for income-eligible students living in an adjacent school district, up to 10 miles each way from the school district point on a regular

	<p>with other school districts for tuition payments for certain students.</p>			<p>transportation for receiving district provide transport up to 20 miles each way, for students with disability or an individualized education plan.</p>
<p>Arkansas</p>	<p>Yes, mandatory interdistrict, with some limitations; mandatory interdistrict for students attending a school districts classified as being in facilities distress.</p> <p>Students may apply to transfer to a school in any school district. Each school year sending school districts are subject to a limit on the number of school choice transfers they may allow. The limit is 3% of the previous school year's enrollment, minus any school choice transfers into the district. A 2018 bill passed by the Arkansas legislature allows school districts to exceed this limit for sibling groups. Students transferred out of a district in facilities distress and foster students are not included in the cap. Students denied a transfer may request a hearing with the state board. Districts must adopt standards for accepting or rejecting applications, which may include lack of capacity of a program, class, grade level or building. Students may only have one open-enrollment transfer per school year but may</p>	<p>Desegregation court orders or court-approved plans have precedence over the open enrollment statutes. School districts claiming a conflict under an order or plan must provide proof of a genuine conflict.</p>	<p>Yes. School districts must give priority to siblings if space is available. During the first year a school district is not subject to transfer limits, sending districts must give first priority to students unable to transfer due to transfer limits in prior years.</p>	<p>Parents are responsible for transportation. Receiving district enter into an agreement with the student, student's parent, sending district to provide transportation. When a student transfers from a sending district under facilities distress, the sending district must pay transportation.</p>

	<p>return to their resident school district or enroll in private or home school during the school year.</p> <p>Students attending a school district classified as in need of Level 5 - Intensive Support may transfer to another school district without a Level 5 - Intensive Support classification.</p>			
California	<p>Yes, voluntary intradistrict and interdistrict; mandatory intradistrict and interdistrict under the Open Enrollment Act for students attending low-performing schools and/or districts.</p> <p>Voluntary: School district governing boards may decide to accept interdistrict transfers. Participating districts must register as a school district of choice, determine the number of students the district will accept, and accept transfers until the district is at maximum capacity. School districts must allow students from active-duty military families to transfer to another district if the receiving school district approves the transfer application. In addition, school districts may enter into interdistrict transfer agreements with other school districts for up to 5 years. Sending districts may limit transfers in the following circumstances:</p>	<p>Under both voluntary and mandatory provisions, sending or receiving districts may prohibit a transfer if it would negatively impact a court-ordered or voluntary desegregation plan or the racial and ethnic balance of the district, not including transfers for children of active-duty military personnel.</p>	<p>Yes.</p> <p>Voluntary: Receiving districts must give priority in the following order, but may not displace students residing in the district.</p> <ul style="list-style-type: none"> <li>• Siblings of students already attending the district.</li> <li>• Students eligible for free or reduced-price meals.</li> <li>• Children of military personnel.</li> </ul> <p>A district may determine the number of transfers it is willing to accept and hold an enrollment lottery if the number of applications exceeds space. Receiving districts may not reject a transfer if the cost of educating the student exceeds state aid. Any receiving district may admit a student expelled from a sending district.</p> <p>Mandatory: Receiving districts must give priority in the following order.</p> <ul style="list-style-type: none"> <li>• Siblings of</li> </ul>	<p>Upon the request of the parent, receiving districts may provide transportation assistance to the student that the district otherwise provides. Transportation assistance to other students.</p>

- Districts with more than 50,000 students may limit transfer to 1% of the current year estimated average daily attendance.
- Districts with 50,000 students or less may limit transfers to 3% or 10% of current year estimated average daily attendance.
- Districts with a negative status on their budget certification may limit the number of transfers.
- If the district would not meet fiscal stability standards due to student transfers.

Mandatory: The State Superintendent of Public Instruction must create an annual list of 1,000 low-performing schools, and no more than 10% of a district's schools may be on the list. Parents of students in one of these schools may apply to transfer to higher performing school in the district or in another district. A receiving district may adopt standards for acceptance and rejection of applications, which may include program, class, grade level, building capacity, or adverse financial impact.

students already attending the school.

- Students transferring from a low-performing school with certain criteria.

Districts also give priority to students residing in the district. If the number of applicants exceeds space available, the school must conduct a lottery from the two priority groups until available spaces are filled.

Colorado	<p>Yes, mandatory intradistrict and interdistrict.</p> <p>The receiving district may deny enrollment for the following reasons: lack of space or teaching staff; program requested is not offered; lacks capacity to meet special needs; student does not meet eligibility criteria for participating in a particular program; denial necessary to maintain desegregation plan compliance; student has been expelled for specific reasons.</p>	Schools and school districts may deny enrollment under open enrollment policies to maintain compliance with a desegregation plan.	No. However, school districts must consider adopting a policy that gives priority to students who have low academic performance and are transferring from a low-performing school.	<p>Not addressed.</p> <p>State policies on transportation toll program, which provides transport to another school students enrolled living in the attendance zone of a design low-performing school and for students (grades 1-8) eligible free and reduced and enrolled in a performing school. Transportation toll may be used for transportation or forms of approved transportation. It is clear if this program is currently in effect.</p>
Connecticut	Yes, voluntary intradistrict and voluntary and mandatory interdistrict. Interdistrict programs are required in four cities and optional in priority school districts.	School districts may cooperate with other school districts to correct racial imbalances. Additionally, the purpose of the state's mandatory interdistrict open enrollment policy is to reduce racial, ethnic and economic isolation or preserve racial and ethnic balance.	Yes, for mandatory interdistrict. In districts with limited space, districts first give preference to siblings and to students who would otherwise attend a low-performing school or a school that has lost its accreditation and then use a lottery designed to preserve or increase racial, ethnic and economic diversity.	<p>Voluntary: Local of education may are not required provide transport</p> <p>Mandatory: The department of education sets reasonable transportation limits provides grants to regional education service centers and boards of education reasonable transportation costs within certain limits. Regional education service centers may provide reasonable transportation services for high school students who wish to participate in extracurricular activities.</p>
Delaware	Yes, mandatory intradistrict and interdistrict. School districts may deny student enrollment for "lack of capacity,"	Open enrollment must not conflict with a court-ordered desegregation plan. If it would, districts must establish a number of majority and	<p>Yes. Receiving districts must give priority to the following in order:</p> <ul style="list-style-type: none"> <li>• Returning students.</li> <li>• Students living</li> </ul>	Parents are responsible for transportation

	<p>defined as projected enrollment school enrollment at 85% of capacity.</p>	<p>minority group students who may transfer into or out of the district.</p>	<p>in a school's designated feeder zone.</p> <ul style="list-style-type: none"> <li>• Siblings of currently enrolled students, with preference for siblings who live in the district.</li> </ul> <p>After giving priority to the first three student groups, districts may give priority to student groups in the following order:</p> <ul style="list-style-type: none"> <li>• Students who have designated the school or program as a first, second, or third choice.</li> <li>• Students who live within the district.</li> <li>• Children of school employees.</li> </ul> <p>After the district has admitted all qualifying students based on these criteria the district must use a lottery and a ranked waiting list. Receiving districts may also deny enrollment for students expelled from the home district for 15 or more days.</p>	
<p>District of Columbia</p>	<p>Yes, voluntary intradistrict. Students may apply for a transfer under circumstances, based on enrollment priorities. Transfers are approved by the Chancellor.</p>	<p>Not addressed.</p>	<p>Yes. Preference is given to students based on the following:</p> <ul style="list-style-type: none"> <li>• The student's sibling attends the school.</li> <li>• The student resides within a reasonable walking distance.</li> <li>• The requested school is preferred to the</li> </ul>	<p>Not addressed.</p>

			<p>designated school.</p> <p>The district must use a lottery to determine enrollment.</p>	
<p>Florida</p>	<p>Yes, mandatory intradistrict and interdistrict. School districts and charter schools must enroll any student subject to capacity, and must identify school capacity determinations on their websites.</p>	<p>Participating districts must adhere to federal desegregation requirements and must maintain socioeconomic, demographic, and racial balance.</p>	<p>Yes. School districts must give preferential treatment to the following groups:</p> <ul style="list-style-type: none"> <li>• Dependent children of active duty military personnel whose move resulted from military orders.</li> <li>• Children relocated due to a foster care placement in a different school zone.</li> <li>• Children who move because of a court-ordered custody change.</li> <li>• Students residing in the school district.</li> </ul> <p>In addition, each school district must do the following:</p> <ul style="list-style-type: none"> <li>• Allow parents to declare school preferences, especially for placing siblings in the same school.</li> <li>• Provide a lottery for school placement, including an appeals process for hardship cases.</li> <li>• Maintain socioeconomic, demographic and racial balance.</li> <li>• Provide parents</li> </ul>	<p>Parents are responsible for transportation. School districts and charter schools are not required to provide transportation.</p>

			<p>of students in multiple session schools priority access.</p> <ul style="list-style-type: none"> <li>• Address the availability of transportation.</li> <li>• Allow transfer students to be immediately eligible to participate in extracurricular activities. However, students may not participate in a sport if the student participated in the same sport at another school during the school year, unless the student meets certain criteria.</li> <li>• Identify schools in the district that have not reached capacity.</li> </ul> <p>Districts and charter schools may not displace students living in the school district with non-resident students.</p>	
Georgia	<p>Yes, mandatory intradistrict if space is available; voluntary interdistrict if the sending district does not have space or if the student lives closer to a school in the receiving district. Additionally, school districts may enter into a transfer contract with another district.</p> <p>Intradistrict: Districts must allow intradistrict transfers when all of the following conditions are</p>	<p>Open enrollment programs must not interfere with any desegregation plans that are or may be in effect.</p>	<p>No. However, districts must admit non-resident children of district employees.</p>	<p>Parents are resp for transportation although school may contract with other for transpo</p>

met and if space is available:

- Classroom space is not available in the assigned school and is available at the requested school after all resident students are enrolled.
- The parent submits a written request.
- The local school board approves.

Interdistrict: Districts may allow transfers under the following circumstances:

- Transportation time to the student's assigned school is 45 minutes longer than the receiving school and the distance to the student's assigned school is at least 15 miles further than the receiving school.
- Classroom space is available in the requested school.
- The parent submits a written request.
- Both school boards approve.

Hawaii

Yes, voluntary intradistrict (interdistrict is unavailable because Hawaii only has one school district). Open enrollment is allowed when mandated by the

Not addressed.

Not addressed.

Not addressed.

	<p>Department of Education or federal law. Other transfer requests are granted at the discretion of the Department of Education. Transferring students must provide a certificate of release from the sending school.</p>			
Idaho	<p>Yes, mandatory intradistrict and interdistrict, with some limitations. School boards may create written agreements for transferring students between districts. Students must apply annually to attend or continue attending the receiving school.</p> <p>A receiving school district is not required to admit a transfer student if the transfer would be a hardship for the receiving district, as defined by district policy. Local school boards must adopt policies defining specific standards for accepting or rejecting transfer students from other districts. Standards may include the capacity of a program, class, grade level or school building to accept transfer students but may not include previous academic achievement, athletic ability, proficiency in English language, or disabling conditions.</p>	Not addressed.	No. However, suspended or expelled students are not eligible for open enrollment transfers.	Parents are responsible to transport students and from the school an appropriate bus within the receiving district.
Illinois	Yes, mandatory intradistrict but only at the request of a parent and in certain	Not addressed.	Not addressed.	Not addressed.

	<p>circumstances. School districts must have a policy governing transfers of students to another school within the district at the request of the student's parent or guardian. However, there are statutory limits on which schools a student may transfer to, including schools where the transfer to exceed capacity, schools with academic criteria (unless the students meet the criteria) or transfers that would interfere with existing law, consent decrees or court orders. In addition, each school district must have a policy governing the transfer to students from a persistently dangerous school.</p>			
<p>Indiana</p>	<p>Yes, voluntary interdistrict; mandatory intradistrict and interdistrict within Indianapolis city schools.</p> <p>Voluntary: Parents may request, in writing, to transfer the student to another school district in the state if the student can be better accommodated because of crowded conditions, curriculum offerings, for medical reasons, or if the student's school is not fully accredited. Districts may have a policy for accepting or rejecting open enrollment students, and receiving districts may accept transfer students without the approval of the sending</p>	<p>Not addressed.</p>	<p>Yes, but only for districts that have not established open enrollment transfer policies. Districts without transfer policies must hold a lottery and must give priority to siblings of currently enrolled students and children of district employees. Additionally, they must accept students when all of the following criteria are met:</p> <ul style="list-style-type: none"> <li>• The student attended a private school in the district's attendance area for at least the two preceding school years.</li> <li>• The student is transferring because the</li> </ul>	<p>Parents are required to provide transport in specific situations. Otherwise, not addressed.</p>

	<p>district. A receiving districts may require transfer students to pay tuition as a condition of the transfer.</p> <p>School districts may accept transfer students from outside of the district to attend alternative education programs.</p> <p>Districts without a policy for accepting or rejecting transfer applications are required to establish and publish the number of transfer students it will accept. However, districts without an interdistrict open enrollment policy must accept transferring students if the students meet certain criteria.</p> <p>Mandatory: Indianapolis city schools must allow intradistrict transfers. The school board must establish priorities for student assignment. Student assignments are made if space is available.</p>		<p>student's resident district does not offer grades 9-12.</p> <ul style="list-style-type: none"> <li>• The majority of students in the same grade of the transferring student are residents of the school district.</li> <li>• The district has capacity to accept students.</li> </ul> <p>All districts are required to accept children of current employees if space is available, and districts must hold a lottery if transfer requests for children of employees exceed capacity.</p> <p>Districts may deny admission to a student who has been suspended or expelled during the preceding 12 months for ten or more days or if the student was suspended or expelled for causing physical injury to another person at the school, violating the school's drug or alcohol rules or for possessing a firearm on school grounds.</p>	
Iowa	<p>Yes, mandatory interdistrict with some limitations. Parents may request open enrollment to another district and may request a preferred school within that district, but the receiving district has authority to determine what school the child will attend.</p> <p>Districts may opt out because of space</p>	<p>Sending districts that are subject to voluntary or court-ordered desegregation plans may deny transfer requests if the transfers would affect plan implementation. Districts must give priority to transfer requests that would facilitate implementation of a voluntary or court-ordered desegregation plan. School boards</p>	<p>Yes. Receiving districts may not deny enrollment to must give priority to requests that would facilitate a court-ordered desegregation plan or voluntary diversity plan. A student who has been suspended or expelled may not transfer to another district until the student is reinstated by the resident district.</p>	<p>Parents are responsible to transport student a designated bus in the receiving city. School districts with open enrollment agreements may transportation arrangements. Open enrollment student meeting certain guidelines must transportation assistance from sending district.</p>

	<p>availability and districts must have a policy defining "insufficient classroom space." Districts that cannot grant open enrollment requests must create a waiting list. District policies for accepting or denying transfers may include multiple components, such as the availability of instructional staff, student-teacher ratios, finances, and board-adopted district goals and objectives.</p>	<p>may adopt and implement a voluntary diversity plan that affects open enrollment transfers, although the following student groups are granted an exception to the diversity plan:</p> <ul style="list-style-type: none"> <li>• Siblings of currently enrolled students.</li> <li>• Students who have moved out of the resident district but wish to remain in the district as an open enrollment student.</li> <li>• Students transferring due to harassment.</li> <li>• Students transferring for health reasons that cannot be adequately addressed by the resident district.</li> </ul>		<p>district may reimburse parents or provide transportation to stop, but only for students enrolled receiving school adjacent to the district.</p>
<p>Kansas</p>	<p>Yes, voluntary interdistrict. Boards of education may create agreements to allow transfers between districts.</p>	<p>Not addressed.</p>	<p>Not addressed.</p>	<p>Agreements between sending and receiving school districts may have a provision for transportation and payment or shared transportation costs.</p>
<p>Kentucky</p>	<p>Yes, mandatory intradistrict, voluntary interdistrict.</p> <p>Intradistrict: Parents must be allowed to send students to the public school nearest their home within their school district attendance area.</p> <p>Interdistrict: School districts may enter into</p>	<p>Not addressed.</p>	<p>Not addressed.</p>	<p>Not addressed.</p>

	<p>a written agreement with other districts to allow students to attend school in a nonresident district.</p>			
<p>Louisiana</p>	<p>Yes, voluntary interdistrict; mandatory intradistrict and interdistrict in some circumstances; mandatory intradistrict and interdistrict for low-performing schools and schools in the Recovery School District.</p> <p>Voluntary: School boards may enter into an agreement to allow students to transfer to a school in a neighboring parish.</p> <p>Mandatory:</p> <ul style="list-style-type: none"> <li>• Students assigned to a public school with a low performance rating may enroll in another school if the receiving school has a higher performance rating.</li> <li>• When the transportation time to a student's assigned school is longer than a prescribed amount, the student must be allowed to attend a closer school in another district.</li> <li>• Students attending schools identified as persistently dangerous must</li> </ul>	<p>Mandatory, low-performing schools: Students may not enroll in a receiving school if it would violate a court order. School districts designated as academically unacceptable and under a desegregation plan are "not exempt from offering students the option to transfer" but must first review the plan and possibly seek court approval for transfers.</p>	<p>Not addressed.</p>	<p>When students are transferring out of low-performing school districts are not required to provide transportation if it would result in additional costs to the district. When a student transfers to a school closer to the student's residence than the student's assigned school, the receiving district is responsible for transportation.</p>

	<p>be allowed to transfer to another school in the district.</p> <ul style="list-style-type: none"> <li>Any school transferred in or out of the Recovery School District must maintain open enrollment policies.</li> </ul>			
Maine	<p>Yes, voluntary intradistrict and interdistrict. Students may attend another school with permission from the receiving school, and school districts may adopt mutual policies allowing students to transfer between the districts. Students living far from their assigned school may attend school in an adjoining district with permission from both districts. Students in districts without an elementary school or in districts with 10 or fewer students may attend school in another district.</p>	Not addressed.	Not addressed.	<p>When a sending district has a contract with another district but the sending district does not have a contract, the sending district is responsible for transportation costs. When school districts have policies allowing transfers between school districts, those policies must address transportation issues. In other cases, the receiving district is responsible for transportation costs.</p>
Maryland	No	No open enrollment policies.	No open enrollment policies.	No open enrollment policies.
Massachusetts	<p>Yes, voluntary interdistrict and intradistrict. School committees may establish terms with other school committees to accept nonresident students from the public schools of the other town.</p>	<p>The receiving school committee of any city, town, or regional district may accept transfer students from a sending district with student racial imbalance if the receiving school district's committee has voted to accept out-of-district students.</p>	<p>No. However, if the number of nonresident students applying for acceptance to another district exceeds the number of available seats, the school committee must hold a lottery.</p>	<p>Parents are responsible for transportation costs. The state will pay when the transfer address is a racial imbalance. Students who receive free or reduced price lunch may qualify for reimbursement from the state which may be the students' guarantee or sending school district, depending on transportation costs.</p>

				arrangements are in close proximity to the school or district.
Michigan	<p>Yes, mandatory intradistrict for low-performing schools; voluntary intradistrict and interdistrict at the intermediate district level.</p> <p>Mandatory: Students attending a school that has been unaccredited for three consecutive years must be allowed to attend another school within the school district.</p> <p>Voluntary: Intermediate districts may allow students to attend other school districts within the intermediate district or may accept transfer students residing in a contiguous intermediate district. Receiving school districts may make determinations about the grades, schools and special programs for which open enrollment is available. The receiving school district may limit the number of nonresident students it accepts in a grade, school or program.</p>	<p>If the school district is subject to a court-ordered desegregation plan, the district may prohibit students from transferring in or out.</p>	<p>Yes. Under voluntary intradistrict and interdistrict open enrollment, receiving districts must give priority to siblings of enrolled students. If the number of transfer requests exceeds capacity, the receiving district must hold a lottery and create a waiting list. A district may refuse students who have been suspended from another school within the past two years or expelled at any time.</p>	<p>Parents are responsible for transportation arrangements.</p>
Minnesota	<p>Yes, mandatory interdistrict.</p> <p>Receiving school districts may limit enrollment of nonresident students and must adopt standards for accepting or rejecting applications.</p>	<p>Receiving districts with achievement and integration plans may accept transfer applications at any time, although the districts are still allowed to limit enrollment. Districts must give priority to applications related to an approved integration and achievement plan.</p>	<p>Yes. If a district has more transfer requests than space available, the district must hold a lottery and the following student groups must receive priority:</p> <ul style="list-style-type: none"> <li>• Siblings of currently enrolled students.</li> <li>• Applications</li> </ul>	<p>The receiving, or nonresident, school district must provide transportation within the district when required by the parent, but is responsible for transportation to and from the district's border. Receiving districts may reinstate income-eligible students.</p>

			<p>related to an approved integration and achievement plan.</p> <ul style="list-style-type: none"> <li>• Children of school district staff.</li> <li>• Students living in municipalities meeting specific criteria.</li> </ul> <p>Districts may refuse enrollment for students who have been expelled for specific reasons.</p>	<p>for the cost of transportation to the district border. Receiving districts apply to the commissioner of education to reimburse the cost of transportation for open enrollment students contributing to desegregation or integration plans.</p>
Mississippi	<p>Yes, voluntary interdistrict if both districts consent; mandatory interdistrict for students residing more than 30 miles away from their assigned school. The school boards of sending and receiving districts must enter into an agreement.</p>	Not addressed	<p>No. However, school districts must enroll any nonresident children of any instructional or licensed school district employee upon the employee's request.</p>	<p>Transfer agreements between school districts must include a provision providing for transportation. In absence of a provision, parents are responsible for transportation.</p>
Missouri	<p>Yes, voluntary interdistrict; mandatory interdistrict for unaccredited schools or districts.</p> <p>Voluntary: School boards may enter into transfer agreements. If a student's location of residence creates an unusual or unreasonable transportation hardship due to natural barriers, travel time, or distance, the commissioner of education may allow the student to attend another district. Receiving districts may set enrollment capacity limits by grade level, school building, and education program.</p>	<p>Whenever a school district is under a federal court-ordered desegregation directive, open enrollment options are subject to the approval of the court of continuing jurisdiction, and the court order must govern.</p>	<p>Yes. Receiving districts may give preference to resident students over transferring students and refuse enrollment to students suspended or expelled for 10 days or more in the current or immediately preceding school term.</p> <p>Metropolitan Schools Achieving Value in Transfer Corporation (voluntary open enrollment in St. Louis): The board of directors sets policies but receiving districts must give first preference to students attending based on a desegregation order.</p>	<p>Mandatory: The sending district is responsible for providing transportation for students attending another school beyond their assigned school if unaccredited.</p> <p>Metropolitan Schools Achieving Value Transfer Corporation (St. Louis): The board of directors is responsible for providing transportation and receives transportation aid from the state at 155% of the state per-pupil average.</p>

	<p>They may also deny a transfer application if the student lives more than 10 miles from the receiving district or if the location of the student's assigned school is closer than the school the student would be attending in the receiving district.</p> <p>The Metropolitan Schools Achieving Value in Transfer Corporation is a voluntary school transfer program in for school districts in St. Louis that allows students to transfer to other schools in participating districts. The program is headed by a board of directors.</p> <p>Mandatory: Students assigned to an unaccredited school must be allowed to attend an accredited school in another district in the same or an adjoining county.</p>			
Montana	<p>Yes, voluntary intradistrict and interdistrict; mandatory interdistrict for geographic access or other issues.</p> <p>Voluntary: Sending and receiving districts enter into an attendance agreement that sets forth financial obligations, if any, for tuition and for costs incurred for transportation. Receiving districts may reject an out-of-district attendance agreement if the school's accreditation would be</p>	Not addressed	No, although a child with a disability who resides in the district must be approved.	For both voluntary and mandatory interdistrict open enrollment, attendance agreements between the sending and receiving districts outlines the financial obligations for transportation costs.

adversely affected by the transfer because of insufficient room, although this does not apply to students with disabilities who live in the district.

Mandatory: Interdistrict open enrollment is mandatory when one of the following applies:

- The child resides closer to the receiving school and more than three miles from his or her resident school and the resident district does not provide transportation.
- It is impractical for the student to attend the resident school because of geographic conditions, including a bus ride of more than one hour (for elementary students), traveling certain distances to attend school, or geographic barriers that prohibit travel.
- The student's sibling attends high school in another district and student may more conveniently attend an elementary school where the high school is located, under circumstances.
- The child is

	<p>under the protective care of a state agency, or has been adjudicated to be a youth in need of intervention or a delinquent youth.</p> <ul style="list-style-type: none"> <li>The child is required to attend school outside of the district of residence as the result of a placement in foster care or a group home.</li> </ul>			
Nebraska	<p>Yes, mandatory intradistrict, with some limitations; mandatory interdistrict.</p> <p>Districts are required to adopt standards for acceptance and rejection of open enrollment option applications. Standards may include the capacity of a program, class, grade level, or school building or the availability of appropriate special education programs.</p> <p>Open enrollment transfers are available among districts in a learning community (a partnership between multiple districts). Member districts must annually establish and report a maximum capacity for each building, and provide a copy of the standards for acceptance or rejection plus transportation policies to</p>	<p>In a learning community, diversity plans must provide for open enrollment between all buildings and diversity is based upon students' socioeconomic status.</p>	<p>Yes. For districts not part of a learning community (a partnership between multiple districts), first priority is given to siblings of enrolled students.</p> <p>For districts that are members of a learning community, first priority is given to siblings of enrolled students. Second priority is given to students previously enrolled in the districts, and third priority is given to students living within the learning community who contribute to socioeconomic diversity at school building. Final priority is given to students who reside in the learning community.</p> <p>A student may transfer once prior to graduation unless:</p> <ul style="list-style-type: none"> <li>The student</li> </ul>	<p>Parents are responsible for transportation. However, the receiving school may provide transportation on same basis as provided for resident students and may charge sufficient to recover additional costs. Districts may adopt standards providing transportation for open enrollment students.</p> <p>Students eligible for free lunch are eligible for free transportation reimbursement from receiving district, outlined in each district's transportation policies.</p> <p>Learning community districts must provide free transportation for open enrollment students who live more than one mile from receiving school</p>

	<p>the learning community council.</p> <p>Denial of a student's open enrollment application may be appealed to the state board of education.</p>		<p>moves to another school district.</p> <ul style="list-style-type: none"> <li>• The receiving district merges with another district.</li> <li>• The receiving district only has elementary grades.</li> <li>• The student has completed all the grades offered in the receiving school and is transitioning to another school level (i.e. elementary to middle school, middle school to high school).</li> <li>• The transfer would allow the student to continue current enrollment in the receiving district.</li> <li>• The transfer would allow the student to enroll in a district where he or she was previously enrolled as a resident student.</li> <li>• The student resides in a school district that is part of a learning community and attend school in another district within the learning community as a open enrollment student.</li> </ul>	<p>and are (1) eligib free or reduced p lunch, or (2) tran as part of a dive focus program w contribute to the socioeconomic d</p> <p>Students receiv transportation for 2016-17 school y must continue to receive free transportation for duration of the st status as an ope enrollment stude enrollment in a d focus program u the student reloc another district u specific circumst</p> <p>For students with disabilities, transportation se are provided by t sending school c which is reimbur the state.</p>
Nevada	Yes, voluntary	Not addressed	Not addressed	Transportation c

	<p>interdistrict in limited circumstances. Receiving school districts may admit students living in an adjoining school district. In addition, a student who resides on an Indian reservation located in two or more counties must be allowed to attend the school nearest to his or her residence, regardless of the student's resident school district.</p> <p>State law also provides a program of school choice for children in foster care.</p>			<p>must be paid by sending district.</p>
<p>New Hampshire</p>	<p>Yes, voluntary interdistrict and intradistrict.</p> <p>Any school district governing body may designate one or more of its schools as an open enrollment school. School districts must create limits on the number of its resident students that may attend open-enrollment schools inside and outside of the district. Schools may set enrollment limits, including limiting enrollment in specific programs and may select students on basis of aptitude, academic achievement or need.</p>	<p>Not addressed</p>	<p>Yes. Students who meet the admissions requirements of a receiving school and who are residents of the district where the school is located, are given admission preference over nonresident students. If applications exceed capacity, the school or district must use a lottery system. Open enrollment schools are not required to enroll an expelled student.</p>	<p>For intradistrict transfers, the district is responsible for providing transportation. For interdistrict transfers, parents are responsible for transportation.</p>
<p>New Jersey</p>	<p>Yes, voluntary interdistrict.</p> <p>Under the state's interdistrict public school choice program, school districts may</p>	<p>Districts applying to become a choice district must submit an analysis of the potential impact of the choice program on student diversity and a plan for maintaining</p>	<p>Yes. Receiving districts and sending districts may give preference to siblings of enrolled students. If a receiving district receives more applications for a school</p>	<p>Sending districts are responsible for providing transportation (including transportation for elementary students living more than 1.5 miles and to secondary</p>

	<p>apply to the Commissioner of Education to participate as a choice districts. Applications are evaluated by various criteria, such as the fiscal impact on the school district and the impact on student diversity in the district, among others. Receiving districts admit students if space is available. A sending district may restrict the number of students who transfer to another district to a maximum of 10% of students per grade level per year and 15% of total enrolled students per year.</p> <p>To participate, students must have attended school in the sending district for at least one full year immediately preceding enrollment in the receiving district. However, this requirement is not applicable to prekindergarten or kindergarten students and may be waived if a receiving district does not fill all available transfer spaces.</p>	<p>diversity, but these plans may not supersede a court-ordered desegregation plan. To maintain student population diversity, the commissioner may restrict the number of choice students from a sending district, restrict a receiving district's ability to accept choice students, or revoke approval of the choice district.</p>	<p>than space available, a lottery must be used. Sending districts that limit choice enrollment and with transfer requests above the percentage limit may hold a lottery to select participating students. Districts may give preference to siblings already participating before holding the lottery and may develop a waiting list based on the lottery.</p>	<p>students living more than 2.5 miles from respective receiving schools. Transportation will not be provided for students living more than 20 miles from receiving school. Sending district will receive state aid transportation costs.</p>
<p>New Mexico</p>	<p>Yes, voluntary intradistrict and interdistrict; mandatory intradistrict and interdistrict for students in low-performing schools. Boards of receiving school districts may admit non-resident students if space is available. Students attending a low-performing school must be allowed to</p>	<p>Not addressed.</p>	<p>Yes. Receiving districts must give priority in the following order:</p> <ol style="list-style-type: none"> <li>1. Students residing in the school district or school attendance area or children of active-duty military personnel who lived in the area prior to deployment.</li> </ol>	<p>Districts are responsible for transportation for a student transferring to another school within the same district although the local district may reimburse parents for travel costs. Sending districts are not responsible for students who transfer to another school district. Receiving districts make policies about</p>

	transfer to another school in the state.		<ol style="list-style-type: none"> <li>2. Students enrolled in a low-performing school.</li> <li>3. Students who previously attended the school.</li> </ol> <p>Receiving districts may establish additional enrollment preference, such as after-school care for students, children of school employees, siblings already attending the school, and so on. If applications exceed space available, the receiving district must create a ranked waiting list based on priority enrollment. Receiving districts may deny enrollment to students previously expelled from any school in the state during the previous 12 months.</p>	transporting out-of-district students ; additional cost to school transportation fund, including bus at the last on an approved space is available
New York	Yes, through the voluntary interdistrict "urban-suburban transfer program" which was designed to reduce racial isolation by allowing minority students to transfer in and out of participating urban and suburban school districts. Participating districts must provide policies about student participation for transferring students. Private school students must have an opportunity to participate in the program.	Districts seeking to participate in the voluntary interdistrict urban-suburban transfer program must submit data that the program will reduce racial isolation by allowing minority students, nonminority students, or both to transfer between the suburban and urban districts.	Not addressed.	Not addressed.
North Carolina	No	No open enrollment policies.	No open enrollment policies.	No open enrollment policies.

<p>North Dakota</p>	<p>Yes, voluntary interdistrict.</p> <p>School boards may decide to participate in open enrollment. Parents must apply to the school board of the receiving school district. The board of each participating district must set standards for accepting or rejecting applications, which may address program, class, grade level, or building capacity. Standards may not address academic achievement, participation in extracurricular activities, English language proficiency, disabilities, or previous disciplinary actions.</p> <p>Parents may apply for an interdistrict transfer at any time for the following reasons:</p> <ul style="list-style-type: none"> <li>• The student was a victim of documented violence within the school.</li> <li>• The school in which the student is enrolled was declared unsafe.</li> <li>• The student's enrolled school has been identified as requiring program improvement for six consecutive years.</li> </ul>	<p>Not addressed.</p>	<p>No, although the board of each school district sets standards for accepting or rejecting applications.</p>	<p>Sending and receiving districts may provide transportation.</p>
<p>Ohio</p>	<p>Yes, voluntary interdistrict; mandatory intradistrict and</p>	<p>Under both voluntary and mandatory open enrollment, districts'</p>	<p>Yes. Voluntary: Resident</p>	<p>Parents are responsible for transportation although receiving</p>

	<p>interdistrict for students attending an alternative school.</p> <p>Voluntary: The boards of all school districts must pass policies denying or allowing enrollment by students from adjacent school districts or any school district. Participating receiving districts must have policies and procedures for admitting students, including district capacity limits by grade level, school building, and education program.</p> <p>Mandatory: The boards of all school districts must have interdistrict and intradistrict open enrollment programs allowing students to enroll in an alternative school in the same district or another school district. The board of education for each school district must have open enrollment policies for students enrolling in an alternative school, including application procedures and district capacity limits by grade level, school building, and education program.</p>	<p>open enrollment plans must have policies and procedures to ensure racial balance is maintained.</p> <p>Voluntary: To maintain an appropriate racial balance, a sending district may object to a student enrolling in another district.</p>	<p>students of the receiving district and previously-enrolled students must have preference over first-time applicants. Receiving districts may deny enrollment to students who have been suspended or expelled by the sending district for 10 consecutive days or more in the current or proceeding term.</p> <p>Mandatory: Receiving districts must give enrollment preference to students attending or living in the attendance area of certain schools in the district. Receiving districts may deny enrollment to students who have been suspended or expelled by the sending district for 10 consecutive days or more in the current or proceeding term.</p>	<p>districts may provide transportation to from a bus stop ; regular bus route the district. Receiving districts may reimburse low-income families the cost of transporting a student to and from the bus stop. In addition, school districts may be required to provide transportation in accordance with court-approved desegregation plans.</p>
Oklahoma	<p>Yes, voluntary interdistrict; mandatory interdistrict for children of active-duty military personnel who meet specific criteria.</p> <p>Students may transfer to other districts with the approval of the receiving district's board of education, and</p>	Not addressed.	No. However, children of district teaching personnel who are not residents of the school district are allowed to transfer upon approval of the receiving school district. Siblings of transfer students may transfer to the receiving district with approval from that district's board	Upon the request of a parent, receiving districts may provide transportation on within the receiving district's boundaries. However, two school districts may make an agreement allowing a receiving district to transport a student inside the boundaries

	<p>boards must automatically approve transfers for students seeking to enroll in a grade not offered by the sending district. Participating school districts must create policies for accepting or rejecting transfer applications, including criteria about the availability of programs, staff, or space. School districts must have policies for transfers of students that are children of active-duty military.</p>		<p>of education.</p>	<p>the sending distr</p>
<p>Oregon</p>	<p>Yes, voluntary interdistrict. Districts may enter into agreements with each other for open enrollment transfers.</p>	<p>Not addressed.</p>	<p>Yes. Receiving districts make decisions about enrolling non-resident students. If applications exceed any attendance limits determined by the school board, the districts must hold a lottery and may give priority to the following:</p> <ul style="list-style-type: none"> <li>• Siblings of currently-enrolled students.</li> <li>• Students who attended a charter school in the same district for at least three consecutive years or completed the highest grade offered by the school.</li> <li>• Students who moved out of the school district during the previous school year but received permission to continue attending a</li> </ul>	<p>Not addressed.</p>

			school in the receiving district.	
Pennsylvania	Yes, voluntary interdistrict.	Not addressed.	Not addressed.	Not addressed.
Rhode Island	Yes, voluntary interdistrict and intradistrict. School committees may arrange student transfers with the school committees in an adjoining community.	Not addressed.	Not addressed.	The state provides for transportation for students who attend a school located outside the city or county where they reside only within defined transportation regions.
South Carolina	Yes, voluntary interdistrict. When students live closer to a school in an adjacent district or county, school officials from the sending and receiving districts may make arrangements for the students to transfer to the closer school. If a school district refuses to accept a reasonable transfer, the county board of education in which the districts are located have the right to hold a hearing and approve the transfer, on certain conditions.	Not addressed.	Not addressed.	Not addressed.
South Dakota	Yes, mandatory intradistrict and interdistrict. Local school boards must create standards for accepting and rejecting applications, which may only address the capacity of a program, class, grade level or school building. Local school boards accept applications and must grant transfer requests unless the transfer would violate the receiving district's	Not addressed.	Yes. Applications are reviewed in the order they are received, but applications for siblings of currently enrolled students have priority.	Parents are responsible for transportation when sending or receiving students to other districts are not required to provide transportation. However, the receiving district may enter into an agreement to provide transportation within the boundaries of a sending district at an agreed-upon pick-up location. Receiving districts may charge a reasonable fee.

	<p>standards or unless the receiving district cannot meet the student's special education services. Intradistrict transfer applications may be accepted and acted upon by local school boards at any time.</p>			
Tennessee	<p>Yes, voluntary intradistrict and interdistrict.</p> <p>Interdistrict: Transfers are at the discretion of the receiving board of education. Local boards of education may enter into agreements to transfer students between the districts and receiving school districts may set transfer deadlines.</p>	<p>Student transfers must be exercised within the limitations of any existing court order or plan developed to comply with the state or federal constitution.</p>	<p>No. However, school districts must enroll the children of teachers who do not live in the district.</p>	<p>Parents may be required to provide transportation.</p>
Texas	<p>Yes, voluntary intradistrict and interdistrict. Students attending low-performing schools are eligible for intradistrict or interdistrict transfers under the public education grant program. There are also transfer provisions for bullying or other safety issues.</p> <p>Intradistrict: Parents may petition in writing to have a student transferred to another school designated by the parent or school board and may request a hearing. School boards must grant the transfer request unless the board determines there is a reasonable basis for denying the</p>	<p>Not addressed.</p>	<p>Yes, but only for students transferring out of low-performing schools under the public education grant program. Districts with more applications than space available must give priority to students at risk of dropping out of school and hold a lottery, although school districts may give first priority to previously enrolled students and their siblings over at-risk students.</p>	<p>For students transferred out of a low-performing school under the education grant program, sending districts will provide transportation costs and from the student's assigned school.</p>

	<p>request. Decisions are made on an individual basis. If a school district assigns a student to another school to receive special education services, the student's siblings may be allowed to attend that school.</p> <p>Interdistrict: Students are allowed to transfer out a resident district if the receiving district and parents agree. School districts may also enter into transfer agreements. Districts that do not offer certain grade levels may contract with other school districts to transfer students. Children of employees of a Texas Juvenile Justice Department facility may attend an adjacent school district.</p> <p>Public education grant program: Students assigned to a low-performing school may transfer to another school or school district, but only at the receiving district's discretion.</p>			
Utah	<p>Yes, mandatory interdistrict and intradistrict.</p> <p>School boards of receiving districts adopt policies governing acceptance and rejection of transfer applications and designate which schools and programs are available for open enrollment during the following school year. Schools are open for enrollment of</p>	<p>Local school boards' standards for accepting or rejecting transfer applications may include maintaining heterogeneous student populations to avoid violation of constitutional or statutory rights of students.</p>	<p>No. However, school boards of receiving districts may give priority to intradistrict transfers over interdistrict transfers and may establish priorities through the standards for accepting or rejecting transfer applications. When reviewing applications, local school boards must consider if an applicant has siblings attending the school or another school in the</p>	<p>For intradistrict a interdistrict trans the receiving dist must provide transportation on approved route v the district if spa available. Other v parents are resp for transportation However, sendin districts may tran students to scho receiving districts the State Board Education may c policies about</p>

	<p>nonresident students if the school's enrollment level is at or below the open enrollment threshold, although school boards may allow nonresident students in schools operating above the threshold. Standards for accepting or rejecting may include:</p> <ul style="list-style-type: none"> <li>• Lack of capacity in a grade level (for elementary schools) or other special program.</li> <li>• Maintaining reduced class sizes.</li> <li>• Maintaining a heterogeneous student population.</li> <li>• Priority may be given to intradistrict transfers over interdistrict transfers.</li> <li>• Siblings attending school in the receiving district.</li> </ul> <p>There are also transfer provisions related to safety issues.</p>		<p>district. In addition, districts may reject students who have committed serious infractions of the law or school rules or have been guilty of chronic misbehavior.</p>	<p>transporting nonresident students to the receiving school transportation will relieve overcrowding and address other serious problems in the receiving districts.</p>
<p>Vermont</p>	<p>Yes, mandatory interdistrict and intradistrict for high school students.</p> <p>Students may apply to attend any high school, but may enroll in the school only if the student, the sending school, and the receiving school agree. Local boards of education may set guidelines that include limits based on the financial impact and the</p>	<p>Not addressed.</p>	<p>Yes. School boards of sending districts must give preference to the transfer request of a student whose transfer request was denied in a prior year. If more than the allowable number of students wish to transfer to a school, the board of the receiving high school district must hold a lottery to determine which students may transfer.</p>	<p>Not addressed.</p>

	<p>capacity of the program, class, and building. Sending schools may limit the number of students transferring out of the school.</p>			
Virginia	<p>Yes, voluntary intradistrict. Local school boards may establish open enrollment policies allowing students to attend another school within the district.</p>	<p>Any local board under a court-order to maintain racial balance must maintain that balance when accommodating preference in student assignment.</p>	<p>No. However, school districts' admission priorities may include preferences for siblings of currently enrolled students, students living in a location that have had a school attendance change in the previous two years, or children of school employees. Schools may also include provisions for a lottery if transfer requests exceed capacity and may prohibit transfers for students who have had certain disciplinary actions.</p>	<p>Districts may require that parents provide transportation.</p>
Washington	<p>Yes, mandatory intradistrict and voluntary interdistrict.</p> <p>Intradistrict: School districts must have a policy allowing intradistrict transfer options.</p> <p>Interdistrict: Districts are "strongly encouraged" to allow parents to transfer students to another district when requested. Districts must consider all applications equally and create standards for acceptance or rejection. A sending district must allow an interdistrict transfer if the receiving district agrees and under certain circumstances, such as accessibility to a parent's workplace or</p>	<p>A sending district may deny an interdistrict transfer request if the transfer would adversely affect the sending district's existing desegregation plan.</p>	<p>No. However, districts must accept children of full-time teaching staff and may refuse to enroll a student who has been expelled or suspended for more than ten consecutive days or has a history of violent or disruptive behavior.</p>	<p>Not addressed.</p>

	<p>child care location, a hardship, or to enroll in an online course or school. Receiving districts may deny a transfer if it would create a financial hardship for the district.</p>			
<p>West Virginia</p>	<p>Yes, voluntary intradistrict and interdistrict.</p> <p>Upon written request of a parent, county boards may transfer students from one school to another within the county. Transfers from one county to another county must be approved by both county boards. Parents may appeal if a sending or receiving county school district refuses a transfer. During the appeals process the state superintendent must consider the following factors:</p> <ul style="list-style-type: none"> <li>• Travel time of student</li> <li>• Impact of transfers on levies or bonds.</li> <li>• Financial impact on the county of residence.</li> </ul> <p>County boards may allow high school students to transfer if geography is a factor and there is a high school is closer to the student in another county. County boards of education "are encouraged" to enter into intercounty transfer arrangements to reduce the need for school facilities and reduce transportation times for students.</p>	<p>Not addressed.</p>	<p>No. However, school districts must consider interdistrict transfer applications from parents due to student travel time or school location.</p>	<p>Sending and receiving county boards must determine the method of transportation. Sending county boards are responsible for transportation if the county board has initiated the transfer plan.</p>

Wisconsin	<p>Yes, voluntary intradistrict and mandatory interdistrict. All school districts must adopt policies for accepting and rejecting interdistrict transfers and determine the number of spaces available. Criteria may include availability of space in schools, programs, classes, or grades. Districts may also consider class size limits, student-teacher ratios, and enrollment projects. Sending districts may limit the number or percentage of resident students transferring to other school districts.</p>	<p>A district must reject any application for transfer into or out of the district if the transfer would increase racial imbalance in the district. Student transfers resulting from a plan implemented by a district to reduce racial imbalance are eligible for state aid. However, in 2007, the Wisconsin attorney general issued an opinion in which he concluded that the provision is unconstitutional per the United States Supreme Court case, Parents Involved in Community Schools, et al. v. Seattle School District.</p>	<p>Yes. If there are more applications than spaces available, a receiving district must create a waiting list and accept students from this list on a random basis after giving preference to currently-enrolled students and their siblings. School districts may give preference to residents of the school district who live outside the school's attendance area. If the receiving district is a union high school district, preference must be given to students who are attending the receiving district's underlying elementary school district.</p>	<p>Parent are resp for transportation receiving districts provide transport for students with disability. Low-income parents may apply for reimbursement. I may enter into agreements to provide transportation for district students. either the sending receiving district operates a program intradistrict transfer that district is responsible for the cost of transportation. district may contribute directly for transportation or reimburse another district for the cost district may provide transportation for student attending public school outside his or her attendance area of residence</p>
Wyoming	<p>Yes, voluntary interdistrict and intradistrict. Any district within the state may admit pupils who are residents of other districts if space is available.</p>	<p>Not addressed.</p>	<p>No. However, districts do not have to accept students who have been expelled or suspended.</p>	<p>Not addressed.</p>

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### Intra-District Transfer Data

	2014-2015						2015-2016						2016-2017						2017-2018							
	Number of Countywide Intra-district Transfer Requests	Number Approved	Local Supt - Level Appeals	Number Approved	Local Board of Ed Level Appeals	Number Affirmed	Number of Countywide Intra-district Transfer Requests	Number Approved	Local Supt - Level Appeals	Number Approved	Local Board of Ed-Level Appeals	Number Affirmed	Number of Countywide Intra-district Transfer Requests	Number Approved	Local Supt -Level Appeals	Number Approved	Local Board of Ed-Level Appeals	Number Affirmed	Number of Countywide Intra-district Transfer Requests	Number Approved	Local Supt-Level Appeals	Number Approved	Local Board of Ed Level Appeals	Number Affirmed	Overall Percent Approved	
<b>Allegany</b>	804	804	0	0	0	0	797	797	0	0	0	0	816	816	1	0	0	0	797	797	0	0	0	0	0	100%
<b>Anne Arundel</b>	1632	1284	162	68	14	5	1488	1134	354	44	20	5	1399	1095	301	61	15	2	1412	1102	310	38	17	0	80.7%	
<b>Balt Co</b>	0	1466	79	31	6	3	0	1494	78	20	11	5	0	1415	83	20	18	14	0	1467	85	11	9	3	**	
<b>Balto City</b>	6851	5291	0	0	0	0	5470	4410	0	0	0	0	3555	3274	0	0	0	0	5423	5155	0	0	0	0	95.1%	
<b>Calvert</b>	886	786	4	1	2	0	894	801	5	2	0	0	943	846	2	1	0	0	1046	937	3	3	0	0	89.9%	
<b>Caroline</b>	49	40	1	1	0	0	69	46	6	3	0	0	67	56	11	10	1	0	62	54	3	1	0	0	88.7%	
<b>Carroll</b>	1092	1079	2	0	0	0	1213	1208	4	2	0	0	1277	1264	3	1	0	0	1374	1366	1	0	0	0	99.4%	
<b>Cecil</b>	825	745	0	0	0	0	820	755	0	0	0	0	800	750	0	0	0	0	845	770	0	0	0	0	91.1%	
<b>Charles</b>	783	407	106	20	19	0	578	321	79	19	14	0	554	349	35	7	3	0	651	325	78	10	11	1	51.6%	
<b>Dorchester</b>	321	317	0	0	0	0	335	298	0	0	0	0	317	286	0	0	0	0	327	280	2	1	0	0	85.9%	
<b>Frederick</b>	1199	1031	11	7	0	0	1292	1155	12	9	0	0	1274	1093	18	9	0	0	2594	2099	400	280	0	0	91.7%	
<b>Garrett</b>	178	178	0	0	0	0	181	181	0	0	0	0	173	173	0	0	0	0	190	186	0	0	0	0	97.9%	
<b>Harford</b>	2279	1515	161	72	2	0	2380	1577	109	54	2	0	2284	1691	120	53	1	1	2246	1645	110	36	15	4	75.0%	
<b>Howard</b>	1007	906	NA	NA	11	8	1143	1029	NA	NA	12	7	1189	1070	NA	NA	11	7	1059	953	NA	NA	6	4	90.4%	
<b>Kent</b>	38	31	0	0	0	31	46	44	0	0	0	44	46	39	0	0	0	39	36	32	1	0	0	32	88.9%	
<b>Montgomery</b>	4200	3612	514	200	87	86	4066	2695	454	247	48	46	4117	2614	526	295	17	14	4264	2729	514	277	60	44	71.5%	
<b>Prince George's</b>	745	501	117	78	0	0	1900	1606	177	149	2	2	2392	1815	252	251	0	0	1472	1202	138	138	0	0	91.0%	
<b>Queen Anne's</b>	314	312	0	0	0	0	319	316	0	0	0	0	324	321	0	0	0	0	321	318	0	0	0	0	99.1%	
<b>St. Mary's</b>	1135	1049	0	0	0	0	1161	1053	0	0	0	0	1099	1016	0	0	0	0	1150	1073	0	0	0	0	93.3%	
<b>Somerset</b>	76	72	0	0	0	0	70	70	0	0	0	0	80	78	0	0	0	0	65	62	0	0	0	0	95.4%	
<b>Talbot</b>	245	237	1	1	0	0	330	318	2	2	0	0	323	314	0	0	0	0	261	250	2	2	0	0	96.6%	
<b>Washington</b>	783	610	4	2	0	0	860	665	8	4	0	0	940	725	25	15	0	0	886	684	21	3	0	0	77.5%	
<b>Wicomico</b>	1046	852	0	0	0	0	899	721	0	0	0	0	776	608	2	0	1	0	683	537	0	0	0	0	78.6%	
<b>Worcester</b>	245	242	0	0	0	0	238	236	0	0	0	0	258	255	0	0	0	0	254	247	0	0	0	0	97.2%	

\*\*In Baltimore County, all transfer requests are initially handled at the principal level. The data system reflects the number of approved transfers, but does not reflect the overall number of requests at the principal level.



**Common Reasons for Denials (LEAs were able to indicate multiple responses)**

	Poor Student Attendance	Behavior	Grades	Full Capacity/Closed School	Improper Documentation/Improper residency documentation	Needs can be met at home school	Inconsistent with policy/Does not meet requirements	Grade or program at or above capacity	Inappropriate timing/past deadline for application	Safety Environmental concerns/Unsubstantiated	Daycare	School has nurse	After realignments of grade bands, grade does not exist	School Preference/School Choice/Continue at school when moved	IEP
Allegany	x	x	x	x											
Anne Arundel				x	x	x									
Balto Co				x			x	x							
Balto City	x	x		x			x		x	x					
Calvert					x		x								
Caroline							x		x						
Carroll				x											
Cecil				x			x								
Charles*							x				x				x
Dorchester	x	x		x			x								
Frederick				x			x								
Garrett							x	x				x			
Harford				x			x	x	x						
Howard					x		x			x				x	
Kent								x							
Montgomery										x	x			x	
Prince George's				x					x	x					
Queen Anne's														x	
St. Mary's							x	x							
Somerset					x			x					x		
Talbot	x			x				x							
Washington	x			x			x	x							
Wicomico	x	x		x	x		x								
Worcester											x				

## Intra-District Student Transfers

Local School System: Calvert County Public Schools

Prepared by: Kim Roof, Director of Student Services

Date: 11-6-2018

I. Please complete information on Intra-District Transfers:

	2014-2015	2015-2016	2016-2017	2017-2018
Number of Countywide Intra-District Transfer Requests	886	894	943	1046
Number Approved	786	801	846	937
Local Superintendent-Level Appeals	4	5	2	3
Number Approved	1	2	1	3
Local Board of Education-Level Appeals	2	0	0	0
Number Affirmed	0	0	0	0

II. For the 2017-2018 school year:

a. Please list most common reasons for transfer requests:

- Day Care Transfer Requests
- Employee Transfer Requests
- 
- 

b. Please list most common reasons for denials:

- Doesn't meet CCPS criteria for a transfer
- Failure to provide required documentation
- 
- 

**Note:** Please submit this completed document and your local school system Intra-District transfer policy to [mary.gable@maryland.gov](mailto:mary.gable@maryland.gov) by November 9, 2018 close of business. Thank you!



**Calvert County Public Schools  
1305 Dares Beach Road  
Prince Frederick, MD 20678**

**Policy Statement #3925 (Students) of the Board of Education  
Regarding Student Transfers**

I. Purpose

- A. To ensure that students attend school in the geographical attendance area in which they reside unless the student is granted a transfer under this policy
- B. To provide a fair and equitable process for all parents or guardians requesting transfers for their children from their home schools
- C. To define the limited circumstances under which students may be granted transfers to attend schools other than their home schools

II. Definitions

- A. Home School - the school that is located within the Board of Education's approved geographic attendance area for a specific address or residence
- B. Geographical Attendance Area - the current school attendance boundaries approved by the Board of Education that are used to determine the home school of attendance for students

III. Policy Statement

The Calvert County Board of Education expects that each student will attend the school in the geographical attendance area in which he or she resides. However, the Board recognizes that there are very limited circumstances (including course of study, certain health-related conditions, before and after school child care up to the end of grade 8, and certain employee circumstances) when consideration may be given for a student to attend a school outside of his or her geographical attendance area.

The Superintendent may designate a school or grade in a school closed to new transfer students.

IV. Delegation of Authority

The Superintendent is directed to develop administrative procedures to implement this policy in accordance with all local policies and local, state and federal laws and regulations and to communicate this policy and accompanying procedures to all relevant parties. The Superintendent will share changes to the administrative procedures with the Board prior to those changes being implemented.

Students #3925

Originally Adopted: 11/11/2004

Revised: 11/08/2007; 1/13/2011; 1/09/14

Minor editorial changes: 6/9/2011

Page 1 of 2

V. Exceptions

There are no exceptions to this policy. However, the Board, by majority vote, may temporarily suspend all or part of this policy. Suspension of all or part of this policy, however, in no way relieves the Board of its obligation to comply with the pertinent local, state and federal laws and regulations or the rules and regulations of the Maryland State Board of Education and the Maryland State Department of Education.

VI. Review

This policy will be reviewed at the end of three years, or sooner, if approved by majority vote of the Board of Education in public session. In addition, this policy will be reviewed when changes are made to Policy 4400 Regarding Educational Facilities Planning and School Geographical Attendance Areas.

VII. Effective Date

This policy is effective January 9, 2014.

Citations

State Law: §4-109; §7-101 Education Article of the Annotated Code of MD

State Reg.:

Federal Law:

Adm. Reg.:

Neg. Agr.:

Other Citation:

Related Policies:

4400 Regarding Educational Facilities Planning and School Geographical Attendance Areas

Students #3925

Originally Adopted: 11/11/2004

Revised: 11/08/2007; 1/13/2011; 1/09/14

Minor editorial changes: 6/9/2011

Page 2 of 2



## Intra-District Student Transfers

Local School System: Caroline County

Prepared by: William Q. Allen

Date: November 6, 2018

I. Please complete information on Intra-District Transfers:

	2014- 2015	2015- 2016	2016- 2017	2017- 2018
Number of Countywide Intra-District Transfer Requests	49	69	67	62
Number Approved	40	46	56	54
Local Superintendent-Level Appeals	1	6	11	3
Number Approved	1	3	10	1
Local Board of Education-Level Appeals	0	0	1	0
Number Affirmed	0	0	0	0

II. For the 2017-2018 school year:

- a. Please list most common reasons for transfer requests:
- Childcare for an elementary student (congruent with policy)
  - Teacher's child (congruent with policy)
  - Moved from attendance area (congruent with policy)
  - Family condition (congruent with policy)
- b. Please list most common reasons for denials:
- Past application deadline
  - Inconsistent with policy
  - 
  -

**Note:** Please submit this completed document and your local school system Intra-District transfer policy to [mary.gable@maryland.gov](mailto:mary.gable@maryland.gov) by November 9, 2018 close of business. Thank you!



## **Policy**

## **Board of Education of Caroline County**

Title: Student School Assignments

Reference: III.30.20

### **A. Purpose**

To provide a uniform statement concerning school assignments and the limited circumstances under which a parent or legal guardian may request an alternate school assignment.

### **B. Policy Statement**

The Caroline County Board of Education determines the attendance areas for all schools under its jurisdiction. Students are assigned to the school within the established attendance area in which they reside or are assigned in accordance with an Individual Educational Plan (IEP). However, under certain, specific or unique circumstances, a parent or legal guardian may request a school assignment other than the one determined by their residence.

### **C. Rationale**

Established attendance areas promote the balanced and efficient use of school facilities and resources and foster quality educational opportunities for all students.

### **D. Definitions**

1. The parent or legal guardian is the individual who has legal, custodial care of the student.
2. The legal residence of the parent or legal guardian determines the student's residence.
3. The attendance area is the geographic area from which a school's students are drawn. The school within the child's attendance area is designated as the home school.
4. An out of area transfer is a decision by the Superintendent or Board of Education to approve a parent's request for a child to attend a school other than the one located within the attendance area.

#### E. Implementation Guidelines

1. All schools will have attendance areas determined by the Board of Education. The Departments of Pupil Services, Instruction, and Transportation will maintain information regarding attendance areas.
2. Students are expected to attend the school within the attendance area in which they reside with their parents or legal guardians or to which they are assigned in accordance with an IEP.
3. A request for students to attend a school outside their attendance area will be considered only under limited circumstances.
4. The qualification of an irresolvable hardship must be demonstrated by the parent/guardian and accepted by the Superintendent before a transfer request will be approved.
5. The Superintendent will develop an appropriate form that will be utilized in student transfer requests. The Superintendent will also develop appropriate timelines for application and response.
6. Caroline County Public Schools is not obligated to provide transportation for students with approved transfers.
7. This policy will be implemented for the 2017-2018 school year and beyond. Students who are currently on an approved out-of-area transfer are not impacted.
8. Approval is granted for not more than one school year. Re-application is necessary for each school year an out-of-area placement is requested. Approval for one out-of-area transfer should not be interpreted as automatic approval as the child moves through the school's feeder pattern.
9. It is critical that a child with an approved out-of-area transfer attends school on a regular and timely schedule. The Superintendent reserves the right to return a child to his/her home school for excessive absences and/or tardies.
10. The approved enrollment for the children of school employees is subject to these same implementation guidelines.
11. Decisions by the Individualized Education Plan Team and/or the Expulsion Conference Panel are the only exceptions to this policy.

#### F. Expectations for Evaluation, Review, and Updates

1. The Superintendent will advise the Board of Education on the specific regulations that will implement this policy.
2. The Superintendent will provide the Board of Education with periodic updates regarding enrollment in Caroline County schools.
3. The Superintendent will provide the Board of Education a yearly review of progress in implementing this policy.
4. The Superintendent will develop and present to the Board of Education annual plans for communicating this information to parents and students.

G. References

Section 4-109(c) of the Education Article of the Annotated Code of Maryland

H. Effective Date: January 23, 2007; June 6, 2017

I. Date Adopted: November 7, 2006

J. Date Revised: June 6, 2017



### Intra-District Student Transfers

Local School System: Carroll County Public Schools

Prepared by: Dana Falls

Date: 11/8/18

I. Please complete information on Intra-District Transfers:

00's by s.y. end

	2014-2015	2015-2016	2016-2017	2017-2018
Number of Countywide Intra-District Transfer Requests	1092	1213	1277	1374
Number Approved	1079	1208	1264	1366
Local Superintendent-Level Appeals	2	4	3	1
Number Approved	0	2	1	0
Local Board of Education-Level Appeals	0	0	0	0
Number Affirmed	0	0	0	0

II. For the 2017-2018 school year:

a. Please list most common reasons for transfer requests:

- child care
- (No reason required for "open" schools)
- 
- 

b. Please list most common reasons for denials:

- does not meet criteria for "closed" school
- 
- 
- 

**Note:** Please submit this completed document and your local school system Intra-District transfer policy to [mary.gable@maryland.gov](mailto:mary.gable@maryland.gov) by November 9, 2018 close of business. Thank you!



	<b>Governance</b>  <b>Students Attending Schools Out-of-Attendance Areas (part 1 of 2)</b>	<b>Administrative Regulation #</b>	JEA
		<b>Implemented</b>	January 13, 2016
		<b>Reviewed/Updated</b>	December 14, 2016
<b>Page #</b>	1		
<b>Regulations Owner</b>	Dana Falls, Director of Student Services	<b>Expiration/Review</b>	Review: every three years

## **Administrative Regulation**

### **1. Purpose**

#### **Transfer of Student Outside of Attendance Area**

Other than students approved for public school choice (see part 2 of 2 of administrative regulations) students shall attend the school designated for the attendance area in which they reside (home school). The residence of the student shall, in all cases, be considered the same as the primary residence of the parent(s) or other legally appointed guardian(s). Purchasing a property, renting, moving into another family's home, etc., while at the same time maintaining another residence in the county, will not constitute a reason for enrollment in a school in the attendance area of the secondary residence. Students may be considered for placement outside their designated attendance area. The Department of Student Services will receive and investigate requests for out-of-district placements. These written requests from parents or legal guardians may be granted if the school has adequate space and facilities to accommodate the student and/or if an approvable circumstance is deemed to exist. If the out-of-district request is approved, transportation to and from the assigned school will be the responsibility of the parent(s)/legal guardian(s) (except students approved via public school choice). All applicants for an out-of-district placement must submit a request on an annual basis by March 1st.

A student approved for enrollment in an out-of-district school may continue in that school through completion of that school level (elementary, middle, or high), except as outlined in Section III. K below. A new application is only necessary when a student changes a school level.

A student may be eligible for extra-curricular activities in only one out-of-district high school. A student may be approved to attend a subsequent out-of-district high school; however, he/she will not be eligible to participate in extra-curricular activities. A student who returns to his/her home school may be eligible to participate in extra-curricular activities.

The Board of Education values supporting families by allowing siblings to attend the same school whenever possible. As such, consideration will be given for requests for siblings to attend the same school or feeder pattern. Transportation will not be provided by Carroll County Public Schools.

Requests for transfers outside of attendance areas involving schools affected by school closures or boundary adjustments will be handled according to procedures outlined in the student services manual. Those procedures supersede the regulations below.

	<b>Governance</b>  <b>Students Attending Schools Out-of-Attendance Areas (part 1 of 2)</b>	<b>Administrative Regulation #</b>	JEA
		<b>Implemented</b>	January 13, 2016
		<b>Reviewed/Updated</b>	December 14, 2016
<b>Page #</b>	2		
<b>Regulations Owner</b>	Dana Falls, Director of Student Services	<b>Expiration/Review</b>	Review: every three years

To protect the integrity of instructional programming in all schools, the Superintendent/designee may limit the number of requests to be honored from any home school. In this case, the Superintendent/designee shall declare a maximum number of requests to be approved from that particular home school and institute a lottery drawing until said number is reached.

## **2. Scope**

### Open Schools (under 97% of Adjusted Functional Capacity)

Open enrollment will be allowed with transportation provided by the parent/guardian. The Student Services Department will determine the number of seats available in each school on an annual basis. The number of seats available will be calculated based on the school capacity formula below:

- School's Adjusted Capacity
  - Jr. ROTC program capacity (as applicable)
  - Requests for children of CCPS staff members
  - Requests for siblings of current students
- = Number of seats available

If the number of out-of-district requests for any school exceeds the seats available, a lottery system will be used to determine the selection of approved applications.

However, students currently attending a school with projected enrollment less than 60% capacity may not be considered for an out-of-district transfer unless they meet the criteria listed below under closed schools, B, C, E, OR F.

### Closed Schools (At or above 97% of Adjusted Functional Capacity)

- A. Family provided childcare - Kindergarten through grade 8 - The student must go to school from, or return from school to, a family member's home on a daily basis because both parents are employed and there would be no responsible adult in the child's home.
  1. Except in rare and unusual circumstances, Childcare will not be considered as a reason for out-of-district placement for students in grades 9-12.
  2. All childcare supervision shall be verified in writing on the out-of-district form and signed by the childcare provider.
- B. Moving into a school boundary - The applicant must provide a copy of a contract/lease with a proposed settlement/moving date at time of application.

	<b>Governance</b>  <b>Students Attending Schools Out-of-Attendance Areas (part 1 of 2)</b>	<b>Administrative Regulation #</b>	JEA
		<b>Implemented</b>	January 13, 2016
		<b>Reviewed/Updated</b>	December 14, 2016
<b>Page #</b>	3		
<b>Regulations Owner</b>	Dana Falls, Director of Student Services	<b>Expiration/Review</b>	Review: every three years

1. Student is a member of an in-county family with specific proof of plans to move into the requested school's attendance area during the current school year.
- C. School Based Staff Member (.6 to 1.0) - a child of a .6 to 1.0 F.T.E. staff member may be approved for an out-of-district placement in the school where the staff member is assigned or a school that directly feeds into or out of the staff member's assigned school.
- D. Continue in the current school - Request to remain in a school where the student currently attends.
- E. Jr. ROTC - Student is accepted into a Jr. ROTC program at a specific high school (see Administrative Regulations to Board of Education Policy JPA: High School Eligibility)
- F. Siblings of students currently enrolled in the requested school.

#### **4. Procedure**

##### **Implementation**

- A. For the purpose of out-of-district enrollment, a school will be designated as closed at 97% of the functional/and or state adjusted capacity of the school.
- B. Parent(s) or legal guardian(s) may obtain an Out-Of-District Application from a school or the Department of Student Services.
- C. Applications must be submitted by March 1st.

The completed application and all supporting documentation shall be postmarked or delivered to the Student Services Department, 125 North Court Street, Westminster, Maryland 21157 by March 1<sup>st</sup>. If March 1<sup>st</sup> is on a Saturday or a Sunday, the deadline will be 4:00 p.m. the following Monday.

Applications and supporting documentation received after the deadline will be returned to the sender without being considered. If an applicant believes the application is late due to exigent circumstances, the applicant may submit a written appeal to the Supervisor of Pupil Personnel & Student Support Services.

- D. The Student Services Department will investigate any request received by the March 1st deadline and approve or deny the request according to Carroll County Public Schools' regulations.

	<b>Governance</b>  <b>Students Attending Schools Out-of-Attendance Areas (part 1 of 2)</b>	<b>Administrative Regulation #</b>	JEA
		<b>Implemented</b>	January 13, 2016
		<b>Reviewed/Updated</b>	December 14, 2016
<b>Page #</b>	4		
<b>Regulations Owner</b>	Dana Falls, Director of Student Services	<b>Expiration/Review</b>	Review: every three years

- E. Student Services staff will render a decision by April 1st.
- F. An exception to this regulation may be made by the Supervisor of Pupil Personnel and Student Support Services in rare and unusual circumstances when a significant, documented hardship is deemed to exist by student services staff.
- G. Requests for Medical, Psychiatric, or Emotional Reasons - The Student Services Department will review such requests based on the criteria for out-of-district placement. Any request that includes information about an alleged medical, psychiatric, or emotional condition will be forwarded to an IEP/504 screening committee to review the information and take appropriate action as warranted. If the out-of-district request is denied, unless the IEP team/504 team makes a change in placement, the out-of-district placement denial shall be the final decision.
- H. Written notification of the decision regarding out-of-district placement will be sent to the applicant.
- I. Enrollment of the student will not begin until the out-of-district application has been approved, in writing, by the Department of Student Services.
- J. Applicants may appeal decisions that deny an out-of-district request.
1. An appeal of the decision shall be addressed in writing to the Superintendent of Schools, 125 North Court Street, Westminster, Maryland 21157. Appeals and all supporting documentation must be received no later than 10 working days after notification of the decision.
  2. An appeal of the Superintendent or Superintendent's/designee shall be addressed to the President of the Carroll County Board of Education, 125 North Court Street, Westminster, Maryland 21157. Appeals and all supporting documentation must be received by the President of the Board of Education within 30 days after the decision is rendered.
- K. All out-of-district approvals are subject to further and ongoing review and may be rescinded/denied upon recommendation by a Pupil Personnel Worker if one of the following conditions exist:
1. Child's attendance, behavior, or grades are unsatisfactory;
  2. Child no longer meets out-of-district criteria;
  3. Any information provided on the application or supporting documentation is false;
  4. The decision to rescind an out-of-district placement will take effect immediately. The student shall not be allowed to "stay put" during the appeal process.

	<b>Governance</b>  <b>Students Attending Schools Out-of-Attendance Areas (part 1 of 2)</b>	<b>Administrative Regulation #</b>	JEA
		<b>Implemented</b>	January 13, 2016
		<b>Reviewed/Updated</b>	December 14, 2016
<b>Page #</b>	5		
<b>Regulations Owner</b>	Dana Falls, Director of Student Services	<b>Expiration/Review</b>	Review: every three years

## **5. Responsibilities**

Attending an out-of-district school without authorization

- A. Pupil Personnel Workers shall immediately investigate the enrollment of any student attending a school outside of their designated attendance area without an approved out-of-district application.
- B. Based upon the results of the investigation, the Pupil Personnel Worker will:
  1. Direct that the student be transferred to the in-district school; or
  2. Provide an out-of-district application for the family to complete, if appropriate.
- C. All exceptions to established out-of-district regulations will be reviewed/approved by the Supervisor of Pupil Personnel prior to discussion/implementation with the family.

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**STUDENTS ATTENDING SCHOOLS OUT-OF-ATTENDANCE AREAS**

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**I. PURPOSE**

To establish a uniform countywide policy that identifies some specific and limited circumstances for which a student may be considered for placement outside of their designated attendance area.

**II. DEFINITIONS**

**Designated Attendance Area:** the school attendance area in which the parent(s) or guardian(s) resides.

**Exigent Circumstances:** a sudden, unforeseen situation of such a dire nature that immediate assistance is imperative.

**III. POLICY STATEMENT**

The policy of the Board of Education is that students shall attend the school located within the attendance area in which they actually reside. The Board of Education recognizes that in some specific and limited situations, students may be considered for placement outside of their designated attendance area. The Superintendent, through the Student Services Department, is authorized to make such placements.

Transportation to and from the out-of-district school will be the responsibility of the parent(s) or guardian(s) (Except for students approved for public school choice).

The Board reserves the right to declare a moratorium on out-of-district enrollments at any time.

The decision of the Pupil Personnel Worker may be appealed to the Superintendent/designee no later than 10 working days after the decision by the Pupil Personnel Worker. Such decision may be appealed further to the Board, under Section 4-205 (c) of the Education Article, no later than 30 days after a decision is rendered. Once an appeal is filed to the Board, the Superintendent/designee shall no longer have jurisdiction to review the appeal further unless so directed by the Board.

The Pupil Personnel Worker, with approval of the Director of Student Services, may rescind the approval if one of the following conditions exists:

- child's attendance, behavior, or grades are unsatisfactory
- child no longer meets out-of-district criteria
- the information provided in the out-of-district application is found to be false or misrepresented.

All requests for exceptions to this policy shall be investigated by the Student Services Department and are subject to appeal by the Superintendent of Schools/Designee.

**IV. EXCEPTIONS**

In appropriate cases where exigent circumstances arise that did not exist at an earlier date an exception to these time lines may be made at the discretion of the Superintendent or Board of Education.

Exceptions for public school choice shall be determined as outlined in part 2 of 2 of the administrative regulations.

**V. GUIDELINES**

Establishment of Public Schools Geographical Attendance Areas, Section 4-109, Public School Laws of Maryland.

Administrative Regulation: Students Attending Schools Outside of Attendance Areas

**VI. REPORTS**

Reports will be submitted as needed or requested.

**VII. EXPIRATION/REVIEW**

None.

**VIII. DELEGATION OF AUTHORITY**

The Superintendent/designee has the responsibility for enforcing this policy by communicating it to all relevant parties and by providing necessary instructions and/or administrative regulations (if appropriate), to all staff members.

**IX. EFFECTIVE DATE**

June 6, 1976

**APPROVED: June 6, 1976**  
**REVISED: June 13, 1990**  
**REVISED: February 5, 1992**  
**REVISED: December 12, 2001**  
**REVISED: September 10, 2003**  
**REVISED: May 13, 2015**

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**CARROLL COUNTY PUBLIC SCHOOLS  
ADMINISTRATIVE REGULATIONS**

**POLICY JEA: STUDENTS ATTENDING SCHOOLS OUT-OF-ATTENDANCE AREAS  
PUBLIC SCHOOL CHOICE (Part 2 of 2)**

---

I. Public School Choice

Only for Title I schools identified as “in-improvement”. Parents requesting a public school choice transfer must complete a Public School Choice Out-Of-District Request Form and submit it to the student’s school designated for the attendance area in which he/she resides (home School) by the deadline identified by the school. Parents shall list their school of choice, according to the options provided, in order of preference. Students approved for public school choice shall be provided transportation by Carroll County Public Schools.

II. Eligibility for Transfer

A. All students enrolled in the Title 1 school identified as “in improvement” are eligible to apply for public school choice. Carroll County Public Schools will give priority to children with the greatest academic needs from low-income families.

B. Carroll County Public Schools will use the following criteria for approving a public school choice transfer request for students who are enrolled in a school identified as “in-improvement” as well as for new students:

(a) Category 1 – Students who have demonstrated low academic achievement. Within this category, students who receive or are eligible to receive free and/or reduced price meals are given priority consideration.

(b) Category 2 – Students who are not low-achieving. Within this category, students who receive or are eligible to receive free and/or reduced price meals are given priority consideration.

III. Duration of Approval

Approved public school choice placements are valid until the student completes the highest grade level at the assigned school. Annual approval is not necessary. However, parents/guardians may request that their child return to the home school at any time.

IV. Transportation

Transportation to and from school shall be provided by Carroll County Public Schools until the school of origin successfully meets federal standards of adequate yearly progress. After such time, should a student remain in the approved out-of-district school, transportation to and from school shall be the responsibility of the parent/guardian.



## Intra-District Student Transfers

Local School System: Cecil County Public Schools

Prepared by: Kyle Longeway

Date: November 8, 2018

I. Please complete information on Intra-District Transfers:

	2014-2015	2015-2016	2016-2017	2017-2018
Number of Countywide Intra-District Transfer Requests	825	820	800	845
Number Approved	745	755	750	770
Local Superintendent-Level Appeals	0	0	0	0
Number Approved	0	0	0	0
Local Board of Education-Level Appeals	0	0	0	0
Number Affirmed	0	0	0	0

II. For the 2017-2018 school year:

a. Please list most common reasons for transfer requests:

- Daycare
- Social Anxiety
- Family in Transition
- Athletics

b. Please list most common reasons for denials:

- Does not meet the County's policy
- Overcrowding
- 
- 

**Note:** Please submit this completed document and your local school system Intra-District transfer policy to [mary.gable@maryland.gov](mailto:mary.gable@maryland.gov) by November 9, 2018 close of business. Thank you!





Book	CCPS Policies and Regulations
Section	J - Students
Title	ASSIGNMENT OF STUDENTS TO SCHOOLS
Number	JECC
Status	Active
Legal	<b>ANNOTATED CODE OF MARYLAND-- EDUCATION: 4-109</b>
Adopted	August 10, 1987
Last Revised	June 11, 1990
Last Reviewed	April 1, 2016

**RELATED ENTRIES: JEC, JECC-RA**

**OFFICE: ASSOCIATE SUPERINTENDENT FOR EDUCATION SERVICES**

## **ASSIGNMENT OF STUDENTS TO SCHOOLS**

In accordance with the Public School Laws of Maryland, Section 4-109 (c), the County Board shall determine the geographical attendance area for each school. Students are required to attend the local school serving their designated attendance area. The Office of Student Services receives and reviews all written requests for pupil transfers to schools other than the school which the pupil would normally attend, based upon the location of parents'/legal guardians' residence. These written requests from parents/legal guardians may be approved only if one or more of the following conditions exist.

The student must:

1. Be an elementary school student in the care of a babysitter/day care center because parents are employed and will not be available to either send student to school or receive student at the end of the school day. This exception would apply to students in elementary school and 6th grade only and will require the assignment of a bus to and from babysitter's residence/day care center if not in a walking area. This exception will be granted only in schools in which space is available.
2. Be under the care of a physician for a condition which requires special medical consideration. It is the responsibility of the parent/legal guardian to provide annual physician's documentation of the continued need.
3. Be under the care of a licensed psychologist or psychiatrist for an emotional condition and be receiving regular and ongoing counseling. It is the responsibility of the parent/legal guardian to provide annual licensed psychologist/psychiatrist documentation of the continued need. Private transportation must be provided to the attending school.
4. Be in protective custody of a public or private agency and placed in a home with other than parents/legal guardians.
5. Be a student entering grade 12 who wishes to complete his/her high school program in the same local school as enrolled in grade 11. Private transportation must be provided.

6. Be applying for admission to a course or program of studies which is not available in the home-school district. Private transportation must be provided.
7. Be in a family planning to move into a different attendance area in Cecil County. Documentation of construction completion, settlement date, or rental agreement is required from contractor, lawyer, realtor or landlord. Private transportation must be provided.
8. Be in a family who has moved out of the attending district but requests to complete the current semester in the school in which they have been enrolled. Private transportation must be provided.
9. Be the subject of compelling circumstances that, in the judgment of the Superintendent of Schools or a designee, would warrant a change of schools. Private transportation must be provided.
10. Be recommended for transfer to another school by administrative decision due to unsatisfactory adjustment at the attending school. A team comprised of attending school Principal, proposed receiving school Principal, Director of Student Services and designees of the Office of the Superintendent will review each request and make a decision.

All requests from parents/legal guardians concerning out-of-district enrollments are to be in writing and must be forwarded to the Office of Student Services. No out-of-district pupil is to be admitted in school until approved by this office.

Requests which are approved will be valid for a specified period of time, not to exceed one school year.

Nothing in these procedures apply to students whose parents or legal guardians live out of Cecil County.





# **Intra-District Student Transfer Data and Policies**

**State Board of Education  
December 4, 2018**

## Intra-District Student Transfers

Local School System: Allegany County

Prepared by: Dr. Kim Green Kalbaugh

Date: November 9, 2018

I. Please complete information on Intra-District Transfers:

	2014-2015	2015-2016	2016-2017	2017-2018
Number of Countywide Intra-District Transfer Requests	804	797	816	797
Number Approved	804	797	816	797
Local Superintendent-Level Appeals	-	-	1	0
Number Approved	-	-	0	0
Local Board of Education-Level Appeals	-	-	-	-
Number Affirmed	-	-	-	-

II. For the 2017-2018 school year:

a. Please list most common reasons for transfer requests:

- Daycare
- Parent works at school
- School year completion
- Siblings attend this school

b. Please list most common reasons for denials:

- Attendance
- Behavior
- Grades
- Full Capacity

**Note:** Please submit this completed document and your local school system Intra-District transfer policy to [mary.gable@maryland.gov](mailto:mary.gable@maryland.gov) by November 9, 2018 close of business. Thank you!



# SCHOOL ATTENDANCE AREAS

FILE: JC

## Purpose

To establish school attendance areas.

## Definitions

Public School Employee – A certificated or non-certificated employee who is employed by a public school system for at least 190 days per year on a full time basis.

Child - Includes a natural child, foster child or a child who is domiciled in Allegany County.

## Policy Statement

The county shall be divided into appropriate school attendance areas by the Board of Education of Allegany County. With the advice of the County Superintendent, the County Board shall determine the geographical attendance areas for each school.

A student shall attend the school designated to serve the attendance area in which his/her legal guardian resides unless special permission has been granted by the Superintendent or his designee to attend a school in another attendance area in Allegany County.

Notwithstanding the authority of adjacent counties to establish geographical attendance areas pursuant to Section § 4-121 of the Education Article of the Annotated Code of Maryland, the Allegany County Board of Education may consider permitting individual students who do not reside in Allegany County to attend schools in Allegany County.

The Board of Education of Allegany County recognizes that exceptions to this policy may also be granted by state and/or federal laws such as kinship care and/or homelessness.

<b>Legal Reference</b>	6-401; 6-501 4-121; 4-122.1		
<b>Policy History</b>	<b>Adopted</b>	<b>Reviewed</b>	<b>Revised</b> Feb. 13, 2007, 1 <sup>st</sup> Reading April 11, 2007, 2 <sup>nd</sup> Reading April 8, 2008, 1 <sup>st</sup> Reading August 9, 2011, 2 <sup>nd</sup> Reading April 12, 2016, 1 <sup>st</sup> Reading May 10, 2016, 2 <sup>nd</sup> Reading

**I. DETERMINATION OF SCHOOL ATTENDANCE AREA:**

- A. Determination of a child's School Attendance Area will be based upon the location of the residence of the parent/guardian. Biological parents are presumed to be the legal custodians of their children and are jointly responsible for the support, care, nurturing, welfare and education of their children unless the court has appointed another party as legal custodian with official documentation. Any legal documentation pertaining to the custody of the student must be provided at time of enrollment and maintained in the student's permanent file.
- B. If legal documentation states that parents live separately and share joint legal custody, the student may enroll in the school attendance area of either parent. If physical custody is designated in a court issued document, the student must enroll in the school district of the parent/guardian with whom he/she is ordered to reside.
- C. Notarized statements from parents transferring custody and/or residency of the child to a relative or another person are not acceptable for educational use. A student under the age of 18 living with a person other than his/her legal custodian(s) may not enroll in school until application for legal custody is filed with the Circuit Court of Allegany County.
- D. Items A, B, and C above do not pertain to children/families who are eligible for protection under Kinship Care, or Homelessness. Students protected by The McKinney-Vento Education of Homeless Children and Youth Assistance Act will be exempt from these regulations.
- E. Placement of a student with a disability in a nonpublic educational program shall be made in accordance with the Annotated Code of Maryland § 8-406.

**II. PROCEDURES FOR CONSIDERATION OF OUT-OF-DISTRICT PERMITS:**

- A. When a student is the child of an Allegany County Public Schools' employee who resides in Allegany County, said student may be granted a transfer to a school outside his/her attendance area provided the school is within the attendance area of the employee's primary work site or home school.
- B. Primary (Pre-K-2) classrooms with less than 22 students are eligible to accept Out-of-District students. Intermediate (Grade 3-5) and middle school (Grade 6-8) classrooms with less than 25 students are eligible to accept Out-of-District students.
- C. Schools with existing Out-of-District placements that have been established for a sibling (s) will be given consideration for an Out-of-District placement before those without an established relationship with the Out-of-District school.
- D. Students requiring child care in accordance with Section VI Standards for Evaluating Out-of-District Permits A-E File: JC-R1 as well as students in family child care will be considered.
- E. Parents requesting an Out-of-District Permit for other reasons (standardized test scores, closed classrooms, etc.) will be considered last.
- F. Out-of-District permit requests must be submitted by May 31.
- G. Pupil Personnel Workers will review an Out-of District-Permit for the following year.

**III. CONDITIONS FOR STUDENTS RESIDING IN ALLEGANY COUNTY ATTENDING SCHOOL ON AN OUT-OF-DISTRICT PERMIT**

- A. If an out-of-district permit is approved, parents are responsible for the student's transportation on a daily basis.
- B. A student who has been permitted to attend a school through an out-of-district permit without a bona fide change of residence of the parent(s) or legal guardian(s) shall be ineligible to participate in interscholastic athletics for a period of 365 days from the approved transfer date unless a clear hardship can be demonstrated or unless an unusual family change of circumstances can be proven. In order to be eligible for interscholastic athletics such hardship or unusual change of circumstances must have a detrimental effect on the student's education.
- C. Any appeal concerning hardship or unusual family circumstances shall be directed in writing to the Superintendent's Designee. The Superintendent's Designee may obtain information from the school principals and athletic directors before making a decision.

- D. Eligibility for pre-kindergarten programs will be determined in accordance with the State's student selection criteria. If vacancies still exist in the pre-kindergarten program, then children who do not meet the selection criteria or reside outside the schools' attendance area, may be admitted, pending completion of the out-of-district permit process.

**IV. PROCEDURES FOR PROCESSING OUT-OF-DISTRICTS PERMITS**

- A. A request for an out-of-district permit may be submitted to the Pupil Services Department at the Central office or the school office. The out-of-district permit request (JC-E1) may be obtained at Central or school offices or accessed on the district website. Copies of completed requests will be forwarded to Pupil Services Department by school personnel.
- B. A Pupil Personnel Worker will review the request for an out-of-district permit and discuss with respective principals the impact of the request on the sending and receiving schools prior to making a recommendation.
- C. School administrators must approve all requests for an out-of-district permit based on the criteria found in Section II Procedures for Consideration of Out-of-District Permits A-F, Section III Conditions for Students Attending on an Out-of-District Permit A-D and VII Standards for Evaluating Out-of-District Permits A-D.

**V. PROCEDURES FOR CONTINUING OR REVOKING AN OUT-OF-DISTRICTS PERMIT**

- A. All out-of-district permits are approved for a period of one school year and will be reviewed in May for the subsequent school year. In order to retain an out-of-district permit, the student must demonstrate satisfactory behavior and conduct, acceptable attendance, acceptable academic performance, and abide by school rules and regulations. Failure to meet these standards may result in a student being returned to his/her home school.
- B. Out-of-district permits are subject to ongoing review and may be rescinded upon recommendation of the Pupil Personnel Worker or school administrator for one or more of the following reasons: (1) attendance, behavior or grades are unsatisfactory; (2) the student no longer meets an out-of-district permit standard; (3) information on the original application is determined to be false.
- C. Students transitioning to middle school from elementary school or high school from middle school must submit a new request for an out of district placement when the request is for a school outside of the student's home feeder system.

**VI. PARENT NOTIFICATION DATES**

- A. Parents of a student in grades 9-12 will be notified of the status of the Out-of District Permit immediately upon approval or denial by the school Principal.
- B. Parents of student in grade 1-8 will be notified of the status of the Out-of-District Permit by June 30 of the year prior to the implementation of the permit.
- C. Parents of students in Pre-K and kindergarten will be notified by the first full week in August of the year prior to the implementation of the permit.
- D. Applications received by schools or by the Pupil Personnel office will be dated upon receipt and processed in chronological order.
- E. Applications received after May 31 will be processed by the principal on a case by case basis.

**VII. STANDARDS FOR EVALUATING OUT-OF-DISTRICT PERMITS:****A. CHILD CARE**

A student whose parents are required to be outside the home and there is no responsible adult in the child's home to send him/her to or receive him/her from the home school may apply to attend another school in Allegany County. Any parent requesting an out-of-district permit in accordance with this requirement must provide a child care/day care provide license number (Family Article of the Annotated Code of Maryland Regulation 07.04.01) unless the child care provider is a relative or not required to register.

Requests approved under the provision may be limited to students in grades Pre-K-8. The parent, guardian, or child care provider will be required to provide transportation if the buses are at capacity as determined by the Allegany County Public Schools Department of Transportation. Students living in the attendance area will have priority for bus transportation, therefore, transportation for children in supervised child care cannot be guaranteed, and transportation may become the obligation of the parent by declaration of the Director of Transportation.

**B. SCHOOL YEAR COMPLETION**

A student whose family moves into a new school district in Allegany County during a respective school year may request an out-of-district permit to complete the current school year without transferring schools. If the student making the request is in grade 11, the request may be extended for an additional year.

If approved, transportation will be the responsibility of the parent(s)/guardian.

**C. STUDENTS RESIDING OUTSIDE OF ALLEGANY COUNTY OR OUT OF STATE**

The parents or guardians of a student residing in another Maryland county or state who desires to enroll in an Allegany County school must submit a letter to the Supervisor of Student Services detailing a rationale for such attendance. The case should then be evaluated by the Supervisor of Student Services as to whether to accept or reject the enrollment of this individual as a student. If the decision has been made to enroll the student, a letter from the Supervisor of Student Services should be sent to the school district of origin.

The Supervisor of Student Services may grant an out of state or out of county student permission to attend school in Allegany County if he/she concludes that the student has proven one of the following:

- (a) Problems associated with relocation of family residence where the student wishes to continue a previous enrollment in ACPS.
- (b) Problems associated with the transfer of authority over a student by a change of parent or guardianship.
- (c) A clearly identified hardship or other compelling circumstances.
- (d) Student's parents have the means and are in agreement to pay full tuition.

In all cases where an out of state student is permitted to attend ACPS, all other provisions of this regulation will also be applicable.

**D. TUITION STUDENTS**

Tuition costs for students enrolling in a general education program will be the cost per pupil for the current year. Tuition costs for students who are enrolling in a special education program will be calculated by the Finance Department based on the array of services required by the student in accordance with their Individualized Education Plan (IEP).

A non-resident student shall be charged the appropriate tuition required under the circumstances unless otherwise waived by the Supervisor of Student Services. The Supervisor of Student Services may waive tuition in the event of proven financial hardship.

<b>Board Reviewed</b> 06/14/16	<b>Superintendent Approved</b> 06/14/16
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**ALLEGANY COUNTY PUBLIC SCHOOLS  
OUT-OF-DISTRICT REQUEST**

**FILE: JC-E1**

Date of application \_\_\_\_\_

<b>Student Name</b>	<b>Student's Date of Birth</b>	<b>Grade in 2011-12</b>	<b>Special Education (Yes/No)</b>	<b>Name of School Requested</b>	<b>Name of School In Your District</b>	
<b>Parent(s) Name</b>	<b>Address</b>			<b>Home Phone</b>	<b>Work Phone</b>	<b>Cell Phone</b>

State the specific reason for request. \_\_\_\_\_

\_\_\_\_\_

**Day Care Provider Information (If applicable)**

I verify that I provide child care/supervision for the above student on a regular/daily basis. I agree to notify Allegany County Public Schools if this child care arrangement changes or is terminated.

\_\_\_\_\_ Signature of Child Care Provider License \_\_\_\_\_ Date \_\_\_\_\_

**Parent Affirmation**

I affirm that the statements are in fact and truth valid at this time and that I will notify the school office of any changes. I accept responsibility for transportation of my child to and from school. I understand an approval of this request is tentative and final approval will be given prior to the opening of school. I understand that final approval is based upon class-size. Furthermore, I understand that an out-of-district permit is approved for a period of one school year and will be reviewed in May for the subsequent school year. In order to retain an out-of-district permit, my student must demonstrate satisfactory behavior and conduct, acceptable attendance, acceptable academic performance, and abide by school rules and regulations. Failure to meet these standards may result in a student being returned to his/her home school. Finally, I understand that out-of-district permits are subject to ongoing review and may be rescinded upon recommendation of the Pupil Personnel Worker or School Administrator for one or more of the following reasons: (1) attendance, behavior or grades are unsatisfactory; (2) the student no longer meets an out-of-district permit standard; (3) information on the original application is determined to be false.

Signature of Parent or Guardian \_\_\_\_\_  
Date \_\_\_\_\_

DO NOT WRITE IN THIS SECTION - ALLEGANY COUNTY PUBLIC SCHOOL USE

Application Approved Based Upon:

- Child Care
- School Year Completion
- Title I Accountability Transfer Option
- Parent is Employed at this School
- Sibling Attends this School
- Other: \_\_\_\_\_

Application Denied Based Upon: \_\_\_\_\_

Signed: \_\_\_\_\_  
Pupil Personnel Worker

\_\_\_\_\_  
School Administrator

**RETURN THIS FORM TO THE STUDENT SERVICES OFFICE, ALLEGANY COUNTY PUBLIC SCHOOLS, PO BOX 1724, CUMBERLAND, MD 21501-1724. THE DEADLINE FOR SUBMITTING APPLICATIONS IS MAY 31, 2011 TO BE CONSIDERED FOR THE NEXT SCHOOL YEAR.**



## Intra-District Student Transfers

Local School System: Anne Arundel County Public Schools \_\_\_\_\_

Prepared by: Laurie Jones \_\_\_\_\_

Date: 11/8/2018 \_\_\_\_\_

I. Please complete information on Intra-District Transfers:

	2014- 2015	2015- 2016	2016- 2017	2017- 2018
Number of Countywide Intra-District Transfer Requests	1632	1488	1399	1412
Number Approved	1284	1134	1095	1102
Local Superintendent-Level Appeals	162	354	301	310
Number Approved	68	44	61	38
Local Board of Education-Level Appeals	14	20	15	17
Number Approved	5	5	2	0
<b>Total Approved</b>	<b>1357</b>	<b>1183</b>	<b>1158</b>	<b>1140</b>

II. For the 2017-2018 school year:

a. Please list most common reasons for transfer requests:

- Daycare
- Moving into/out of the area
- Child of a full time employee
- Terminal year

b. Please list most common reasons for denials:

- Closed school (over State capacity) / class size (over State capacity)
- Parent unable to provide proper documentation
- Students needs can be met at the zoned home school

**Note:** Please submit this completed document and your local school system Intra-District transfer policy to [mary.gable@maryland.gov](mailto:mary.gable@maryland.gov) by November 9, 2018 close of business. Thank you!



# **POLICY**

## **BOARD OF EDUCATION OF ANNE ARUNDEL COUNTY**

**Related Entries: Policy 900.01, Policy 900A, EAA, EA**  
**Responsible Office: DIVISION OF STUDENT SUPPORT SERVICES**

### **ASSIGNMENT AND/OR TRANSFER OF STUDENTS TO A SCHOOL**

#### **A. PURPOSE**

To provide policy to guide the assignment of students to a school within Anne Arundel County Public Schools.

#### **B. ISSUE**

Anne Arundel County Public Schools is responsible for the assignment and/or transfer of students to a designated school. This policy establishes the authority and responsibility governing those assignments.

#### **C. POSITION**

The Board of Education of Anne Arundel County (Board) values students attending schools within their communities. The Board is committed to establishing a public school system that educates the students of Anne Arundel County and promotes the general welfare of Anne Arundel County. Students must attend the school designated to serve the attendance area of their bona fide residence.

1. Exceptions to the placement of students according to attendance areas may be made as follows and in accordance with applicable regulations:
  - a. With Board approval, the Superintendent may transfer groups of students outside their normal attendance area to relieve overcrowding or to ensure an equitable distribution of students among available facilities.
  - b. The Superintendent may temporarily transfer groups of students to other school facilities during school construction or renovation. However, any redistricting of school boundaries will be in accordance with Policy JAA.
  - c. The Superintendent or his/her designee may authorize special placement for individual students whose particular circumstances or needs warrant it.

**JAB - ASSIGNMENT AND/OR TRANSFER  
OF STUDENTS TO A SCHOOL  
Page 2 of 2**

- d. The Superintendent or his/her designee may assign students to schools outside their designated attendance areas for programmatic reasons, childcare with a documented hardship, on the basis of a professional recommendation, or because the student or parent(s)/guardian(s) is moving into or out of a district. Students assigned for programmatic reasons shall be allowed to remain in the schools as long as they meet the requirements of the program.

**D. IMPLEMENTATION**

The Superintendent is authorized to develop regulations to implement this policy.

*Policy History:* Adopted on 03/18/15

*Note previous policy history:* Replaces Policy 900.01, adopted on 05/20/91 and revised 06/04/03, and 02/06/08.  
Rescinds Policy 900.02, adopted 06/05/02 and revised 01/22/03.

# REGULATION ANNE ARUNDEL COUNTY PUBLIC SCHOOLS

Related Entries: Policy JAB

Responsible Office: DIVISION OF STUDENT SUPPORT SERVICES

## ASSIGNMENT AND/OR TRANSFER OF STUDENTS TO A SCHOOL

### A. PURPOSE

To establish procedures to guide the assignment and/or the transfer of students to a school within Anne Arundel County Public Schools (AACPS).

### B. BACKGROUND

Policy JAB establishes the authority and responsibility governing student assignments. The Board of Education (Board) delegates authority to the Superintendent to develop regulations for the assignment of students to a school. Students must attend the school designated to serve the attendance area of their bona fide residence.

### C. DEFINITIONS

1. **Qualified School-Age Child** - a student who meets all state requirements for enrollment.
2. **School Attendance Area** - that area which is designated by the Board of Education to attend a specific school.
3. **Resident Student** - any qualified school-age child who has an established bona fide residence in Anne Arundel County. A resident student shall be admitted to the appropriate public school.
4. **Bona fide Residence** - the actual place of residence the student maintains in good faith with the student's parent(s)/guardian(s) or caretakers who intend to reside in the actual place of residence permanently. It does not include a temporary residence established for the purpose of free school attendance in the public schools. The burden of establishing bona fide residency to the satisfaction of the school principal and Division of Student Support Services is that of the student, care provider, and/or parent(s)/guardian(s). The determination of bona fide residency for school purposes shall be made by the principal or his/her designee when a child resides with the child's parent(s)/guardian(s) or court-appointed guardian. The determination of bona fide residency for school purposes shall be made by the Division of Student Support Services when the child resides with a care provider.
5. **Tenant Residence Verification Disclosure Form (TRV)** - the form used to

verify residency for purposes of enrollment when a family does not own or rent their residence and lives with another individual or family by choice.

6. ***Fraudulent Enrollment*** - the intentional misrepresentation of documentation regarding bona fide residence or failure to notify AACPS of a change in bona fide residence within thirty (30) calendar days.
  
7. ***Care Provider*** - anyone eighteen (18) years of age or older, who is allowed to act as parent(s)/guardian(s) to a child by the child's natural parent(s)/ guardian(s) due to family hardship. These situations may qualify as Kinship Care or Hardship.
  - a. ***Kinship Care*** is a living arrangement in which a relative of a child provides for the care and custody of the child due to serious family hardship. A serious family hardship means one of the following has occurred to the parent or legal guardian of the child: death, serious illness, drug addiction, incarceration, abandonment of the child, or assignment to active military duty. Kinship care must be provided in a school attendance area other than the school attendance area of the child's parent(s)/guardian(s).
  
  - b. ***Hardship*** is a determination made by the Office of Pupil Personnel regarding the living arrangement of a child when Kinship Care does not apply. Such determination requires submission of proper documentation.
  
  - c. The designation of Kinship Care or Hardship shall be determined by the Division of Student Support Services in accordance with the provisions of Section 7-101 of the Education Article of the *Annotated Code of Maryland* and must be approved prior to enrollment. The care provider shall have access to student records provided the student is under eighteen (18) years of age. The parent(s)/guardian(s) of students receiving special education services retain the right to make any educational decisions on behalf of the child.
  
8. ***Non-Resident Student*** - any qualified school-age person who does not have an established bona fide residence in Anne Arundel County. Approved students may be admitted to the public schools with payment of tuition upon approval from the Division of Student Support Services after consultation with the school principal, subject to available space.
  
9. ***Emancipated Student*** is:
  - a. A student who is married, upon presentation of a copy of the marriage certificate.
  
  - b. A student under the age of eighteen (18) who has been declared emancipated through the courts, upon presentation of the court decree.

10. **Eligible Student** - a student reaching the age of eighteen (18), upon the presentation of evidence that the student is living independently and has a separate residence from that of the student's parent(s)/ guardian(s). Schools should involve the Pupil Personnel Worker (PPW) if there are questions about the student's living independently.
11. **Foster Home** - a family home in which the child is placed by a licensed public or private agency or by a court of competent jurisdiction.
12. **Group Home** - a licensed residential facility in which the child is placed by a private or public agency or by a court of competent jurisdiction.
13. **Closed Schools** - those schools that have an enrollment or projected enrollment that is at 90% or greater of the state-rated capacity, and those Title I schools that have an enrollment that is 80% or greater of the state-rated capacity. At the discretion of the Superintendent or his/her designee, schools may also be closed for reasons such as construction, redistricting, or special program offerings requiring admission. Transfers into these schools are restricted.
14. **Adjustment Transfer** - a request initiated and approved by two principals, due to special circumstances, for a student to attend a school other than the school designated by bona fide residence.
15. **Administrative Transfer** - a transfer approved by the Superintendent or his/her designee for special circumstances.
16. **Out-of-Area Transfer** - a request to attend a school other than one designated by bona fide residence.

#### D. PROCEDURES

1. Documentation for Enrollment
  - a. Proof of date of birth includes birth certificate, physicians' records, hospital certificate, birth registration, baptism certificate, church certificate, passport/visa, parent affidavit.
  - b. Proof of parent(s)/guardian(s) identity includes driver's license, passport, Motor Vehicle identification card, or other legal forms of documentation.
  - c. Proof of parent(s)/guardian(s) relationship includes birth certificate which identifies the parents, court order, divorce decree or other legal documentation.
    - (1) Stepparents are not considered legal guardians unless awarded custody by a court.
    - (2) The determination of bona fide residency for school purposes in all Kinship Care and Hardship enrollments and supporting documentation shall be made by the Division of Student Support Services based upon a

review of circumstances and documentation.

- (3) Schools shall enroll students with out-of-county living arrangements (Group Home or Foster Care placements) immediately, using the Enrollment of Students in State-Supervised Care Form completed by either the foster parent or the enrolling agency. These registrations and enrollment approvals occur at the local school. The Office of Pupil Personnel is available for consultation.
- d. Proof of immunization must be a DHMH 896 *Maryland Immunization Certificate* or a computer form generated by a physician or health clinic.
  - e. Proof of residency must include two (2) forms of the following documentation provided prior to enrollment (however, the Office of Pupil Personnel and/or the principal have the discretion to require additional proof of residency):
    - (1) A mortgage document issued within 60 calendar days, deed, valid rental agreement, military housing lease, or the TRV with supporting documentation.
      - a) When the TRV is used, the owner or leasee of the residence must provide:
        - i. the notarized TRV form,
        - ii. a copy of a mortgage document, deed, or rental agreement, and
        - iii. a second form of documentation as described in C.2.e. (2).
      - b) The individual enrolling the student(s) must provide one additional form of documentation as described in C.2.e. (2) in his/her name at their current residence within 30 days of enrollment.
      - c) In the event that it is determined by the Coordinator of Pupil Services that it is impossible for the documents required by C.2.e.1(a) and (b) to be produced then a letter from a PPW which includes the following may be accepted:
        - i. a minimum of two home visits by a PPW that shall occur prior to enrollment;
        - ii. date of a parent/guardian interview by a PPW;
        - iii. documented follow-up visits during the year; or
        - iv. signature of the Coordinator of Pupil Services or his/her designee verifying the information attested to by the PPW.
    - (2) A second form of documentation, issued within the past 60 days, is also required, and may include any of the following, provided the address on the document matches the mortgage document, deed, rental agreement, military housing lease, or TRV:

- a) Utility bill, cable bill or work order issued by the utility or cable company
  - b) Bank statement
  - c) W-2 Form or Form 1099 issued the previous year
  - d) Pay stub
  - e) Valid Commercial Driver's License (CDL)
  - f) Any government issued documentation such as:
    - i. Social Security check/check stub/remittance advice
    - ii. Domestic Relations/child support check
    - iii. Department of Social Services-Food Stamps or Community Medical Assistance letter
    - iv. Unemployment award
  - g) PPW verification letter or form verifying residence after a home visit
- (3) Online copies of this documentation may be accepted.
- (4) If the parents live apart, the child's bona fide residence is the bona fide residence of the parent who has primary physical custody or the parent with whom the child lives the majority of the school week, if a custody order is not in place.
- (5) If the parents share physical custody, the student may attend the school assigned to either parent's bona fide residence, unless one parent has educational decision-making rights. In that case the child shall attend the school assigned to that parent's bona fide residence. However, if the parents disagree on which school the student will attend, the Division of Student Services and/or principal shall make a determination for school placement based on the best interest of the student, which includes but is not limited to the following factors:
- a) The student's age
  - b) Grade level
  - c) Length of time in current school
  - d) Programmatic needs
  - e) The student's educational/academic needs
  - f) Continuity of instruction
  - g) Time remaining in the school year
  - h) Travel time from home to school from both parent's residence.
- (6) The determination of bona fide residence for school purposes shall be made by the Division of Student Services when the child resides with a care provider.

2. Exceptions for Non-Resident Students

A non-resident student, other than an approved foreign exchange student, shall not be enrolled in any public school of Anne Arundel County without written authorization from the Division of Student Services. The Division of Student Services authorizes the acceptance of non-resident students only when space is available in a particular school and previous school records document a history of adherence to acceptable standards of student attendance and behavior in school.

3. Payment of Tuition for Non-Resident Students

A non-resident student shall be charged tuition unless otherwise waived by the Division of Student Services. If a student relocates out of Anne Arundel County during the school year, the parent(s)/guardian(s) may contact the Division of Student Services for information on tuition.

4. Tuition Fees for Non-Resident Students shall be established annually by the Superintendent or his/her designee.

- a. The tuition rate for students who are residents of another state or country is the total cost of educating a student.
- b. The tuition rate for students who are residents of Maryland, but not Anne Arundel County, is the county cost of educating a student.
- c. A separate tuition rate shall be established annually for kindergarten, elementary, secondary, and special education students.
- d. Tuition shall be payable bi-annually on or before the first day of each semester.

5. Special Placements

- a. Requests for special placements may be approved by the Superintendent or his/her designee.
- b. A variety of factors, including school space availability, shall be considered.
- c. Adjustment transfers and administrative transfers are considered special placements.
- d. Transportation shall be the responsibility of the parent(s)/guardian(s) accepting adjustment transfers and administrative transfers.

6. Fraudulent Enrollment

A student shall be withdrawn from AACPS if it is determined a student is fraudulently enrolled. The parent(s)/guardian(s) shall be financially liable for tuition for the entire time of fraudulent enrollment or attendance.

If a parent(s)/guardian(s) are not in agreement with the principal's decision, they have the right to appeal. See Appeal Procedures, Section 13.

**7. Conditions of Approval**

Approval of out-of-area transfers is subject to the following conditions:

- a. Verification of information on the Out-of-Area Transfer: Request for Placement/Annual Continuation Form;
- b. Temporary reassignment of students by the Superintendent because of school construction, renovation, or an emergency situation;
- c. Redistricting by the Board of Education;
- d. A change in procedures by the Board of Education or Superintendent;
- e. In kindergarten through second grade, the student must maintain continued satisfactory performance as determined by the sole discretion of the principal; in Grade 3 or above, the student must have at least a "C" average;
- f. The student must maintain satisfactory attendance, defined as 94% or better daily attendance and no more than five (5) tardies per marking period, and provided evidence of lawful excuses for absences and tardies;
- g. The student must not have been suspended or expelled;
- h. Any changes in student circumstances relevant to the reason(s) for the transfer (address, daycare, employment, etc.).

Documentation is required to substantiate enrollment or transfer information. It is the responsibility of the parent(s)/guardian(s) to provide the documentation. Transfers may be denied solely on the basis of the failure of the parent(s)/guardian(s) to provide such documentation.

- i. Transportation from established designated bus stops shall be provided for students who were granted an out-of-area transfer for daycare with a documented hardship as defined by the Division of Student Support Services (effective for the 2016-17 school year).

**8. Enrollment Procedures and Application Process for Out-of-Area Transfer Requests:**

All out-of-area transfer students shall complete the Out-of-Area Transfer Form: Request for Placement/Annual Continuation form each year. Siblings are considered individually in accordance with outlined procedures.

Out-of-area kindergarten students must be enrolled in the home school prior to attending a different school. Pre-kindergarten students may not apply for out-of-area transfers because pre-kindergarten is not mandatory.

Procedures for out-of-area requests due to daycare in the elementary and middle schools:

- (1) An initial out-of-area request must be received between March 1 and May 1:
  - a) Requests will only be considered for the home school of the daycare address.
  - b) Requests to attend an out-of-area school for daycare reasons must be accompanied by proof of a documented hardship. Having secured daycare in a particular school attendance area is not sufficient reason for the transfer without required documentation of the hardship.
  - c) Parent(s)/guardians(s) shall apply to the principal of the receiving school for the following school year. Completion of the daycare verification form is mandatory. Forms submitted by May 1 should receive a decision within 30 (thirty) days of receipt of the Form, but no later than June 1.
  - d) The principal or his/her designee shall record the date such requests are received in the school office.
  - e) The principal shall deny all out-of-area requests once the requested school is identified as a closed school based on state-rated capacity or other reason such as construction, programming, or redistricting.
  - f) The principal also will deny all out-of-area requests that cause the actual class size projection to exceed:

Grade	Non-Title I Schools Actual Class Size	Title I – Schools 80% State Rated Capacity
K	18	14
1 - 2	25	20
3	25	20
4 - 5	28	22

- g) Copies of denied applications shall be forwarded to the Division of Student Support Services.
- b. Procedures for elementary, middle, and high school initial out-of-area transfer requests excluding daycare:
  - (1) Requests for out-of-area transfers for reasons other than daycare are to be submitted to the requested school between March 1 and May 1, and will be processed by the principal or pupil personnel worker (at the secondary level), or Student Support Services staff.

- (2) The parent(s)/guardian(s) seeking an out-of-area transfer based on a professional recommendation must supply a written recommendation from a physician, a psychiatrist, a psychologist, other medical professional, a licensed social worker, the Department of Social Services, licensed pastoral counselor, or other agencies recognized by the Division of Student Support Services detailing the necessity of this transfer and the intended outcome the professional is seeking for the student.
  - (3) A written decision to approve or deny the request shall be made within thirty (30) days of receipt of the request, but no later than June 1.
  - (4) Copies of denied applications shall be forwarded to the Division of Student Support Services.
- c. Procedures for elementary, middle, and high school continuation of out-of-area requests:
- (1) After the initial out-of-area request is approved at the elementary, middle, and high school levels and the parent(s)/guardian(s) desires the student to remain at the respective school, the parent(s)/guardian(s) must complete the entire Form, check the box indicating this is a request for a continuation of a previously approved transfer and submit the Form to the principal for review between March 1 and May 1. Appropriate written documentation, including but not limited to, daycare, professional recommendation, and/or residency verification must accompany the Form. This request for continuation must indicate that the criteria for which initial approval was granted still exists.
  - (2) A written decision to approve or deny the request shall be made within thirty (30) days of receipt of the Form, but no later than June 1.
  - (3) Copies of completed applications shall be forwarded to the Division of Student Services.
- d. Exceptional requests for out-or-area transfers after May 1:
- (1) Requests filed after May 1 shall only be considered if the student is new to the school attendance area or there is a bona fide emergency or event that could not have been foreseen prior to May 1. Documentation verifying the move into the school attendance area or documentation supporting this emergency or event must be supplied.
  - (2) After May 1, the parent(s)/guardian(s) must submit the Form to the Division of Student Services.

- a) The date of the request shall be recorded.
  - b) Student must be enrolled and/or remain in their home school while the out-of-area request is being reviewed.
  - c) The standard criteria for out-of-area transfers shall be applied.
  - d) A written decision to approve or deny the request shall be made within thirty (30) days of receipt of the Form.
9. Appeal Procedures for Out-of-Area Transfers: If the parent(s)/guardian(s) are not in agreement with the principal's decision or the decision of the Division of Student Services, they have the right to appeal. See Appeal Procedures, Section 13.
10. Special Circumstances:

Student Support Services shall evaluate the following special circumstances as justification for assigning a student in grades K-12 to a school outside the attendance area in which the student currently resides:

- a. When a student who has completed grades 4, 7, or 11 changes residence to another AACPS school attendance area, said student may continue in the original elementary, middle, or high school until completion of the terminal grade of that school level, subject to the terms and conditions of redistricting by the Board or the Superintendent's transfer of groups of students to other school facilities.
- b. When a student changes residence within AACPS during a school year, said student may remain in the original school until the end of the school year. To request consideration for remaining in the original school for subsequent year(s), a new request must be submitted and evaluated in accordance with the provisions of this rule.
- c. When a student's family plans to move from one AACPS school attendance area to another during the school year, said student may enroll in the school in the attendance area in which he/she is planning to live. Principals may approve this enrollment upon the receipt of appropriate documentation from the parent(s)/guardian(s). Residency must be established within ninety (90) calendar days.
- d. A resident student whose parent(s)/guardian(s) is a full-time, school-based employee may be reassigned to the school in which the parent(s)/guardian(s) is employed. If the employee changes employment locations, the student may finish the current school year at the school to which he/she has been reassigned, regardless of the grade level.

11. An adjustment transfer may be granted by the Principals at the impacted schools.
12. An administrative transfer may be granted by the Superintendent or his/her designee as necessary.
13. Appeal Procedures

If the parent(s)/guardian(s) disputes the decision made on the assignment or transfer of a student in AACPS, the parent(s)/ guardian(s) may appeal the decision.

- a. To initiate an appeal of a principal's decision, the parent(s)/guardian(s) must file a written notice of appeal to the Superintendent within seven (7) calendar days from the date of the decision.
- b. To initiate an appeal of a decision by the Division of Student Support Services, the parent(s)/guardian(s) must file a written notice of appeal to the Superintendent within seven (7) calendar days from the date of the decision.
- c. If the appeal to the Superintendent is denied, the matter may be appealed to the Board of Education within thirty (30) calendar days from the date of the decision by the Superintendent or his/her designee.

**Regulation history:** Developed by the Superintendent 02/14/15  
Reviewed by the Board of Education 03/18/15  
Date Issued 03/18/15

**Note previous history:** Issued 02/06/08, Revised 02/18/09, 08/09/10, 06/27/11, and 03/01/13  
Replaces AR900.01, Assignment of Students to a School  
Rescinds AR900.02, Title I Transfer



## Intra-District Student Transfers

Local School System: Baltimore County Public Schools

Prepared by: Allyson Huey, Manager, Employee & Student Appeals

Date: November 9, 2018

I. Please complete information on Intra-District Transfers:

	2014-2015	2015-2016	2016-2017	2017-2018
Number of Countywide Intra-District Transfer Requests	*	*	*	*
Number Approved	1466	1494	1415	1467
Local Superintendent-Level Appeals	79	78	83	85
Number Approved	31	20	20	11
Local Board of Education-Level Appeals	6	11	18	9
Number Affirmed	3	5	14	3

\* Form A transfers are handled and approved at the school level. Form B transfers are handled centrally. We are currently only able to count Form B transfer requests which are a small percentage of the total. For example, there have been 130 Form B requests between April 1 2018 and October 31, 2018.

II. For the 2017-2018 school year:

a. Please list most common reasons for transfer requests:

- Medical/Student Adjustment
- Child Care
- Child of an Employee
- Currently Enrolled Sibling
- Program of Study

b. Please list most common reasons for denials:

- Request inconsistent with policy and/or rule
- Requested school is overcrowded as defined by rule
- Requested grade level and/or program of study is at or above staffing allocation as defined by rule





STUDENTS: Enrollment and Attendance

Assignment and/or Special Permission Transfer

I. Purpose

- A. To provide procedures and guidelines for special permission transfers in Baltimore County Public Schools (BCPS) for students in Grades K-12.
- B. In accordance with Board of Education of Baltimore County (Board) Policy 5140, each Baltimore County public school will have a designated school attendance area. Students shall attend the school serving the school attendance area in which their parents have a bona fide domicile, unless an exception is granted in accordance with the procedures and guidelines provided herein.

II. Definitions

- A. *Business Day* – Any day that the central offices of the school system are open for business or as provided on the official school system calendar.
- B. *Child* – Any child who meets all state requirements for enrollment and who is not currently enrolled in a Baltimore County public school.
- C. *Child of an Employee* – A dependent child of a BCPS employee. This includes:
  - 1. A biological child;
  - 2. A legally adopted child;
  - 3. A child for whom the employee has legal guardianship;
  - 4. A stepchild, when the employee's spouse resides with the employee and the employee's spouse is the child's natural or adoptive parent; and
  - 5. A foster child placed in the employee's home by a state agency or a licensed child placement agency.
- D. *Employee* – A certificated or non-certificated individual who is an employee of the Board for a least 9 months a year and as defined by §6-404 and §6-501 of the Education Article of the *Annotated Code of Maryland*. For the purpose of this rule, an employee does not include a temporary or contractual employee.

- E. *File* – An appeal will be deemed to have been timely filed if, before the expiration of time, it has been:
1. Delivered to the appropriate BCPS administrative office, or
  2. Deposited in the United States mail, as registered or certified or express mail, or deposited with a delivery service such as Federal Express, UPS or DHL that provides verifiable tracking of the item from the point of origin.
- F. *Fraudulent Enrollment* – Refers to the intentional misrepresentation of documentation or material fact regarding domicile, providing false information on the special permission transfer application and/or the failure to notify BCPS of a change in domicile or a change in hardship conditions for which the special permission transfer was approved. Any such change must be provided to the school principal within fifteen (15) business days of occurrence.
- G. *Home School* – The school serving the school attendance area in which the student is domiciled with his/her parent.
- H. *Overcrowded School* – A school is deemed to be overcrowded when one or more of the following conditions exists:
1. Current or projected student enrollment in the requested school is equivalent to or exceeds state-approved building capacity;
  2. Average class size of the requested grade is equivalent to or exceeds Board-approved staffing guidelines; or
  3. Enrollment in the requested program of study or requested course is equivalent to or exceeds staffing allocation.
- I. *Parent* – The biological or adoptive parent, legal guardian or person acting in the absence of the parent or guardian.
- J. *Primary Work Site* – The physical location where the employee receives his/her mail and maintains his/her office. For employees with split work sites, the primary work site means the work location identified by the Department of Human Resources' information system.
- K. *Principal* – The principal of a school or the principal's designee.
- L. *Program of Study* – An academic program in which the student completes a specified sequence of courses. Program of study does not include electives or extracurricular activities.

- M. *Receiving School* – The school where the student is seeking to be enrolled by special permission transfer.
- N. *Sibling* – A brother, sister, half-brother, half-sister, stepbrother, stepsister or foster child who is domiciled in Baltimore County in the same residence as the student who is enrolled in the requested school.
- O. *Special Permission Transfer* – An approved transfer, based on specified criteria, for a student to attend a school that is not his/her home school.
- P. *Student* – A school-aged child who meets specified conditions for establishing domicile in Baltimore County and who is currently enrolled in a BCPS school.
- Q. *Terminal Grade* – Grades 5, 8 and 12.

III. Guidelines

- A. A student attending a public school in Baltimore County is expected to attend the home school that serves the attendance area in which the student's parents are domiciled. Transfers from the home school may be permitted as outlined in this rule.
- B. A special permission transfer may be requested for students in Grades K – 12.
- C. Prekindergarten students are not eligible for a special permission transfer. The Office of Early Childhood shall be responsible for determining the placement of a prekindergarten-eligible student.
- D. Special permission transfer requests related to application and admission to a magnet school must be made in accordance with Board Policy and Superintendent's Rule 6400, *Magnet Programs*.
- E. A special permission transfer will be approved when one of the following conditions exists:
  - 1. **Terminal Grade**  
A student has completed Grade 4, 7 or 11 and moves to different school attendance area in Baltimore County after the end of the school

year, but wishes to complete elementary, middle or high school in his/her current school.

2. Program of Study
  - a. A student desires to pursue a curricular, academic, or sequential program of study not offered in the student's regularly assigned school.
  - b. The student must have met the stated prerequisites for the requested program.
  - c. Special permission transfer requests based on program of study will be denied if the requested program is overcrowded or the school is overcrowded.
3. Change of Residence
  - a. A student has moved from one school attendance area to a different school attendance area in Baltimore County during the regular school year, but wishes to continue attending his or her school in his or her previous attendance area until completion of the school year. The family must provide the principal of the school the student currently attends with proof of the new address in Baltimore County as outlined in Superintendent's Rule 5150, *Resident and Nonresident Student Eligibility*.
  - b. A student plans to move from one school attendance area to a different attendance area on or before November 1 of the current school year.
    - (1) A student must demonstrate definite plans to move to a different attendance area, as follows:
      - (a) Proof of purchase or rental must be provided with the application for student transfer.
      - (b) The new residence must be the primary permanent residence for the student and the student's family and must be located within the receiving school's attendance area.
      - (c) Additional documentation may be requested to establish that the new residence is a bona fide domicile for the student.
    - (2) If the student is not domiciled with his/her parent in the new attendance area by November 1, the student will be withdrawn at the end of the semester.
4. Child of an Employee

- a. The parent is a BCPS employee and is requesting a special permission transfer to the school where the parent is employed or to the school nearest the employee's primary work site.
    - (1) The employee's primary work site must be located within the attendance area of the receiving school.
    - (2) If the receiving school is overcrowded, the student will be given the option of applying for a special permission transfer to another school that is not overcrowded and whose boundary is adjacent to the employee's primary work site.
  - b. If the employee's primary work site and the requested school is a magnet school, the employee's child must be an eligible applicant and meet the admissions criteria as outlined in Superintendent's Rule 6400, *Magnet Programs*.
  - c. Special permission transfer requests made under this subparagraph will be denied if the requested school is overcrowded.
5. Child Care
- a. The parent of an elementary school student demonstrates hardship in obtaining appropriate full-time before- and/or after-school supervision of the student within the boundaries of the school where the child is domiciled. The parent shall provide documentation concerning the child care provider, including the provider's name, address and telephone number.
  - b. A student is severely or profoundly disabled and the parent provides documentation of child care, and after consultation with the appropriate offices including, but not limited to, the Offices of Special Education, Health Services and Transportation.
  - c. Special permission transfers for reasons of child care will be denied if the requested school is overcrowded.
6. Boundary Changes
- a. During the first year of a boundary change, when a student is currently enrolled in Grades 4-5, 7-8 or 11-12 of the school affected by a change in attendance area, and the student wishes to remain in the school through his/her terminal grade.
  - b. If a student who meets the criteria in Subparagraph III(E)(6)(a) has a sibling who is currently enrolled in the affected school, the sibling will be given the option of remaining in the affected school through his/her terminal grade.
7. Siblings

- a. The sibling of a currently enrolled student wishes to attend the same school as the enrolled student, such request may be approved if:
  - (1) The sibling is domiciled in Baltimore County in the same residence as the student who is enrolled in the requested school.
  - (2) The sibling is enrolled on the first day of school of the requested school year.
- b. Special permission transfer requests made under this subparagraph will be denied if the requested school is overcrowded.

F. Medical/Student Adjustment

A special permission transfer may be approved for medical/student adjustment under the following conditions:

- 1. The student demonstrates exceptional hardship for reasons of medical, emotional or social adjustment.
  - a. Independent, detailed documentation substantiating the circumstances (e.g., from physicians, psychologists, social workers or counselors) is required and must be attached to the *Application for Special Permission Transfer for Medical/Student Adjustment*. (Rule 5140, Form B)
  - b. All applications for medical/student adjustment shall be submitted to the Director of School Climate and reviewed by the Coordinator of Health Services and/or the Coordinator of Psychological Services prior to making a decision.
- 2. The Director of School Climate, or his/her designee, is responsible for determining whether a special permission transfer under this subparagraph may be granted.
- 3. The Director of School Climate, or his/her designee, shall determine the appropriate placement of a student approved for special permission transfer due to medical/student adjustment. An approved placement under this subparagraph is not subject to appeal.
- 4. Overcrowded conditions and boundary changes will not preclude approval under this subparagraph.

IV. Application Procedure

- A. The following procedures shall be followed when a student is requesting special permission to attend a school outside his or her home school.
- B. Student Transfer Application

RULE 5140

1. The parent must complete the *Application for Special Permission Transfer, K-12*, and submit the completed application form with requisite supporting documentation as provided herein to the principal of the receiving school.
  2. The *Application for Special Permission Transfer* is attached hereto as Rule 5140, Form A.
- C. Student Transfer Application for Medical/Student Adjustment
1. The parent must complete the *Application for Special Permission Transfer for Medical/Student Adjustment* and submit the completed application to the Director of School Climate, along with supporting documentation that demonstrates exceptional hardship for reasons of medical, emotional or social adjustment.
  2. The *Application for Special Permission Transfer for Medical/Student Adjustment* is attached hereto as Rule 5140, Form B.
- D. Applications for the succeeding school year must be submitted between April 1 and June 1 of the current school year. The deadline for application submission will be waived if documentation accompanies the application and substantiates one or more of the following conditions:
1. The student is a new resident of Baltimore County;
  2. There is an emergency or event that could not have been foreseen and can be documented as such; or
  3. Information or documentation supporting the transfer request was not available between April 1 and June 1.
- E. The student shall be enrolled in and attend the home school serving his/her attendance area while the special permission transfer request is being processed.
- V. Application Review Process Receiving School
- A. The school will date and time stamp each application immediately upon receipt in the order in which it is received.
  - B. The principal will review the application and:
    1. Consult with the home school principal, as appropriate.
    2. Verify that the student is domiciled in Baltimore County or has been approved for enrollment as a nonresident student and that the student is currently enrolled in his/her home school.

- C. The principal will deny the application for one or more of the following reasons:
  - 1. Overcrowded school as defined in paragraph II(H);
  - 2. Reason for transfer is inconsistent with policy and rule;
  - 3. Lack of appropriate documentation;
  - 4. The application was not submitted within the required timeline and/or the parent provided no documentation to support the late filing;
  - 5. The requested school is a new school in the first year of operation;
  - 6. The requested school is in the first year of a boundary change; or
  - 7. The requested school is a closed school.

VI. Application Review Process Medical/Student Adjustment

- A. The Director of School Climate (director) or his/her designee will review the application and complete the following.
  - 1. Consult with the home school principal and receiving school principal, as appropriate.
  - 2. Verify that the student is domiciled in Baltimore County or has been approved for enrollment as a nonresident student and that the student is currently enrolled in his/her home school.
  - 3. Forward documentation of a medical or emotional/social adjustment hardship for review:
    - a. Documentation demonstrating a medical hardship shall be forwarded to the Coordinator of Health Services for evaluation and consultation.
    - b. Documentation demonstrating an emotional or social adjustment hardship or documentation from mental health or medical professionals shall be forwarded to the Office of Psychological Services for evaluation and consultation.
    - c. Documentation concerning bullying, harassment or intimidation shall be forwarded to the executive director of the Department of School Safety for evaluation and consultation.
- B. The director or his/her designee will deny an application for one or more of the following reasons:
  - 1. Reason for transfer is inconsistent with policy and rule;
  - 2. Lack of appropriate documentation; or
  - 3. The application was not submitted within the required timeline and/or the parent provided no documentation to support the late filing.

VII. Notification

- A. The principal or director will render a decision no later than July 1, except as provided below.
  - 1. Decisions concerning admission to kindergarten will be rendered before the beginning of the school year.
  - 2. For applications filed for a transfer during the current school year, the principal or director will make every effort to issue a decision within ten (10) business days.
  
- B. The principal or director will indicate his/her approval or denial of the application in the appropriate section of the application. If denied, the reason(s) for denial will be clearly marked. Copies of the application shall be forwarded as follows:
  - 1. Original application will be returned to the parent;
  - 2. A copy will be forwarded to the home school and receiving school principals; and
  - 3. A copy will be maintained in the student's official school record.

VIII. Student Contract for Special Permission Transfer

- A. The student's enrollment shall be conditional upon completing and signing the *Student Contract for Special Permission Transfer*. (Rule 5140, Form C).
  
- B. The completed and signed *Student Contract* must be submitted to the receiving principal.
  
- C. A student who has failed to meet the conditions of the *Student Contract* may be withdrawn at the end of the school year for any one of the following reasons:
  - 1. Absences resulting in an attendance rate that does not meet the state standard of 94% for any given marking period, unless the absence is a verified, lawful absence as provided in Superintendent's Rule 5120, *Attendance and Excuses*.
  - 2. Accumulated tardiness in excess of 6%, unless the tardiness is a verified, lawful absence as provided in Superintendent's Rule 5120, *Attendance and Excuses*.
  - 3. Three (3) or more suspensions, including in-school suspensions, out of school suspensions or suspensions to the pupil personnel worker.
  - 4. Suspension to the superintendent's designee resulting in disciplinary action.

5. The student's final report card fails to meet the following grading criteria:
    - a. High School – A 2.0 GPA with no more than one (1) failing grade and a passing grade in the student's program of study.
    - b. Middle School – A "C" average with no more than one (1) failing grade.
    - c. Elementary Grades K-2 – Grading is developmental and does not apply.
    - d. Elementary Grades 3-5 – A "C" average with no more than one (1) failing grade.
  6. There is a change in reason for which the transfer was granted. Siblings who were approved for enrollment under this Rule will not be affected by the withdrawal of a student under this subparagraph.
- D. A student who fails to meet the conditions of the *Student Contract for Special Permission Transfer* and who is approaching terminal-year status will be withdrawn by no later than the final day of school and terminal-year status will not apply.

IX. Conditions

- A. Any student who is granted a special permission transfer must maintain appropriate behavior, attend school regularly and demonstrate academic progress.
- B. A special permission transfer is approved until the student completes the terminal grade of a school level, except when:
  1. A student voluntarily withdraws from the receiving school;
  2. A student withdraws from the program of study or course under which the transfer was granted;
  3. A student withdraws from a magnet program within a comprehensive school that is not his/her home school; or
  4. A special permission transfer is granted for the purpose of *Change of Residence from Attendance Area* and is approved for one school year only.
- C. Any student who is granted a special permission transfer and who completes a terminal grade must attend the middle or high school serving the attendance area where the student is domiciled with his/her parent, unless a new special permission transfer application is approved.

- D. Parents are responsible for providing transportation to and from the receiving school unless the student can be accommodated by the existing bus routes and existing bus stops of that school. In such instances, the parents/guardians are responsible for providing transportation to and from the existing bus stop.

X. Fraudulent Enrollment

- A. A parent shall notify the school of any change in domicile or change in reason for which the special permission was approved. Failure to notify the school within fifteen (15) business days of any change may result in the student being withdrawn from school.
- B. If non-residency or non-custody of an enrolled student is suspected, the matter will be referred to the Office of Pupil Personnel Services for investigation.
- C. If a student is found to be fraudulently enrolled in a Baltimore County public school, the school will issue a letter notifying the parent that the student will be withdrawn in ten (10) business days; the letter will advise the parent of his/her right to appeal the finding.
- D. If a student is found to be fraudulently enrolled, he or she is precluded from applying for a special permission transfer to the same receiving school during the school year.

XI. Special Conditions

Special permission transfers will not be accepted if one of the following conditions applies at the receiving school:

1. The school is a new school and is in its first school year of operation; or
2. The school is in its first school year of a boundary change, except as authorized in Paragraph III(E)(7).

XII. Appeal Process

- A. Appeal to the executive director
  1. A decision of the principal or director to deny a special permission transfer application under this Rule may be appealed to the Executive Director of Academic Services (hereinafter, executive director).

2. The appeal must be made in writing and filed with the executive director **within fifteen (15) business days** of the date the application is denied.
  3. The appeal must include the following:
    - a. The full name, mailing address and telephone number for the person filing the appeal or that person's designated representative.
    - b. A copy of the application signed by the principal.
    - c. A concise statement of the issues presented and the facts about which the person is appealing.
  4. The executive director, or his/her designee, will review the facts of the case and issue a final decision in writing. The executive director, or his/her designee, will make every effort to issue a written decision within thirty (30) business days of the receipt of the written appeal.
- B. Appeal to the Superintendent
1. If the appeal is denied or the party is not satisfied with the decision rendered by the executive director, he/she may further appeal that decision by filing an appeal with the Superintendent.
  2. The appeal must be made in writing and filed with the Superintendent **within ten (10) business days** of the date of the executive director's decision.
  3. The Superintendent, or his/her designee, will review the facts of the case and issue a final decision in writing. The Superintendent or designee will make every effort to issue a written decision within forty-five (45) business days of the receipt of the appeal.
- C. Appeal to the Board of Education
1. A decision of the Superintendent, or his/her designee, regarding enrollment or withdrawal under this Rule may be appealed to the Board of Education of Baltimore County.
  2. The appeal must be made in writing and filed with the Board **within thirty (30) calendar days** of the date of the Superintendent's decision.
  3. The procedures for filing an appeal with the Board are outlined in Board Policy 8340, *Appeal Before the Board of Education*.
- D. For all appeals filed under this paragraph, electronic transmittals will not be accepted.

RULE 5140

Legal References: *Annotated Code of Maryland, Education Article §4-205, Powers and Duties of County Superintendent*  
*Annotated Code of Maryland, Education Article §6-404, Designation of Exclusive Representative for Employees; Specific Units*  
*Annotated Code of Maryland, Education Article §6-501, Definitions*  
*Annotated Code of Maryland, Education Article §7-101, Admission of Students; Location; Kindergarten Programs*

Related Policies: Board of Education Policy 5100, *Compulsory Attendance*  
Board of Education Policy 5110, *Admission*  
Board of Education Policy 5150, *Resident and Nonresident Student Eligibility*  
Board of Education Policy 6400, *Magnet Programs*  
Board of Education Policy 8340, *Appeal Before the Board of Education*  
Board of Education Policy 8341, *Appeal Before a Hearing Examiner*

Rule	Superintendent of Schools
Approved:	12/13/73
Revised:	03/13/80
Revised:	11/23/93
Revised:	04/11/00
Revised:	08/14/01
Edited:	01/07/02
Revised:	03/26/02
Revised:	03/09/04
Revised:	04/20/04
Revised:	03/22/05
Revised:	06/12/07
Revised:	08/14/07
Revised:	04/21/09
Revised:	08/09/11
Revised:	12/06/11
Revised:	01/14/14
Revised:	06/09/15 ( <i>Effective July 1, 2015</i> )
Revised:	03/21/17
Revised:	12/05/17



**BALTIMORE COUNTY PUBLIC SCHOOLS**  
**APPLICATION FOR SPECIAL PERMISSION TRANSFER FOR**  
**MEDICAL/STUDENT ADJUSTMENT (K-12)**

For Office Use Only		
Date Received	Time Received	Initials

**INSTRUCTIONS:** Read carefully Superintendent's Rule 5140, *Assignment and/or Special Permission Transfer*, before completing this form.

**NOTE:** Detailed documentation from the student's medical or mental health provider (e.g., from physicians, psychologists, social workers or counselors) that demonstrates exceptional hardship for reasons of medical, emotional or social adjustment in support of the special permission transfer is required and must be attached to this form.

Applications for the next school year must be received between April 1 and June 1.

PART I: SCHOOL TRANSFER REQUEST				
Student's Last Name	First	Birthdate (MM-DD-YYYY)	Current Grade	
School Currently Attending		Assigned Home School		
Requested School Year: 20__ - 20__			Requested Grade	
Mother's/Guardian's Name	Home Phone	Work Phone	Cell Phone	
Father's/Guardian's Name	Home Phone	Work Phone	Cell Phone	
Parent/Guardian Home Address (where student is residing)		City	State	Zip Code

PART II: PARENT AGREEMENT		
By initialing here, I understand that I am responsible for providing transportation to and from the assigned school, unless the student can be accommodated by existing bus routes/bus stops. In such instances I understand that I am responsible for providing transportation to and from the existing bus stop.		Parent/Guardian Initials
<p><i>I hereby certify that I am the parent or legal guardian of the student, that I have authority as such to make education decisions for the student that I have read and that I understand Policy and Rule 5140, and that the information provided above is true and correct to the best of my information, knowledge, and belief. I hereby authorize BCPS officials to verify the information provided, including directly consulting with medical or mental health providers for medical or mental health adjustments.</i></p> <p><i>I understand and agree that, if false information is provided, the transfer will be denied or revoked and that my child may be withdrawn.</i></p>	Name of Parent/Guardian (please print)	Application Date
	Signature of Parent/Guardian	

➤ Submit this application to: Director of School Climate, Baltimore County Public Schools, Jefferson Building, 105 West Chesapeake Avenue (Lower Level), Towson, MD 21204.

PART III: DECISION	
<b>DECISION – YOUR APPLICATION HAS BEEN:</b> <input type="checkbox"/> <b>APPROVED*</b> <input type="checkbox"/> <b>DENIED</b>	
<b>ASSIGNED SCHOOL:</b> _____	
<b>For Office Use Only</b>	<b>Reason(s) for Denial:</b> <ul style="list-style-type: none"> <li><input type="checkbox"/> Reason inconsistent with policy/rule</li> <li><input type="checkbox"/> Lack of appropriate documentation</li> <li><input type="checkbox"/> Application late/no documentation</li> </ul>
Signature of DIRECTOR/DESIGNEE	Date

**PART IV: APPEALS**  
 An appeal of a denial must be made in writing within **fifteen (15) business days** of the date of the denial and filed with the **Executive Director, Department of Academic Services, Jefferson Building, 105 W. Chesapeake Ave. (Fourth Floor), Towson, MD 21204**. A copy of this *Application for Special Permission Transfer for Medical/Student Adjustment (K-12)*, signed by the Director, along with any supporting documentation, must accompany your appeal.  
 \* An approved application decision is not subject to appeal.

**Original:** parent/guardian // **Copies:** (1) director, Student Support Services; (2) home school principal; (3) executive director, Department of Academic Services; (4) student's official school record.



**BALTIMORE COUNTY PUBLIC SCHOOLS**  
**Application for Special Permission Transfer, K-12**

Office Use Only		
Date Received	Time Received	Initials

**INSTRUCTIONS:** Read carefully Superintendent's Rule 5140, *Assignment and/or Special Permission Transfer*, before completing this form. Applications for the next school year must be received between **April 1 and June 1**, except for magnet school applicants. (**Magnet applicants must submit this application in its entirety according to guidelines established by Superintendent's Rule 6400, Magnet Programs**)

PART I: SCHOOL TRANSFER REQUEST				
Student's Last Name	First	Birthdate (MM-DD-YYYY)	Current Grade _____	
School Currently Attending		Assigned Home School		
Requested School		Requested School Year: 20__ - 20__	Requested Grade	
Mother's/Guardian's Name	Home Phone	Work Phone	Cell Phone	
Father's/Guardian's Name	Home Phone	Work Phone	Cell Phone	
Parent/Guardian Home Address (where student is domiciled)		City	State	Zip Code

Choose the reason for which you are requesting a Special Permission Transfer (See Rule 5140):

- |  |   |
|--|---|
| <input type="checkbox"/> Terminal Grade  | <input type="checkbox"/> Child Care: (Complete information below)                     |
| <input type="checkbox"/> Program of Study or Specific Course   | <input type="checkbox"/> Child of Employee  |
| <input type="checkbox"/> Change in Residency   | <input type="checkbox"/> Boundary Change (Currently enrolled student or sibling only) |
| <input type="checkbox"/> Change of Residence during the school year (Until completion of school year only) | <input type="checkbox"/> Sibling of a Currently Enrolled Student                      |
| <input type="checkbox"/> Change in residence on or before November 1                                       |   |

For child care request, please complete the following:

Name of Day Care Provider: \_\_\_\_\_ Address: \_\_\_\_\_ Phone: \_\_\_\_\_

PART II: PARENT AGREEMENT		
By initialing here, I understand that I am responsible for providing transportation to and from the requested school, unless the student can be accommodated by existing bus routes/bus stops. In such instances I understand that I am responsible for providing transportation to and from the existing bus stop.	Parent/Guardian Initials	
I hereby certify that I am the parent or legal guardian of the student, that I have authority as such to make education decisions for the student that I have read and that I understand Policy and Rule 5140, and that the information provided above is true and correct to the best of my information, knowledge, and belief. I hereby authorize BCPS officials to verify the information provided.	Name of Parent/Guardian (please print)	Application Date
	Signature of Parent/Guardian	
I understand and agree that, if false information is provided, the transfer will be denied or revoked and that my child may be withdrawn.		

➤ Submit this application to: **Principal of school where student is seeking enrollment.**

**PART III: DECISION**

**DECISION – YOUR APPLICATION HAS BEEN:**     **APPROVED**     **DENIED**

For Office Use Only	Reason(s) for Denial:	
	<input type="checkbox"/> Overcrowded school <input type="checkbox"/> Overcrowded program of study or course <input type="checkbox"/> Overcrowded grade level <input type="checkbox"/> Reason inconsistent with policy/rule <input type="checkbox"/> Lack of appropriate documentation	<input type="checkbox"/> Application late/no documented emergency <input type="checkbox"/> Requested school is a new school in first year of operation <input type="checkbox"/> Requested school is in first year of boundary change <input type="checkbox"/> Requested school is closed school

Signature of Receiving Principal: \_\_\_\_\_ Date: \_\_\_\_\_

**PART IV: APPEALS**

Appeals must be made in writing within **fifteen (15) business days** of the date of the denial and filed with the **Executive Director, Department of Academic Services, Baltimore County Public Schools, Jefferson Building, 105 West Chesapeake Avenue, (Fourth Floor), Towson, MD 21204**. A Copy of this *Application for Special Permission Transfer*, signed by the Principal/Principal's Designee along with any supporting documentation, must accompany your appeal.

*Original:* parent/guardian // *Copies:* (1) receiving school principal; (2) home school principal; (3) executive director, Department of Academic Services; (4) student's official school record



## Intra-District Student Transfers

Local School System: Baltimore City Public Schools

Prepared by: The Office of Enrollment, Choice, and Transfers

Date: November 7, 2018

I. Please complete information on Intra-District Transfers:

	2014-2015	2015-2016	2016-2017	2017-2018
Number of Countywide Intra-District Transfer Requests	6851	5470	3555	5423
Number Approved	5291	4410	3274	5155
Local Superintendent-Level Appeals**	-	-	-	-
Number Approved**	-	-	-	-
Local Board of Education-Level Appeals**	-	-	-	-
Number Affirmed**	-	-	-	-

*\*\*Per policy and administrative regulations, transfer decision appeals can be made at the Local Superintendent and/or Local Board of Education-Level. If original decision is overturned, such data is captured in the "number approved" data row.*

II. For the 2017-2018 school year:

a. Please list most common reasons for transfer requests:

- Change of residence
- Travel hardships
- Safety/environmental concerns
- Need for additional services (Special education, ESOL, etc.)

b. Please list most common reasons for denials:

- Lack of space available at requested school
- Appropriateness of timing for the transfer request
- Minimum qualification not met for entrance criteria programs
- Safety/environmental concerns
- Student-specific concerns related to the student's enrollment history, behavior, attendance patterns; etc.

**Note:** Please submit this completed document and your local school system Intra-District transfer policy to [mary.gable@maryland.gov](mailto:mary.gable@maryland.gov) by November 9, 2018 close of business.



# POLICY

## BALTIMORE CITY BOARD OF SCHOOL COMMISSIONERS

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### INTRA-DISTRICT STUDENT TRANSFER

#### I. Purpose

- A. The Baltimore City Board of School Commissioners ("Board") intends to ensure that all students have access to stable, safe, and effective learning environments within Baltimore City Public Schools ("City Schools"). The Board also recognizes the importance of continuity in the educational setting and the importance of the commitment each school has to the charge of educating every student. Further, the Board acknowledges that every student should, as part of the educational process, receive and accept instruction, guidance, and correction from the school institution.
- B. The Board also is committed to the equitable access to schools and programs to students with disabilities.

#### II. Definitions

- A. *Intra-district transfer* – A student's transfer from one Baltimore City Public School to another.
- B. *Enroll and enrollment* – A child's inclusion on a school's roster of students such that the child may attend classes and participate fully in school activities.
- C. *Individualized Education Program ("IEP")* – A written statement for each student with a disability who is eligible for special education services. The IEP is created through a team effort and reviewed at least once per year.
- D. *Zone school* – A school with geographical boundaries defined by the Board that is open to all individuals of the appropriate grade level with a bona-fide residence within that boundary.

#### III. Policy Standards

- A. City Schools shall facilitate student choice through the transfer process in a way that promotes achievement, safety and stability of students and schools.
- B. City Schools shall ensure equitable access to programs and schools for students with disabilities.

- C. Zone schools are obligated to serve all students of the appropriate grade level who reside in their geographical boundary. A school may not deny enrollment to a student who resides in its geographical boundary unless the Chief Executive Officer (“CEO”)/designee gives written permission to deny such enrollment.
- D. Recognizing that transfers can be disruptive to both students and schools, and in order to promote achievement, safety and stability, City Schools may establish reasonable limits on transfers.

**IV. Implementation Strategies**

- A. The CEO/designee is responsible for ensuring that all federal provisions relating to student assignment and transfer and the Code of Maryland Regulations (“COMAR”) are followed.
- B. The CEO will designate staff that is responsible for administering the assignment and movement of pupils within City Schools.
- C. The CEO/designee is responsible for communicating the correct administrative procedures for student enrollment, assignment and transfer within the district.
- D. Principals, in collaboration with the CEO/designee, are responsible for advising students and their parents or guardians on the correct administrative procedures for student assignment and student transfer within the school district.

**V. Compliance**

- A. The CEO/designee will provide the Board with an annual report on or before October 31 regarding the assignment and movement of students in the district in the previous school year. The annual report will include:
  - 1. A statistical report about student transfers in the district; and
  - 2. A description of, and statistics regarding, the assignment process.

**VI. Legal and Policy References**

**A. Policy References**

Related Board Policies and Rule: JFA, JFB, JFE, Rule 503  
Replaces Board Rule: Appendix C (III. Transfers)

**C. Administrative Regulation References**

JFA-RA, JFB-RA, JFC-RA, JFE-RA

*Policy History: New Policy, adopted June 9, 2015*

# ADMINISTRATIVE REGULATION

## BALTIMORE CITY PUBLIC SCHOOLS

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### INTRA-DISTRICT STUDENT TRANSFER

#### I. Guidelines

- A. Whenever a student is transferred within City Schools, the receiving school or office approving the transfer shall collect current proof of residence and guardianship from the parent/guardian as outlined in Board Policy JFA and Administrative Regulation JFA-RA. The exceptions to this requirement are:
  - 1. Students identified as homeless pursuant to Board Policy JFE and Administrative Regulation JFE-RA; or
  - 2. A student who is changing his or her placement that resulted from a choice process during the school year in which that choice process occurred.
- B. Students may transfer to their zone school without the approval of the Office of Enrollment, Choice and Transfers. Upon confirming proofs of residence as described in Board Policy JFA and Administrative Regulation JFA-RA, the zone school shall enroll the student. Other than at the pre-k level, students may not be denied enrollment in their zone school due to lack of school capacity.
- C. All transfers other than a transfer to a student's zone school or to a charter school that does not participate in the Middle and High School Choice Process as described in Board Policy JFBA must be approved by the Office of Enrollment, Choice and Transfers or other district offices as applicable. This includes, but is not limited to:
  - 1. The assignment of students to any school that is not a zone school;
  - 2. Transfers to or from entrance criteria schools, alternative option programs, and alternative schools; and
  - 3. Changes in school settings that result from the school choice process described in Board Policy JFBA and Administrative Regulation JFBA-RA.
- D. Requests for transfer will be considered only after all necessary documentation is submitted to the Office of Enrollment, Choice and Transfers, the Office of Special Education, the Office of Suspension Services or any other office designated by the CEO as having authority to make assignments of students. Documentation includes,

but is not limited to, proofs of residency, guardianship and eligibility for entrance criteria programs and schools.

- E. City Schools retains the right to deny transfer requests for reasons including, but not limited to:
  - 1. Lack of space at a school for which a student is not zoned;
  - 2. Safety and discipline issues specific to the desired school of attendance;
  - 3. Student-specific concerns related to the student's enrollment history, recent behavior and attendance patterns; or
  - 4. Appropriateness of the timing of the request.
- F. Students must continue attendance at their current school while a request for transfer is being processed. Failure to do so could make the student and parent/guardian liable under the Attendance and Truancy policy.
- G. Transfer Approval Process
  - 1. Parents/guardians will be notified of approval or denial, in person or by mail, with copies of the assignment letter sent to the sending and receiving schools if necessary.
  - 2. If a student transfer is approved, the sending school is required to collect the entire cumulative documentation from its records and provide them to the receiving school within ten (10) school days, through interdepartmental mail or electronic transfer.
    - a. This may include, but is not limited to: assignment of grades for completed coursework, progress reports, report cards, immunization records, contact information data, disciplinary records, and/or standardized test score reports.
  - 3. If the student receives accommodations under an Individual Education Program, Section 504 Plan, or similar supports, the sending school shall include all necessary documentation in the transfer packet provided to the receiving school.
  - 4. A student suspended or expelled for any reason must complete the entire term of suspension or expulsion before a transfer request can be approved.
- H. A student transfer shall not be used as a substitute for disciplinary measures or as an alternate way to address disciplinary issues that are covered by Board Policy JKA, its related Administrative Regulations and the Student Code of Conduct.
- I. A school shall enroll any student assigned to it by the Office of Enrollment, Choice and Transfers, the Office of Special Education, the Office of Suspension Services or

any other office designated by the CEO as having authority to make assignments of students.

J. Re-engagement of Students

1. When a transfer is requested, a review of the student's academic, behavioral, attendance and other relevant records shall be conducted by the Office of Enrollment, Choice and Transfers or other offices as determined by the CEO/designee.

2. Students who are found to be significantly behind grade level for their age, returning from dropping out of school, returning from a Department of Juvenile Services placement, or are otherwise in need of additional supports may be assigned to a temporary re-engagement program before transferring to a traditional school or program.

K. Transfer of students placed in citywide specialized programs, separate public day schools and nonpublic schools.

1. All requests for the transfer of students assigned to a citywide specialized program must be directed to the Office of Nonpublic and Citywide Programs for guidance, review and consideration of transfer.

2. All requests for the transfer of students assigned to a separate public day school or nonpublic school must be directed to the Office of Nonpublic and Citywide Programs for guidance, review and consideration of a transfer based on the student's IEP needs.

L. An administrative transfer of a student may be initiated by City Schools staff without the consent of the student or parent/guardian.

1. Administrative transfers shall be approved when unexpected circumstances arise, including, but not limited to, court orders, police involvement, custodial issues and concerns for school climate, which require a change of school assignment for a student.

2. An administrative transfer is an option of last resort and shall be approved only after all supports and interventions available to the student have been exhausted.

3. Administrative transfer requests should be made to the Director of the Office of Enrollment Choice and Transfers by the student's Principal or the Principal's Executive Director.

M. During the school year, transfers shall only be approved during designated windows of time. The transfer window for elementary students (grades K – 5) shall be the first two (2) weeks of any quarter. The transfer window for secondary students shall be

the first two (2) weeks of any semester. These windows are subject to exceptions described in section O of this administrative regulation.

- N. City Schools shall limit the number of times a student may transfer schools within the district. These limits are subject to exceptions described in section O of this administrative regulation.
1. Students may transfer two (2) times as an elementary student.
  2. Students may transfer one (1) time as a middle school student (grades 6 – 8).
  3. Students may transfer one (1) time as a high school student.
- O. While not guaranteed, students may be allowed to transfer between schools outside of transfer windows and may exceed transfer limits in the following cases:
1. Documented Safety Transfers – Requests for transfers based upon safety will be approved when a student’s continued presence in his/her school of assignment presents a significant risk of harm to the student. Requests for transfers based upon safety must include written documentation regarding the nature of the unsafe condition.
    - a. Documentation must include a school police report and/or a written report by a principal or assistant principal of the current school.
    - b. If the provided documentation does not adequately describe the safety issue, the principal of the current school is responsible for providing additional documentation to the Office of Enrollment, Choice and Transfers.
  2. Transfers from schools designated “Persistently Dangerous” by the Maryland State Department of Education.
  3. Transfers following a suspension/expulsion – The Office of Suspension Services may recommend a transfer following a long-term suspension or expulsion pursuant to Board Policy JKA and its related administrative regulations.
  4. Change of Residence – A change of residence is sufficient cause for a transfer provided the parent or guardian brings documentation of the new address. The documentation must meet the requirements of residency as detailed in Administrative Regulation JFA-RA.
    - a. Elementary (grades K – 5) students attending their zone school who change residence within Baltimore City may elect to continue at their original school until the completion of the academic year.



## JFC-RA

12. English to Speakers of Other Languages (“ESOL”) – Students wishing to transfer into ESOL programs
  13. Transfers from Wait Lists – Schools will provide letters to students accepted off of waitlists which, at a minimum, inform the student’s parent/guardian that they can accept the placement by requesting and obtaining a school transfer. To complete the transfer process, the parent/guardian will bring this acceptance letter to the sending school and follow all other transfer procedures.
  14. Transfers based on other extraordinary circumstances as determined by the CEO/designee.
- P. City Schools retains the right to require students to re-enter a school choice process, as described by Board Policy JFBA and Administrative Regulation JFBA-RA:
1. If they are enrolled in a school that is to be closed; or
  2. If they are attending a school other than their zone school that is significantly over-enrolled.
  3. Transfers conducted under this section do not count towards a student’s career transfer limits as described in Section N.
- Q. Transfer requests based on Peace Orders or other Court Orders will be considered on a case-by-case basis. In such cases, City Schools will abide by all legal requirements, but, when applicable, reserves the right to approve or deny requests in order to reach the least disruptive outcome.
- R. Decisions made pursuant to Policy JFC and this Administrative Regulation JFC-RA may be appealed according to procedures described in Board Policies KEA and BLA.

## II. References

Related Policies and Administrative Regulations: JFA, JFA-RA, JFB, JFB-RA, JFBA, JFBA-RA, JFBB, JFBB-RA, JFC

*Regulation History: New Administrative Regulation, June 9, 2015*



## Intra-District Student Transfers

Local School System: Charles County Public Schools

Prepared by: Kathy Kiessling, Director of Student Services

Date: November 6, 2018

I. Please complete information on Intra-District Transfers:

	2014-2015	2015-2016	2016-2017	2017-2018
Number of Countywide Intra-District Transfer requests	783	578	554	651
Number Approved	407	321	349	325
Local Superintendent-Level Appeals	106	79	35	78
Number Approved	20	19	7	10
Local Board of Education-Level Appeals	19	14	3	11
Number Approved	0	0	0	1

II. For the 2017-2018 school year:

a. Please list most common reasons for transfer requests:

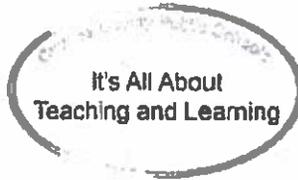
- Moved during the school year
- Social concerns with others at school
- New home being built
- Senior status

b. Please list most common reasons for denials:

- Daycare
- Personal preference
- Moved over the summer
- Comfort of IEP staff/services at zoned school

**Note:** Please submit this completed document and your local school system Intra-District transfer policy to [mary.gable@maryland.gov](mailto:mary.gable@maryland.gov) by November 9, 2018 close of business. Thank you!





Book	Rules
Section	5000 Students
Title	Students: Elementary and Secondary: Attendance: Transfer of Students
Number	5126
Status	Active
Adopted	September 18, 1990
Last Revised	June 29, 2018
Last Reviewed	June 29, 2018

**Transfer of Students**

The Board of Education shall establish geographic attendance zones. The Superintendent or designee shall assign each student to the student's zoned school based on where the student is domiciled with a parent or guardian, unless the Superintendent or designee determines that the student shall be assigned to a different school in the best interests of the school system or the student.

"Domicile" is defined as the individual's sole, permanent home, without present intention of change and notwithstanding the existence of homes or residences elsewhere. Custodial parents/guardians (parents/guardians) may request a transfer for their child to a school other than the one to which he or she is assigned in accordance with these Rules. Transfer requests will be accepted for students entering grades K - 12 only.

Parents/guardians shall promptly notify their child's school with any changes to their domicile. Failure to provide prompt notification may result in an immediate school reassignment based on the correct student domicile and the denial of a future transfer request under these Rules.

Consideration of a request of parent(s)/guardian(s) for the transfer of a student from one county school zone to another will be given if one of the following conditions is met:

- 1) A student who changes bona fide domicile after the start of the second semester may request to complete the school at the school in which the student is currently enrolled. If the student moves out of county, the student shall be charged tuition. The parent/guardian must complete the appropriate

school change request form for consideration to remain at the current school. The student must enroll the next school year in the school in his or her new attendance zone.

2) A senior in high school who changes bona fide domicile to a location in or out of the county at any time during the school year may complete the school year at the school in which the student is currently enrolled. If the student moves out of county, the student shall be charged tuition. The parent/guardian must complete the appropriate school change request form for the request to be considered.

3) A student whose parent/guardian has entered into a contract to purchase a home within the first quarter of the school year may request a transfer to the school zoned for the prospective home. The parent/guardian shall notify the new school upon moving into the new home. The verification of domicile and occupancy in the new home must be provided by the end of the first quarter in order to avoid tuition charges and/or removal from the new school. The parent/guardian shall be required to complete the Prospective Homeowner Application form prior to enrollment.

4) A student who is domiciled in the county and whose parent/legal guardian is the physical custodian and is a full-time CCPS employee eligible for benefits may request a transfer to the elementary, middle, or high school zoned for that parent/guardian's current primary work location. This privilege does not extend to employees who are the step-parent/grandparent of the student, or have any other connection to the student, unless the employee is also the legal guardian. The parent/guardian must complete a school change request form for the transfer. An employee who changes primary work location within Charles County Public Schools during the school year may request that the student complete the school year at the school in which the student is currently enrolled.

5) A student who is domiciled out of the county and whose parent/legal guardian is the physical custodian and is a full-time CCPS employee eligible for benefits may request to enroll in the CCPS elementary, middle, or high school zoned for that parent/guardian's current primary work location. This privilege does not extend to employees who are the step-parent/grandparent of the student, or have any other connection to the student, unless the employee is also the legal guardian. The parent/guardian must complete a non-resident school change request form for consideration of enrollment in a specific school. The enrollment shall be deemed a transfer under this Rule. The county portion of the tuition will be waived for those employees who were employed before January 1, 2013 and one-half of the county tuition will be waived for employees who were hired to begin work on or after January 1, 2013. The parent/guardian will be financially responsible for any other applicable costs above the established regular education student county tuition rate, including out-of-state tuition (state foundation). An employee who changes primary work location within Charles County Public Schools during the school year may request that the student complete the school year at the school in which the student is currently enrolled.

6) When the child of a CCPS employee is granted a transfer to attend a school in the zone of the parent/guardian's primary work location, that child will be eligible for athletics and extracurricular activities provided the child meets attendance and academic eligibility guidelines and the parent has been assigned to that work location for at least four (4) consecutive years, received a promotion or was involuntarily transferred. In calculating the four (4) consecutive years, an employee's assignment to any work location in the same requested school zone shall count. Any eligibility based on this section shall begin for the school year following the qualifying event. No student shall become eligible under this section during a school year, regardless of when the employee's fourth anniversary date, promotion or involuntary transfer occurs.

In addition, a request for a transfer by a parent/guardian for one of the following conditions shall be considered by the Superintendent or designee only if the receiving school has adequate space to accommodate additional students outside of their residence zone. Factors in determining adequate space shall include whether the receiving school is at or above state-rated capacity and whether the enrollment shall negatively affect any specific grade or program of studies. All requests for transfers for these reasons for the following school year must be submitted to the Department of Student Services after January 1 and not later than May 1 for consideration.

- 1) A student may request a transfer for an academic course of study not offered within the student's zoned school. Academic courses of study under this Rule do not include JROTC, World Languages, and other courses offered at each school in which there may be differences in academic focus among the schools.
- 2) Unusual hardship cases not stated above shall be considered on a case-by-case basis. Such exceptions will not be granted for issues common to large numbers of families, such as the need for a particular schedule, sibling enrollment, redistricting, or typical day care issues.

A student who is transferred to a new high school under the provisions of this rule on or prior to the first day of school shall not be eligible for interscholastic athletics for the one school year. A student who is transferred to a new high school under the provisions of this rule after the first day of school shall not be eligible for one full calendar year from the date the student is initially enrolled.

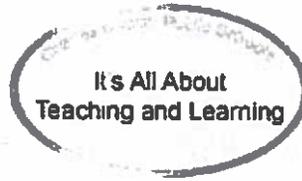
Any student reassigned by the Superintendent or designee to a school other than the home school zone may be eligible for transportation services from the school system. Students granted transfers to a school other than the home school zone shall not be eligible for transportation.

The Superintendent or designee retains the authority to rescind the granting of a transfer at any time. The considerations used in this determination may include, but are not limited to, behavioral concerns of the student, attendance issues,

academic performance of the student, or school over-enrollment. Transfer approvals shall be reviewed annually by the Superintendent or designee. The approval of a transfer request is not a guarantee of future approvals.

The Superintendent retains the authority to remove a student from the school system if the student is enrolled in the school system through fraud, including fraudulent document of proof of domicile. The parent/guardian of any student removed from the school system under this provision may be charged tuition for the time the student was fraudulently enrolled.

Students who have been granted a transfer to a CCPS school shall be allowed to remain enrolled in their current school until the student is no longer enrolled in that specific school, unless the Superintendent or designee determines that the transfer shall be rescinded at an earlier time. The considerations used in this determination may include, but are not limited to, behavioral concerns of the student, attendance issues, academic performance of the student, or school over-enrollment.



Book	Rules
Section	5000 Students
Title	Students: Elementary and Secondary: Transfer of Students: Administrative Procedures
Number	5126.1
Status	Active
Adopted	March 21, 2006
Last Revised	February 15, 2018
Last Reviewed	February 15, 2018

**Administrative Procedures 5126.1**

All applications for school change requests shall be made in writing by the parent(s)/guardian (s) to the director of student services.

The request should include the student's name, grade, schools involved, and specific reason (s) for the request. A form for this purpose is provided by the school system.

Transfers may be evaluated annually for renewal. Annual re-application is not necessary.

In certain circumstances, school officials may be consulted and an investigation may be conducted by school system personnel to verify the conditions of the request and to make a recommendation to the director of student services.



## Intra-District Student Transfers

Local School System: Dorchester County Public Schools

Prepared by: Ms. Thomas- Office of Student Services

Date: 11/2/2018

I. Please complete information on Intra-District Transfers:

	2014- 2015	2015- 2016	2016- 2017	2017- 2018
Number of Countywide Intra-District Transfer Requests	321	335	317	327
Number Approved	317	298	286	280
Local Superintendent-Level Appeals				2
Number Approved				1
Local Board of Education-Level Appeals				
Number Affirmed				

II. For the 2017-2018 school year:

- a. Please list most common reasons for transfer requests:
  - Day Care
  - Sports
  - Child of an employee
  - Family transitions out of district
- b. Please list most common reasons for denials:
  - Projected enrollment numbers
  - Not aligning with approved Out of District reasons
  - Student discipline
  - Not meeting student attendance requirements

**Note:** Please submit this completed document and your local school system Intra-District transfer policy to [mary.gable@maryland.gov](mailto:mary.gable@maryland.gov) by November 9, 2018 close of business. Thank you!



## Out of District Transfer Conditions

Dorchester County Public Schools

**Approved reasons for Out of District:**

- Day care (Elementary and Middle School only)-must complete and return Verification of Day Care Services with application. **(see reverse)**
  
- Educational course or offering not available at assigned school (course or offering \_\_\_\_\_)
  
- Presence of physical or emotional condition resulting in medical recommendation for transfer-must have accompanying letter from physician, psychologist or psychiatrist.
  
- Student has completed all but last year at same elementary (grade 5), middle (grade 8), secondary school (grade 12).
  
- Employee — refer to DCPS policy 435.4 and procedure 1-12

**Conditions of Approval:**

**Transportation:** Be advised that, according to Board of Education policy, NO out of district bus transportation will be available.

This Out of Area Transfer **must be applied for each year** and is subject to:

<ul style="list-style-type: none"><li>• Student enrollment for that grade</li><li>• Verification of information on this form and agency form</li><li>• The Board of Education changing school boundaries</li><li>• The Board of Education or Superintendent changing procedures</li></ul>	<ul style="list-style-type: none"><li>• The student maintaining satisfactory attendance, including tardiness</li><li>• The student maintaining satisfactory behavior</li><li>• Any changes in student circumstances relevant to the reason(s) for the transfer (address, babysitting, employment, etc.)</li></ul>
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## Intra-District Student Transfers

Local School System: Frederick County Public Schools

Prepared by: Kathleen M. Hartsock-Acting Director of Student Services

Date: November 7, 2018

I. Please complete information on Intra-District Transfers:

	2014-2015	2015-2016	2016-2017	2017-2018
Number of Countywide Intra-District Transfer Requests	1199	1292	1274	2594 +
Number Approved	1031*	1155*	1093*	2099
Local Superintendent-Level Appeals	11	12	18	400
Number Approved	7	9	9	280
Local Board of Education-Level Appeals	0	0	0	0
Number Affirmed	0	0	0	0

\*The totals do not reflect all students with Intra-District Transfer status for these school years because parents did not have to apply yearly.

+The FCPS Regulation that governs the Transfer and Assignment of Students was modified during 17-18. A yearly application was now required thus resulting in many more requests.

II. For the 2017-2018 school year:

a. Please list most common reasons for transfer requests:

- Childcare
- Special programs available in other schools
- Employees child(ren)
- Social/Emotional Reasons

b. Please list most common reasons for denials:

- The application did not meet the criteria for approval noted in the FCPS Regulation.
- The school requested was a restricted (overcrowded) school.

**Note:** Please submit this completed document and your local school system Intra-District transfer policy to [mary.gable@maryland.gov](mailto:mary.gable@maryland.gov) by November 9, 2018 close of business



<b>FREDERICK COUNTY PUBLIC SCHOOLS</b>	<b>Reg. No. 400-15</b>
<b>Subject:</b> <b>ASSIGNMENT AND TRANSFER OF STUDENTS</b>	<b>Issued:</b> <b>9/1/79</b>
<b>Preparing Office:</b> <b>Office of the Superintendent</b>	<b>Amended:</b> <b>4/4/18</b>

I. Policy 430 *Attendance at Schools*

Policy 200.2 *Redistricting*

II. Procedure

A. Criteria - Requests for Student Transfers

The Department of Student Services receives requests for student transfers to schools outside of the student's home attendance district. Requests to transfer from a student's home school district may be made by parents/legal guardians and the following criteria and factors may be considered when evaluating such requests:

1. The school being requested is not restricted to out-of-district transfers.
2. The request is not being made as a result of Board of Education approved redistricting.<sup>1</sup>
3. The transfer does not pose an undue burden on the school system.
4. The student is applying for a program which is not available in the home school's district, and the receiving school principal has no objection.
5. With regard to a K-8 student, the student goes to school from, or returns after school, to a home other than the student's own because no parent can be at home and there would be no responsible adult in the child's home to either send or receive the student from school. Note: The name and address of the adult providing this care must be recorded on the application. The daycare provider must reside or be located in the requested district. With the exception of those daycare facilities on Ft. Detrick's military base serving the Department of Defense, out-of-district transfers are not allowed in any school which has been designated as restricted due to overcapacity conditions. Other exceptions may be granted only by the Superintendent or his/her designee.
6. The transfer is recommended by the Department of Student Services and the receiving school principal has no objection.
7. A mental health or medical professional who has an established therapeutic relationship with the student and who is treating the student has provided a psychiatric or psychological written recommendation to support the transfer of the student which may include specific and detailed reasons for such request. Note: In such cases, the pupil personnel worker may ask the parent to grant permission for him/her to contact and confer with the treating mental health or medical professional to exchange information about the student. The pupil personnel

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<sup>1</sup> Exceptions may be made if an out-of-district decision has been previously rendered based on daycare.

worker will review the request and make a recommendation to the Director of Student Services.

8. The student's family has presented verification of bona fide plans to move into the requested school district during the current school year.
9. The student is the child of a benefited Frederick County Public Schools (FCPS) employee and is seeking to attend school where the parent is employed, or the closest school the employee's place of employment based on the student's grade level.
10. If a request is to be considered to complete that school year because the student has moved to another school district, the student has completed the first two quarters of the school year.

#### B. Application/Approval Process

1. Out-of-district applications will be accepted by the Department of Student Services office from April 1 to May 31 of the school year preceding the request by using the form located on the FCPS Web site: <http://www.fcps.org/student-services/Forms>  
Exceptions may be granted for extenuating circumstances.
2. If an out-of-district application has been approved for a student, the application will need to be submitted for annual review. Approval is granted on a year-to-year basis.
3. A student granted an out-of-district transfer must reapply on or before May 1 prior to each new school year. The Department of Student Services, in consultation with the school principal, will make a determination regarding the request and inform the parent of the decision by June 1.
4. Students wishing to transfer between elementary, middle or high schools must apply for each transfer from April 1 to May 31 of the preceding school year. Deviations may be made based on extenuating circumstances.
5. After the receipt of the application to request a transfer outside of the home school district attendance area, the pupil personnel worker assigned to the home school of the student will process the request and notify, in writing, the parents and the schools involved of the decision.
6. If the transfer is approved, the parents/student must provide their own transportation unless otherwise prescribed by law.

#### C. Restrictions/Penalties

1. A student applying for an out-of-district transfer must have demonstrated compliance with school rules and regulations in their current placement (i.e. attendance, truancy, tardiness, and behavior). Students not meeting these standards may have their request for out-of-district transfer denied.
2. A request to transfer for the purpose of participating in athletics is not a legitimate

3Reg. No. 400-15

reason to request a transfer. Note: If fraud or misrepresentation is discovered, the student's out-of-district transfer may be immediately rescinded and athletic consequences may be imposed based on Maryland law and Maryland Public Secondary Schools Athletic Association (MPSSAA) rules. Penalties may be imposed against the school, the coach and/or the student as identified in Maryland law under the following link to COMAR 13A.06.03.05:  
[http://www.dsd.state.md.us/COMAR/SubtitleSearch.aspx?search=13A.06.03.\\*](http://www.dsd.state.md.us/COMAR/SubtitleSearch.aspx?search=13A.06.03.*)

Athletic related fees and expenses will not be refunded.

D. Conditional Approval

Students granted conditional out-of-district approval and who do not comply with the terms and conditions stated in the acceptance letter from the Department of Student Services may have the out-of-district approval rescinded or denied for the following instructional term. The pupil personnel worker, in consultation with the school principal, will make the determination.

E. Appeal

Appeals of out-of-district decisions may be filed in accordance with Board Policy 105 *Appeal and Hearing Procedures* as a 4-205(c) appeal using the "Appeal Information Form/ Superintendent Level" (pages 7 and 8 of Board Policy 105).

NOTE: Cross-reference FCPS Regulation 400-55 and FCPS Regulation 400-07

Approved:

Original signed by

\_\_\_\_\_  
Theresa R. Alban  
Superintendent



## Intra-District Student Transfers

Local School System: Garrett County

Prepared by: Dr. Phillip E. Lauver, Supervisor of Pupil Services

Date: November 8, 2018

I. Please complete information on Intra-District Transfers:

	2014-2015	2015-2016	2016-2017	2017-2018
Number of Countywide Intra-District Transfer Requests	178	181	173	190
Number Approved	178	181	173	186
Local Superintendent-Level Appeals	0	0	0	0
Number Approved	0	0	0	0
Local Board of Education-Level Appeals	0	0	0	0
Number Affirmed	0	0	0	0

II. For the 2017-2018 school year:

- a. Please list most common reasons for transfer requests:
- Child Care
  - No PK Program in District/PK Program Full in District
  - Sibling has IEP that required transfer to another school
  - Homeless
- b. Please list most common reasons for denials:
- Enrollment - class size too large
  - Stated reason not in policy
  - School has full time nurse now
  -

**Note:** Please submit this completed document and your local school system Intra-District transfer policy to [mary.gable@maryland.gov](mailto:mary.gable@maryland.gov) by November 9, 2018 close of business. Thank you!



# Policies and Procedures Handbook

Garrett County Public Schools  
40 South Second Street  
Oakland, MD 21550  
(301)334-8900

Last Updated: 09/14/2011

## ADMISSION TO SCHOOL OUT OF ATTENDANCE AREA

### Board Policy

The Public Schools Laws of Maryland give the Board of Education the responsibility for establishing school districts and determining which pupils shall be admitted to the public school within that district. Conditions under which Garrett County students may be permitted to attend school outside of the local school area on a one year basis are as follows:

1. A child's physical needs are better met in another school due to building accessibility or accommodation of the actual physical needs of the child (i.e.: wheelchair-bound students, availability of services, IEP recommendation, hearing impaired or ADHD students. etc.). Any physical need should be verified by a qualified examiner.
2. Special placement to another school as recommended by a certified psychologist, psychiatrist, physician, other recognized community agencies, or the Department of Pupil Services and is approved by the Department of Pupil Services.
3. When there is a need for a specific educational program according to federal or state mandates.
4. Siblings of students who are placed in a school out of their attendance area for the reasons cited above.
5. When a student's family has moved from an attendance area, the parent may request permission for the student to complete that school year. If a family can show verification of specific plans to move into a new attendance area, the parent may request permission for the student to begin the school year at the new school.
6. To allow for supervision for students who would otherwise be unattended during the hours before and after school. The name, address, and phone number of the adult providing this care must be recorded on the application.
7. To allow school choice if a school is closed.

These requests may be contingent upon the class size of the "requested" school. The principal of the "requested" school may refuse to approve the application if the school already has a class size of 20 or more or 15 or more if it involves a split grade configuration at the elementary school level. This allows for new in-area students enrolling over the summer and the first week of school.

# Policies and Procedures Handbook

Garrett County Public Schools  
40 South Second Street  
Oakland, MD 21550  
(301)334-8900

Last Updated: 09/14/2011

## ADMISSION TO SCHOOL OUT OF ATTENDANCE AREA

### Administrative Procedure

Parents who desire to transfer their child from the home school to some other school must first discuss the transfer with the principals of the school and the requested school. It may be possible for either principal to point out why the transfer may not be advisable or why it cannot be made. If the parent still feels the transfer should be made, the parent must complete Sections I and II of PS Form 5 and confer with the principals of both the home and requested school. The form will then be forwarded to the Department of Transportation. Final approval rests with the Department of Pupil Services. The following should be noted:

1. Requests for an out-of-area transfer for a new school year should be submitted by June 15 of the preceding school year. Requests submitted by this date will be acted upon by July 1. Requests will be approved or denied for one school year only and an initial request or renewal request must be submitted annually.
2. All cases will be reviewed according to policy criteria and requests will be considered in order of receipt at the Office of Pupil Services.
3. Placements that will result in overcrowding in the receiving school may be denied based on class size as mentioned in Policy 431.2.
4. Acceptable attendance, behavior, and academic performance may be considered when a student requests continuation of an out-of-area placement.
5. Arrangements for pupil transportation will be parental responsibility. Transportation will be provided by the Board of Education when:
  - a. The student is a special education student and the out-of-area placement has been recommended and approved by the IEP Committee, or
  - b. The student can be accommodated by existing transportation without any alterations in the routing or establishing pickup/discharge points for that bus, meeting the following specified criteria:
    1. An established stop
    2. On an existing route
    3. For a bus that serves the requested school
    4. With a bus that is not beyond an acceptable capacity
6. A response to each request will be made in writing via PS Form 5.

Out of Area Transfer Request Form (PS Form 5)

For School Year: \_\_\_\_\_  
(This request is for one school year and must be submitted annually)

## OUT OF AREA TRANSFER REQUEST

### Garrett County Board of Education

Student: \_\_\_\_\_ Grade: \_\_\_\_\_  
Parent/Guardian: \_\_\_\_\_  
Mailing Address: \_\_\_\_\_ Student's Home School: \_\_\_\_\_  
Home Phone: \_\_\_\_\_ (School located in your district)  
Work Phone: \_\_\_\_\_ Requested School: \_\_\_\_\_

#### REASON(S) FOR THE REQUEST:

*If a sitter is involved, please complete the following information:*

Sitter's Name: \_\_\_\_\_ Sitter's Phone: \_\_\_\_\_  
Sitter's Home Address: \_\_\_\_\_  
  
Parent/Guardian Signature \_\_\_\_\_ Date \_\_\_\_\_

#### CONFERENCE:

*Home School Request has been:*

Approved  
 Not approved  
Reason for non-approval: \_\_\_\_\_  
Principal's Signature (Home School) \_\_\_\_\_ Date \_\_\_\_\_

*Requested School Request has been:*

Approved  
 Not approved  
Reason for non-approval: \_\_\_\_\_  
Principal's Signature (Requested School) \_\_\_\_\_ Date \_\_\_\_\_

#### TRANSPORTATION DEPARTMENT:

Provided by Parent/Guardian       Provided by Garrett County Board of Education  
Bus: \_\_\_\_\_ Stop Location: \_\_\_\_\_  
  
Director of Transportation \_\_\_\_\_ Date \_\_\_\_\_

#### ACTION (To be completed by Pupil Services Department):

Your request has been:     Approved       Not Approved  
Reason for non-approval: \_\_\_\_\_  
  
Supervisor of Pupil Services \_\_\_\_\_ Date \_\_\_\_\_

**IVA7 Domiciled in One School Attendance Area to a School Outside the Area**

Upon the approval of the Superintendent, a student may be permitted to attend a school outside the Attendance Area in which the student is domiciled. Such approvals shall be limited to the school year next following the date of approval, if schools are not in session; or for the remainder of the current school year if schools are in session. In considering these requests, the Superintendent shall utilize any or all of the following considerations:

1. An educational service or program is provided by the receiving school which is not provided by the school in the student's Attendance Area, and such service or program is educationally more appropriate to the needs of the student.
2. The Superintendent and professional staff, for sound educational reasons affecting the progress of the student and with the approval of the parents, initiate such a transfer.
3. The receiving school, by reason of construction and design, provides building facilities more appropriate to the physical needs of the student.



## Intra-District Student Transfers

Local School System: Charles County Public Schools

Prepared by: Kathy Kiessling, Director of Student Services

Date: November 6, 2018

I. Please complete information on Intra-District Transfers:

	2014-2015	2015-2016	2016-2017	2017-2018
Number of Countywide Intra-District Transfer requests	783	578	554	651
Number Approved	407	321	349	325
Local Superintendent-Level Appeals	106	79	35	78
Number Approved	20	19	7	10
Local Board of Education-Level Appeals	19	14	3	11
Number Approved	0	0	0	1

II. For the 2017-2018 school year:

a. Please list most common reasons for transfer requests:

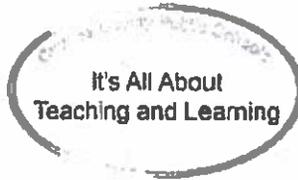
- Moved during the school year
- Social concerns with others at school
- New home being built
- Senior status

b. Please list most common reasons for denials:

- Daycare
- Personal preference
- Moved over the summer
- Comfort of IEP staff/services at zoned school

**Note:** Please submit this completed document and your local school system Intra-District transfer policy to [mary.gable@maryland.gov](mailto:mary.gable@maryland.gov) by November 9, 2018 close of business. Thank you!





Book	Rules
Section	5000 Students
Title	Students: Elementary and Secondary: Attendance: Transfer of Students
Number	5126
Status	Active
Adopted	September 18, 1990
Last Revised	June 29, 2018
Last Reviewed	June 29, 2018

**Transfer of Students**

The Board of Education shall establish geographic attendance zones. The Superintendent or designee shall assign each student to the student’s zoned school based on where the student is domiciled with a parent or guardian, unless the Superintendent or designee determines that the student shall be assigned to a different school in the best interests of the school system or the student.

“Domicile” is defined as the individual’s sole, permanent home, without present intention of change and notwithstanding the existence of homes or residences elsewhere. Custodial parents/guardians (parents/guardians) may request a transfer for their child to a school other than the one to which he or she is assigned in accordance with these Rules. Transfer requests will be accepted for students entering grades K – 12 only.

Parents/guardians shall promptly notify their child’s school with any changes to their domicile. Failure to provide prompt notification may result in an immediate school reassignment based on the correct student domicile and the denial of a future transfer request under these Rules.

Consideration of a request of parent(s)/guardian(s) for the transfer of a student from one county school zone to another will be given if one of the following conditions is met:

- 1) A student who changes bona fide domicile after the start of the second semester may request to complete the school at the school in which the student is currently enrolled. If the student moves out of county, the student shall be charged tuition. The parent/guardian must complete the appropriate

school change request form for consideration to remain at the current school. The student must enroll the next school year in the school in his or her new attendance zone.

2) A senior in high school who changes bona fide domicile to a location in or out of the county at any time during the school year may complete the school year at the school in which the student is currently enrolled. If the student moves out of county, the student shall be charged tuition. The parent/guardian must complete the appropriate school change request form for the request to be considered.

3) A student whose parent/guardian has entered into a contract to purchase a home within the first quarter of the school year may request a transfer to the school zoned for the prospective home. The parent/guardian shall notify the new school upon moving into the new home. The verification of domicile and occupancy in the new home must be provided by the end of the first quarter in order to avoid tuition charges and/or removal from the new school. The parent/guardian shall be required to complete the Prospective Homeowner Application form prior to enrollment.

4) A student who is domiciled in the county and whose parent/legal guardian is the physical custodian and is a full-time CCPS employee eligible for benefits may request a transfer to the elementary, middle, or high school zoned for that parent/guardian's current primary work location. This privilege does not extend to employees who are the step-parent/grandparent of the student, or have any other connection to the student, unless the employee is also the legal guardian. The parent/guardian must complete a school change request form for the transfer. An employee who changes primary work location within Charles County Public Schools during the school year may request that the student complete the school year at the school in which the student is currently enrolled.

5) A student who is domiciled out of the county and whose parent/legal guardian is the physical custodian and is a full-time CCPS employee eligible for benefits may request to enroll in the CCPS elementary, middle, or high school zoned for that parent/guardian's current primary work location. This privilege does not extend to employees who are the step-parent/grandparent of the student, or have any other connection to the student, unless the employee is also the legal guardian. The parent/guardian must complete a non-resident school change request form for consideration of enrollment in a specific school. The enrollment shall be deemed a transfer under this Rule. The county portion of the tuition will be waived for those employees who were employed before January 1, 2013 and one-half of the county tuition will be waived for employees who were hired to begin work on or after January 1, 2013. The parent/guardian will be financially responsible for any other applicable costs above the established regular education student county tuition rate, including out-of-state tuition (state foundation). An employee who changes primary work location within Charles County Public Schools during the school year may request that the student complete the school year at the school in which the student is currently enrolled.

6) When the child of a CCPS employee is granted a transfer to attend a school in the zone of the parent/guardian's primary work location, that child will be eligible for athletics and extracurricular activities provided the child meets attendance and academic eligibility guidelines and the parent has been assigned to that work location for at least four (4) consecutive years, received a promotion or was involuntarily transferred. In calculating the four (4) consecutive years, an employee's assignment to any work location in the same requested school zone shall count. Any eligibility based on this section shall begin for the school year following the qualifying event. No student shall become eligible under this section during a school year, regardless of when the employee's fourth anniversary date, promotion or involuntary transfer occurs.

In addition, a request for a transfer by a parent/guardian for one of the following conditions shall be considered by the Superintendent or designee only if the receiving school has adequate space to accommodate additional students outside of their residence zone. Factors in determining adequate space shall include whether the receiving school is at or above state-rated capacity and whether the enrollment shall negatively affect any specific grade or program of studies. All requests for transfers for these reasons for the following school year must be submitted to the Department of Student Services after January 1 and not later than May 1 for consideration.

- 1) A student may request a transfer for an academic course of study not offered within the student's zoned school. Academic courses of study under this Rule do not include JROTC, World Languages, and other courses offered at each school in which there may be differences in academic focus among the schools.
- 2) Unusual hardship cases not stated above shall be considered on a case-by-case basis. Such exceptions will not be granted for issues common to large numbers of families, such as the need for a particular schedule, sibling enrollment, redistricting, or typical day care issues.

A student who is transferred to a new high school under the provisions of this rule on or prior to the first day of school shall not be eligible for interscholastic athletics for the one school year. A student who is transferred to a new high school under the provisions of this rule after the first day of school shall not be eligible for one full calendar year from the date the student is initially enrolled.

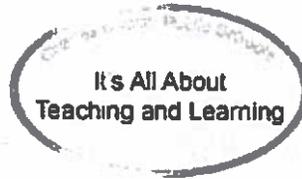
Any student reassigned by the Superintendent or designee to a school other than the home school zone may be eligible for transportation services from the school system. Students granted transfers to a school other than the home school zone shall not be eligible for transportation.

The Superintendent or designee retains the authority to rescind the granting of a transfer at any time. The considerations used in this determination may include, but are not limited to, behavioral concerns of the student, attendance issues,

academic performance of the student, or school over-enrollment. Transfer approvals shall be reviewed annually by the Superintendent or designee. The approval of a transfer request is not a guarantee of future approvals.

The Superintendent retains the authority to remove a student from the school system if the student is enrolled in the school system through fraud, including fraudulent document of proof of domicile. The parent/guardian of any student removed from the school system under this provision may be charged tuition for the time the student was fraudulently enrolled.

Students who have been granted a transfer to a CCPS school shall be allowed to remain enrolled in their current school until the student is no longer enrolled in that specific school, unless the Superintendent or designee determines that the transfer shall be rescinded at an earlier time. The considerations used in this determination may include, but are not limited to, behavioral concerns of the student, attendance issues, academic performance of the student, or school over-enrollment.



Book	Rules
Section	5000 Students
Title	Students: Elementary and Secondary: Transfer of Students: Administrative Procedures
Number	5126.1
Status	Active
Adopted	March 21, 2006
Last Revised	February 15, 2018
Last Reviewed	February 15, 2018

**Administrative Procedures 5126.1**

All applications for school change requests shall be made in writing by the parent(s)/guardian (s) to the director of student services.

The request should include the student's name, grade, schools involved, and specific reason (s) for the request. A form for this purpose is provided by the school system.

Transfers may be evaluated annually for renewal. Annual re-application is not necessary.

In certain circumstances, school officials may be consulted and an investigation may be conducted by school system personnel to verify the conditions of the request and to make a recommendation to the director of student services.



## Intra-District Student Transfers

Local School System: Dorchester County Public Schools

Prepared by: Ms. Thomas- Office of Student Services

Date: 11/2/2018

I. Please complete information on Intra-District Transfers:

	2014- 2015	2015- 2016	2016- 2017	2017- 2018
Number of Countywide Intra-District Transfer Requests	321	335	317	327
Number Approved	317	298	286	280
Local Superintendent-Level Appeals				2
Number Approved				1
Local Board of Education-Level Appeals				
Number Affirmed				

II. For the 2017-2018 school year:

- a. Please list most common reasons for transfer requests:
  - Day Care
  - Sports
  - Child of an employee
  - Family transitions out of district
- b. Please list most common reasons for denials:
  - Projected enrollment numbers
  - Not aligning with approved Out of District reasons
  - Student discipline
  - Not meeting student attendance requirements

**Note:** Please submit this completed document and your local school system Intra-District transfer policy to [mary.gable@maryland.gov](mailto:mary.gable@maryland.gov) by November 9, 2018 close of business. Thank you!



## Out of District Transfer Conditions

### Dorchester County Public Schools

**Approved reasons for Out of District:**

- Day care (Elementary and Middle School only)-must complete and return Verification of Day Care Services with application. **(see reverse)**
- Educational course or offering not available at assigned school (course or offering \_\_\_\_\_)
- Presence of physical or emotional condition resulting in medical recommendation for transfer-must have accompanying letter from physician, psychologist or psychiatrist.
- Student has completed all but last year at same elementary (grade 5), middle (grade 8), secondary school (grade 12).
- Employee — refer to DCPS policy 435.4 and procedure 1-12

**Conditions of Approval:**

**Transportation:** Be advised that, according to Board of Education policy, NO out of district bus transportation will be available.

This Out of Area Transfer **must be applied for each year** and is subject to:

<ul style="list-style-type: none"> <li>• Student enrollment for that grade</li> <li>• Verification of information on this form and agency form</li> <li>• The Board of Education changing school boundaries</li> <li>• The Board of Education or Superintendent changing procedures</li> </ul>	<ul style="list-style-type: none"> <li>• The student maintaining satisfactory attendance, including tardiness</li> <li>• The student maintaining satisfactory behavior</li> <li>• Any changes in student circumstances relevant to the reason(s) for the transfer (address, babysitting, employment, etc.)</li> </ul>
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## Intra-District Student Transfers

Local School System: Frederick County Public Schools

Prepared by: Kathleen M. Hartsock-Acting Director of Student Services

Date: November 7, 2018

I. Please complete information on Intra-District Transfers:

	2014- 2015	2015- 2016	2016- 2017	2017- 2018
Number of Countywide Intra-District Transfer Requests	1199	1292	1274	2594 +
Number Approved	1031*	1155*	1093 *	2099
Local Superintendent-Level Appeals	11	12	18	400
Number Approved	7	9	9	280
Local Board of Education-Level Appeals	0	0	0	0
Number Affirmed	0	0	0	0

\*The totals do not reflect all students with Intra-District Transfer status for these school years because parents did not have to apply yearly.

+The FCPS Regulation that governs the Transfer and Assignment of Students was modified during 17-18. A yearly application was now required thus resulting in many more requests.

II. For the 2017-2018 school year:

a. Please list most common reasons for transfer requests:

- Childcare
- Special programs available in other schools
- Employees child(ren)
- Social/Emotional Reasons

b. Please list most common reasons for denials:

- The application did not meet the criteria for approval noted in the FCPS Regulation.
- The school requested was a restricted (overcrowded) school.

**Note:** Please submit this completed document and your local school system Intra-District transfer policy to [mary.gable@maryland.gov](mailto:mary.gable@maryland.gov) by November 9, 2018 close of business



<b>FREDERICK COUNTY PUBLIC SCHOOLS</b>	<b>Reg. No. 400-15</b>
<b>Subject:</b> <b>ASSIGNMENT AND TRANSFER OF STUDENTS</b>	<b>Issued:</b> <b>9/1/79</b>
<b>Preparing Office:</b> <b>Office of the Superintendent</b>	<b>Amended:</b> <b>4/4/18</b>

I. Policy 430 *Attendance at Schools*

Policy 200.2 *Redistricting*

II. Procedure

A. Criteria - Requests for Student Transfers

The Department of Student Services receives requests for student transfers to schools outside of the student's home attendance district. Requests to transfer from a student's home school district may be made by parents/legal guardians and the following criteria and factors may be considered when evaluating such requests:

1. The school being requested is not restricted to out-of-district transfers.
2. The request is not being made as a result of Board of Education approved redistricting.<sup>1</sup>
3. The transfer does not pose an undue burden on the school system.
4. The student is applying for a program which is not available in the home school's district, and the receiving school principal has no objection.
5. With regard to a K-8 student, the student goes to school from, or returns after school, to a home other than the student's own because no parent can be at home and there would be no responsible adult in the child's home to either send or receive the student from school. Note: The name and address of the adult providing this care must be recorded on the application. The daycare provider must reside or be located in the requested district. With the exception of those daycare facilities on Ft. Detrick's military base serving the Department of Defense, out-of-district transfers are not allowed in any school which has been designated as restricted due to overcapacity conditions. Other exceptions may be granted only by the Superintendent or his/her designee.
6. The transfer is recommended by the Department of Student Services and the receiving school principal has no objection.
7. A mental health or medical professional who has an established therapeutic relationship with the student and who is treating the student has provided a psychiatric or psychological written recommendation to support the transfer of the student which may include specific and detailed reasons for such request. Note: In such cases, the pupil personnel worker may ask the parent to grant permission for him/her to contact and confer with the treating mental health or medical professional to exchange information about the student. The pupil personnel

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<sup>1</sup> Exceptions may be made if an out-of-district decision has been previously rendered based on daycare.

worker will review the request and make a recommendation to the Director of Student Services.

8. The student's family has presented verification of bona fide plans to move into the requested school district during the current school year.
9. The student is the child of a benefited Frederick County Public Schools (FCPS) employee and is seeking to attend school where the parent is employed, or the closest school the employee's place of employment based on the student's grade level.
10. If a request is to be considered to complete that school year because the student has moved to another school district, the student has completed the first two quarters of the school year.

#### B. Application/Approval Process

1. Out-of-district applications will be accepted by the Department of Student Services office from April 1 to May 31 of the school year preceding the request by using the form located on the FCPS Web site: <http://www.fcps.org/student-services/Forms>  
Exceptions may be granted for extenuating circumstances.
2. If an out-of-district application has been approved for a student, the application will need to be submitted for annual review. Approval is granted on a year-to-year basis.
3. A student granted an out-of-district transfer must reapply on or before May 1 prior to each new school year. The Department of Student Services, in consultation with the school principal, will make a determination regarding the request and inform the parent of the decision by June 1.
4. Students wishing to transfer between elementary, middle or high schools must apply for each transfer from April 1 to May 31 of the preceding school year. Deviations may be made based on extenuating circumstances.
5. After the receipt of the application to request a transfer outside of the home school district attendance area, the pupil personnel worker assigned to the home school of the student will process the request and notify, in writing, the parents and the schools involved of the decision.
6. If the transfer is approved, the parents/student must provide their own transportation unless otherwise prescribed by law.

#### C. Restrictions/Penalties

1. A student applying for an out-of-district transfer must have demonstrated compliance with school rules and regulations in their current placement (i.e. attendance, truancy, tardiness, and behavior). Students not meeting these standards may have their request for out-of-district transfer denied.
2. A request to transfer for the purpose of participating in athletics is not a legitimate

3Reg. No. 400-15

reason to request a transfer. Note: If fraud or misrepresentation is discovered, the student's out-of-district transfer may be immediately rescinded and athletic consequences may be imposed based on Maryland law and Maryland Public Secondary Schools Athletic Association (MPSSAA) rules. Penalties may be imposed against the school, the coach and/or the student as identified in Maryland law under the following link to COMAR 13A.06.03.05:  
[http://www.dsd.state.md.us/COMAR/SubtitleSearch.aspx?search=13A.06.03.\\*](http://www.dsd.state.md.us/COMAR/SubtitleSearch.aspx?search=13A.06.03.*)

Athletic related fees and expenses will not be refunded.

D. Conditional Approval

Students granted conditional out-of-district approval and who do not comply with the terms and conditions stated in the acceptance letter from the Department of Student Services may have the out-of-district approval rescinded or denied for the following instructional term. The pupil personnel worker, in consultation with the school principal, will make the determination.

E. Appeal

Appeals of out-of-district decisions may be filed in accordance with Board Policy 105 *Appeal and Hearing Procedures* as a 4-205(c) appeal using the "Appeal Information Form/ Superintendent Level" (pages 7 and 8 of Board Policy 105).

NOTE: Cross-reference FCPS Regulation 400-55 and FCPS Regulation 400-07

Approved:

Original signed by

\_\_\_\_\_  
Theresa R. Alban  
Superintendent



## Intra-District Student Transfers

Local School System: Garrett County

Prepared by: Dr. Phillip E. Lauver, Supervisor of Pupil Services

Date: November 8, 2018

I. Please complete information on Intra-District Transfers:

	2014-2015	2015-2016	2016-2017	2017-2018
Number of Countywide Intra-District Transfer Requests	178	181	173	190
Number Approved	178	181	173	186
Local Superintendent-Level Appeals	0	0	0	0
Number Approved	0	0	0	0
Local Board of Education-Level Appeals	0	0	0	0
Number Affirmed	0	0	0	0

II. For the 2017-2018 school year:

- a. Please list most common reasons for transfer requests:
- Child Care
  - No PK Program in District/PK Program Full in District
  - Sibling has IEP that required transfer to another school
  - Homeless
- b. Please list most common reasons for denials:
- Enrollment - class size too large
  - Stated reason not in policy
  - School has full time nurse now
  -

**Note:** Please submit this completed document and your local school system Intra-District transfer policy to [mary.gable@maryland.gov](mailto:mary.gable@maryland.gov) by November 9, 2018 close of business. Thank you!



# Policies and Procedures Handbook

Garrett County Public Schools  
40 South Second Street  
Oakland, MD 21550  
(301)334-8900

Last Updated: 09/14/2011

## ADMISSION TO SCHOOL OUT OF ATTENDANCE AREA

### Board Policy

The Public Schools Laws of Maryland give the Board of Education the responsibility for establishing school districts and determining which pupils shall be admitted to the public school within that district. Conditions under which Garrett County students may be permitted to attend school outside of the local school area on a one year basis are as follows:

1. A child's physical needs are better met in another school due to building accessibility or accommodation of the actual physical needs of the child (i.e.: wheelchair-bound students, availability of services, IEP recommendation, hearing impaired or ADHD students. etc.). Any physical need should be verified by a qualified examiner.
2. Special placement to another school as recommended by a certified psychologist, psychiatrist, physician, other recognized community agencies, or the Department of Pupil Services and is approved by the Department of Pupil Services.
3. When there is a need for a specific educational program according to federal or state mandates.
4. Siblings of students who are placed in a school out of their attendance area for the reasons cited above.
5. When a student's family has moved from an attendance area, the parent may request permission for the student to complete that school year. If a family can show verification of specific plans to move into a new attendance area, the parent may request permission for the student to begin the school year at the new school.
6. To allow for supervision for students who would otherwise be unattended during the hours before and after school. The name, address, and phone number of the adult providing this care must be recorded on the application.
7. To allow school choice if a school is closed.

These requests may be contingent upon the class size of the "requested" school. The principal of the "requested" school may refuse to approve the application if the school already has a class size of 20 or more or 15 or more if it involves a split grade configuration at the elementary school level. This allows for new in-area students enrolling over the summer and the first week of school.

# Policies and Procedures Handbook

Garrett County Public Schools  
40 South Second Street  
Oakland, MD 21550  
(301)334-8900

Last Updated: 09/14/2011

## ADMISSION TO SCHOOL OUT OF ATTENDANCE AREA

### Administrative Procedure

Parents who desire to transfer their child from the home school to some other school must first discuss the transfer with the principals of the school and the requested school. It may be possible for either principal to point out why the transfer may not be advisable or why it cannot be made. If the parent still feels the transfer should be made, the parent must complete Sections I and II of PS Form 5 and confer with the principals of both the home and requested school. The form will then be forwarded to the Department of Transportation. Final approval rests with the Department of Pupil Services. The following should be noted:

1. Requests for an out-of-area transfer for a new school year should be submitted by June 15 of the preceding school year. Requests submitted by this date will be acted upon by July 1. Requests will be approved or denied for one school year only and an initial request or renewal request must be submitted annually.
2. All cases will be reviewed according to policy criteria and requests will be considered in order of receipt at the Office of Pupil Services.
3. Placements that will result in overcrowding in the receiving school may be denied based on class size as mentioned in Policy 431.2.
4. Acceptable attendance, behavior, and academic performance may be considered when a student requests continuation of an out-of-area placement.
5. Arrangements for pupil transportation will be parental responsibility. Transportation will be provided by the Board of Education when:
  - a. The student is a special education student and the out-of-area placement has been recommended and approved by the IEP Committee, or
  - b. The student can be accommodated by existing transportation without any alterations in the routing or establishing pickup/discharge points for that bus, meeting the following specified criteria:
    1. An established stop
    2. On an existing route
    3. For a bus that serves the requested school
    4. With a bus that is not beyond an acceptable capacity
6. A response to each request will be made in writing via PS Form 5.

Out of Area Transfer Request Form (PS Form 5)

For School Year: \_\_\_\_\_  
(This request is for one school year and must be submitted annually)

## OUT OF AREA TRANSFER REQUEST

### Garrett County Board of Education

Student: \_\_\_\_\_ Grade: \_\_\_\_\_  
Parent/Guardian: \_\_\_\_\_  
Mailing Address: \_\_\_\_\_ Student's Home School: \_\_\_\_\_  
Home Phone: \_\_\_\_\_ (School located in your district)  
Work Phone: \_\_\_\_\_ Requested School: \_\_\_\_\_

#### REASON(S) FOR THE REQUEST:

#### *If a sitter is involved, please complete the following information:*

Sitter's Name: \_\_\_\_\_ Sitter's Phone: \_\_\_\_\_  
Sitter's Home Address: \_\_\_\_\_  
  
Parent/Guardian Signature \_\_\_\_\_ Date \_\_\_\_\_

#### CONFERENCE:

#### *Home School Request has been:*

Approved  
 Not approved  
Reason for non-approval: \_\_\_\_\_  
Principal's Signature (*Home School*) \_\_\_\_\_ Date \_\_\_\_\_

#### *Requested School Request has been:*

Approved  
 Not approved  
Reason for non-approval: \_\_\_\_\_  
Principal's Signature (*Requested School*) \_\_\_\_\_ Date \_\_\_\_\_

#### TRANSPORTATION DEPARTMENT:

Provided by Parent/Guardian       Provided by Garrett County Board of Education  
Bus: \_\_\_\_\_ Stop Location: \_\_\_\_\_  
  
Director of Transportation \_\_\_\_\_ Date \_\_\_\_\_

#### ACTION (To be completed by Pupil Services Department):

*Your request has been:*     Approved       Not Approved  
Reason for non-approval: \_\_\_\_\_  
  
Supervisor of Pupil Services \_\_\_\_\_ Date \_\_\_\_\_

**IVA7 Domiciled in One School Attendance Area to a School Outside the Area**

Upon the approval of the Superintendent, a student may be permitted to attend a school outside the Attendance Area in which the student is domiciled. Such approvals shall be limited to the school year next following the date of approval, if schools are not in session; or for the remainder of the current school year if schools are in session. In considering these requests, the Superintendent shall utilize any or all of the following considerations:

1. An educational service or program is provided by the receiving school which is not provided by the school in the student's Attendance Area, and such service or program is educationally more appropriate to the needs of the student.
2. The Superintendent and professional staff, for sound educational reasons affecting the progress of the student and with the approval of the parents, initiate such a transfer.
3. The receiving school, by reason of construction and design, provides building facilities more appropriate to the physical needs of the student.



## Intra-District Student Transfers

Local School System: Prince George's County Public Schools

Prepared by: Dr. Gwendolyn Mason, Chief of Special Education and Student Services and

Ms. Elizabeth Faison, Director of Student Services

Date: November 9, 2018

### I. Please complete information on Intra-District Transfers:

	2014- 2015	2015- 2016	2016- 2017	2017- 2018
Number of Countywide Intra-District Transfer Requests	745	1900	2392	1472
Number Approved	501	1606	1815	1202
Local Superintendent-Level Appeals	117	177	252	138
Number Approved	78	149	251	138
Local Board of Education-Level Appeals	0	2	0	0
Number Affirmed	0	2	0	0

### II. For the 2017-2018 school year:

- a. Please list most common reasons for transfer requests:
  - School Choice
  - Safety and/or Bullying, Harassment or Intimidation
  - Childcare
  - Terminal Grade
  
- b. Please list most common reasons for denials:
  - No capacity at requested school
  - Unsubstantiated safety concerns
  - Request submitted after deadline

**Note:** Please submit this completed document and your local school system Intra-District transfer policy to [mary.gable@maryland.gov](mailto:mary.gable@maryland.gov) by November 9, 2018 close of business. Thank you!





# ADMINISTRATIVE PROCEDURE

## STUDENT TRANSFERS

5110.3

Procedure No.

December 1, 2015

Date

- I. **PURPOSE:** To provide procedures and general guidelines for student transfers in Prince George's County Public Schools.
- II. **INFORMATION:** The Office of Student Records and Transfers (OSRT) is responsible for the approval of student transfer requests to attend a school outside of the designated attendance area. **Transfers are only granted if space is available in the requested school.** If a school is under state-rated capacity (SRC), but the requested grade level is over SRC, the transfer may not be approved. The Associate Superintendent upon review of supporting documentation, may remove a school from the List of Available Schools. Transportation is **NOT** provided for students receiving a transfer. Guardians will be responsible for the student's transportation. However, transferred students may access an available bus route if there are seats available.

In keeping with the Board of Education's non-discrimination policies, students having special needs as documented by an Individualized Education Program or Section 504 Plan will be afforded the same access to transfer as students without special needs or accommodation requirements. No person, on the basis of race, gender, sexual orientation, color, or national origin, is excluded from participation in, may be denied the benefit of, may be treated differently from another person, or may be otherwise discriminated against with regard to transfers.

Schools and programs that are not governed by this transfer process administrative procedure are as follows: School programs designed for students attending their assigned boundary school, such as AVID, Project Lead the Way and Colours Performing Arts Program. Special programs such as the Secondary School Reform academies, lottery-based programs and specialty programs with their own admissions criteria are not covered under AP 5110.3. No transfers are permitted into or between charter schools.

- III. **DEFINITIONS:**
  - A. **Transfer** – A request for special permission to attend a school other than the in boundary school based on the residence of the student's parent or court appointed guardian. Transfers may only be granted if space is available.
  - B. **Immediate Involuntary Transfer** – Reassignment of a student to a school with a prohibition that the student may not remain enrolled in the current school of assignment .
  - C. **ESOL Sibling Enrollment Transfer** – The transfer of a student whose sibling has been assigned to an English for Speakers of Other Languages (ESOL) program outside of the designated attendance area. Transfers may only be granted if space available.
  - D. **Student with Disabilities Sibling Enrollment Transfer** – The transfer of a student whose sibling has been assigned to a school outside of their designated attendance area to receive instruction and or services as required by the student's



## ADMINISTRATIVE PROCEDURE

### STUDENT TRANSFERS

5110.3

Procedure No.

December 1, 2015

Date

Individual Education Plan (IEP). Transfers may only be granted if space is available.

- E. Terminal Grade Completion Transfer – A provision that allows students to complete their terminal year at a school outside of their attendance area. The student must be eligible for graduation or promotion..
- F. Victim of a Violent Crime – A student who is a victim of a violent criminal offense which includes assault in the first degree, sexual assault in the first or second degree, abduction, arson, manslaughter, rape, and robbery (COMAR 13A.08.01.20).
- G. Enrollment – The number of students enrolled in an educational district, program or school on a given date. The official enrollment for Maryland public schools is the number of students enrolled on September 30<sup>th</sup> of each school year. The enrollment includes all students who have completed registration requirements and are participating in the educational program regardless of attendance on specified dates.
- H. State-Rated Capacity (SRC) – The number of students, as determined by Maryland Department of Planning (MDP) that can be accommodated for a full-time educational program in a school without impairing the delivery of educational services. The StateRated Capacity is proposed by a local educational agency using Maryland Department of Planning formulas and is subject to that agency's approval.
- I. Boundary Changes – Action by the Board of Education to change the school assigned to a residential address.
- J. Boundary School – The school assigned to the principal address of the parent or legal guardian.
- K. Guardianship – A legal appointment granting an adult the legal responsibility for the care and management of a child during its minority.
- L. Persistently Dangerous School – A school designated by the Maryland State Department of Education in which each year for three (3) or more consecutive school years, the total number of student suspensions for more than ten (10) days or expulsions for any of the following offenses equals 2.5% or more of the total number of students enrolled in the school. Offenses include arson or fire; drugs; explosives; firearms; other guns; other weapons; physical attack on a student; physical attack on a school system employee or other adult; and sexual assault (COMAR 13A.08.01.18).
- M. List of Available Schools – A list of available school options for which a parent may submit a request for a discretionary transfer and in which the enrollment capacity has not exceeded 90% of the state-rated capacity.



# ADMINISTRATIVE PROCEDURE

## STUDENT TRANSFERS

5110.3

Procedure No.

December 1, 2015

Date

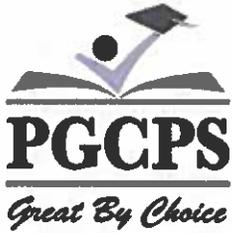
- N. The Office of Student Records and Transfers (OSRT) – The office responsible for the review and disposition of transfer requests that are governed by this procedure.
- O. Charter Schools – A public school governed by a charter approved by the Prince George’s County Board of Education. Transfers to charter schools are not granted by OSRT.
- P. Before and After School Transfers – Transfers are not granted to elementary or middle school students to attend a **school operated before and aftercare program**. Those program seats are allocated to students residing within the school boundary and are fee based. Principals may grant external Before and After School Transfers based on the childcare provider’s address and the school’s capacity. These transfers may be granted to students in elementary and middle school. Each approved Before and After School Transfer must be reported to the Office of Student Records and Transfers within 72 hours. Charter schools and specialty programs are excluded under this provision.

The childcare provider’s address must be within the school’s attendance area. Childcare provider verification must be provided to the school annually to continue a transfer under this provision. It is the parent’s responsibility to inform the school when they move or cease using before and after school services. Copies of the Before and After school transfer approvals must be provided to the OSRT with supporting documentation. The Office of Student Records and Transfers is the first level of appeal.

- Q. Newly Opened and /or Constructed Schools – A school that was recently built and slated to open or a school that was closed and is being reopened in an existing building. Transfers will not be granted in or out of newly constructed /newly opened schools during their first year of operation.
- R. Residency Fraud – Failure to provide valid proof of residency and failure to inform the school of any change in residency. Households found to have committed residency fraud are ineligible for transfers until the following school year.

#### IV. PROCEDURES:

- A. The following guidelines govern the approval of student transfers:
1. Transfers may be requested to a school that is under State-Rated Capacity (less than 90% of the actual and projected enrollment). The school must be posted on the List of Available Schools for the requested school year. The list is subject to change based on school enrollment.
  2. A student, who is a **victim of a violent crime** shall adhere to the following:



## ADMINISTRATIVE PROCEDURE

### STUDENT TRANSFERS

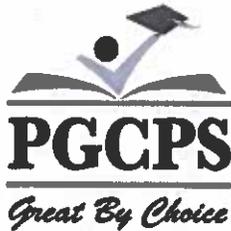
5110.3

Procedure No.

December 1, 2015

Date

- a. The request for a transfer under this provision requires that the parent submit **a copy of a police report to substantiate** that the violent crime, as stipulated by this provision, occurred on school grounds, during regular school hours or at a school sponsored event.
  - b. The victim's request to transfer is contingent upon the conviction or adjudication of delinquency of the offender
3. A transfer from a **Persistently Dangerous School** is governed by the following guidelines:
- a. The No Child Left Behind Act (NCLB) of 2001 permits parents of students attending a school identified by the State as a "persistently dangerous school" to transfer to another public school located within the school system. To the extent possible, the school system will allow the student to transfer to a school that is making adequate yearly progress and has not been identified as being in school improvement, corrective action, or restructuring (COMAR 13A.08.01.20).
  - b. A request for a transfer under this provision requires that the parent complete a Student Transfer Request, and the school system must have provided notification to parents that the State has identified their child's school as "persistently dangerous," thus affording the opportunity for a school transfer. The first notice to parents is required at least one (1) year prior to the designation as "persistently dangerous," when a school is placed on probationary status following the first two (2) consecutive years of meeting the threshold of suspensions and expulsions for certain offenses. No transfer shall be considered or approved under this process unless the student's school of attendance has actually met the requirements for designation as a "persistently dangerous" school.
4. Involuntary Transfers are granted by the Office of Student Records and Transfers or Office of Student Engagement and School Support for one or more of the following reasons:
- a. The student has been involved in gang, gang-related activity or is at-risk due to gang retaliation.
  - b. The student has been identified as the offender in a bullying, harassment or intimidation allegation and has continued these behaviors after documented interventions.



## ADMINISTRATIVE PROCEDURE

### STUDENT TRANSFERS

5110.3

Procedure No.

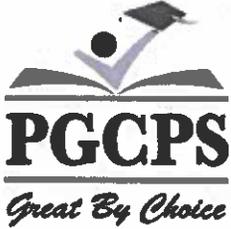
December 1, 2015

Date

- c. Extreme extenuating circumstances exist that may cause severe and untenable emotional and/or physical harm to the offender if he or she were to remain at his or her current school assignment. The parent has the right to an appeal. The student may be referred to an alternative education program option by the local school to address safety issues.
- d. An involuntary transfer may be requested whenever a student is charged with or accused of a criminal offense, either as a juvenile or an adult. The Office of Student Records and Transfers or Office of Student Engagement and School Support, based upon a review of the allegations associated with the arrest or accusation, shall have the authority to effect an immediate involuntary transfer in accordance with the Safe Schools Act of 2010.

The involuntary transfer is approved only if after careful review, based upon a preponderance of evidence it is the opinion that the health, safety or welfare of students would be substantially at risk by maintaining the student in his or her current school assignment. The parent and student will be informed of the reasons for the transfer and granted an opportunity for a pre-involuntary transfer conference with the Office of Student Records and Transfers or Office of Student Engagement and School Support.

5. A transfer may be granted for a **Bona fide Change in Residence** of the student's parents or legal guardian.
  - a. Transfers may be requested to remain at the current school if there is a bona fide change in residence for the family which would result in a change in school assignment **after the beginning of the first quarter or after the completion of the first semester**. The parent/guardian will be responsible for providing transportation. Under this provision, transfers are granted through the end of the school year with an updated proof of residency. A transfer cannot be granted if the family moved from the attendance area without notifying school official(s) of the change of residence or at the conclusion of a residency investigation.
  - b. The Office of Student Records and Transfers, in consultation with the Associate Superintendent, Instructional Director, or principal, may rescind the transfer at the end of the academic year based on attendance or disciplinary concerns. In extreme cases a rescission of a transfer may occur prior to the end of the school year.



## ADMINISTRATIVE PROCEDURE

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6. **The sibling of a student with disabilities:** A transfer may be requested for siblings of students with disabilities to accommodate same school assignment outside of the designated attendance area. Sibling transfers under this section may only be granted if space is available. The sibling, if granted a transfer, may be eligible to ride on the bus with the disabled student provided that space is available. Transportation may be terminated based on disruptive behavior or if space is no longer available. If the disabled student is withdrawn or if there is a change in placement, the sibling may remain; but transportation must be provided by the parent.
7. **Departmental Transfer** may be granted for the following reasons:
  - a. The ESOL Department may request a transfer of a student to support instructional continuity at the school providing ESOL services. The ESOL Department may recommend a rescission based on a student's attendance or disciplinary concerns. Transportation is not provided.
  - b. The Title 1 Office may request transfers to allow former Choice Program students to remain at the current school of assignment. Transportation is not provided.
8. **Sibling of ESOL Student:** A transfer may be requested for siblings of students enrolled in a program for English for Speakers of Other Languages (ESOL) to accommodate same school assignment outside of the designated attendance area. Sibling transfers under this section may only be granted if space is available. The sibling, if granted a transfer, may be eligible to ride on the bus with the ESOL student provided that space is available. Transportation may be terminated based on disruptive behavior or if space is no longer available. If the ESOL student is withdrawn or if there is a change in placement, the sibling may remain; but transportation must be provided by the parent.
9. **Completion of Terminal Grade Transfers:** Transfers may be requested in order to allow students to complete their terminal grade if they will be eligible for promotion or graduation during the requested school year.
10. **Children of School Board Employees:** The children of PGCPS employees working 20 or more hours per week who are eligible to attend PGCPS may be assigned to the school at which the parent/guardian is assigned upon request to the Office of Student Records and Transfers.
  - a. This transfer request is contingent upon employee providing verification of employment by PGCPS Department of Human Resources and the availability of space as determined by the Office of Student Records and Transfers. Unless the employee is assigned to a



## ADMINISTRATIVE PROCEDURE

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new school after the transfer window is closed, the transfer request must be made within the required timelines provided for student transfers and requests for before and aftercare services.

- b. This transfer request will be considered for comprehensive schools only on a space available basis. All charter, specialty schools and lottery-based programs are excluded.
  - c. Parents or guardians are responsible for the student's transportation, unless there is a school bus route with existing seats available.
  - d. When the parent/guardian is no longer assigned to the school, the parent must immediately notify the OSRT. If the parent is reassigned to a new school during the course of the school year, the student shall remain in the current school of assignment until the end of the school year.
- B. Duration of Transfers Granted:** Transfers are in effect until the terminal grade level at the school unless otherwise specified.
- C. Rescission of Student Transfers:** Transfers may be revoked for the following reasons:
1. Providing false information on the transfer application or registration documents;
  2. Failure to provide verification of bona fide residence; or
  3. Evidence of a pattern of poor attendance, truancy and/or chronic behavioral concerns unabated by documented interventions. Acceptable documentation may include, but is not limited to, the following:
    - a. Functional Behavioral Assessment (FBA)
    - b. Behavior Intervention Plan (BIP)
    - c. Truancy Checklist
    - d. School Instructional Team (SIT) Notes
    - e. Student Contracts
    - f. Parent Meeting Notes and Recommendations

In cases where these conditions occur, the principal may recommend that the Office of Student Records and Transfers revoke the approved transfer at the end of the academic year. Documentation must be provided to substantiate the rescission of the transfer under these conditions.

4. Parents and guardians may appeal the rescission to the Office of Appeals within 10 days of notice of the transfer rescission.



# ADMINISTRATIVE PROCEDURE

## STUDENT TRANSFERS

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### D. **Deadline for Transfer Requests:**

1. To ensure that students are registered and prepared to receive instruction on the first day of each school year, transfer requests must be submitted beginning the first day of the official transfer launch date through the close of business on the last day of the transfer period. Transfers submitted after the deadline will not be accepted. The transfer launch dates will be publicized and are subject to change each school year due to boundary changes and new school construction.
2. Deadlines for submission of transfer requests are waived for victims of violent criminal offenses committed on school grounds, or school sponsored events immediate involuntary transfers, or students attending persistently dangerous schools.

### E. **Appeals:**

Appeals of denials of transfer request, involuntary transfers, and rescission of transfer may be appealed to the Office of Appeals. The appeal must be in writing and filed with the Office of Appeals not later than 10 calendar days of the denial of the transfer request, involuntary transfer notification, or transfer rescission notification.

- V. **RELATED POLICIES AND PROCEDURES:** Board Policy 5110.3, Transfer of Students; Board Policy 5116, Appeal Process for Student Transfer Requests; Administrative Procedure 5010, Homeless Children and Youth-School Access and Services; Administrative Procedure 5110.4, Special Education-Sibling Enrollment; Administrative Procedure 5111, Registration and Withdrawal of Students; Administrative Procedure 6142.1, Technical Academy Program Enrollment Criteria; Administrative Procedure 6150, Educational Requirements and Options in Secondary Schools; Individual Student Victim Transfer Option; Safe Schools Act of 2010; and No Child Left Behind Act of 2001.
- VI. **MAINTENANCE AND UPDATE OF THESE PROCEDURES:** This Administrative Procedure originates with the Office of Student Records and Transfers, Department of Student Engagement and School Support, within the Division of Student Services. A review is recommended every two (2) years or as deemed necessary.
- VII. **CANCELLATIONS AND SUPERSEDES:** This Administrative Procedure cancels and supersedes Administrative Procedure 5110.3, dated March 1, 2014.
- VIII. **EFFECTIVE DATE:** December 1, 2015.

Distribution: Lists 1, 2, 3, 4, 5, 9 and 10



## Intra-District Student Transfers

Local School System: Queen Anne's County

Prepared by: Brad Engel

Date: November 7th, 2018

I. Please complete information on Intra-District Transfers:

	2014-2015	2015-2016	2016-2017	2017-2018
Number of Countywide Intra-District Transfer Requests	314	319	324	321
Number Approved	312	316	321	318
Local Superintendent-Level Appeals	0	0	0	0
Number Approved	0	0	0	0
Local Board of Education-Level Appeals	0	0	0	0
Number Affirmed	0	0	0	0

II. For the 2017-2018 school year:

a. Please list most common reasons for transfer requests:

- Daycare

b. Please list most common reasons for denials:

- School Choice

**Note:** Please submit this completed document and your local school system Intra-District transfer policy to [mary.gable@maryland.gov](mailto:mary.gable@maryland.gov) by November 9, 2018 close of business. Thank you!



**POLICY**  
**Queen Anne's County Public Schools**

Policy Number: \_\_\_\_\_

Page 1 of 2

<b>POLICY TITLE:</b> Student Attendance		
<b>ADOPTION/EFFECTIVE DATE:</b>	<b>MOST RECENTLY AMENDED:</b>	<b>MOST RECENTLY REAFFIRMED:</b>
<b>POLICY:</b>		

**I. Policy Statement**

The Board of Education of Queen Anne's County is committed to the vision of the Queen Anne's County School system; "A graduate of Queen Anne's County Public Schools will be well-educated, globally competitive and prepared to become a caring, productive citizen of the 21st Century." The Board recognizes that students are required to be in school or to be attending a school-related activity each day school is in session and that there is a strong correlation among regular attendance, academic achievement, and graduating as a well-educated, globally competitive and prepared to become a caring, productive citizen of the 21st Century.

**II. Purpose** The purpose of this policy is to establish the requirements for student attendance, guidelines for attendance monitoring and recording, and procedures for supporting chronically absent and habitually truant students.

**III. Standards**

- A. This student attendance policy shall be communicated annually to students, parents/guardians, and staff in a manner determined by the Superintendent.
- B. All students are expected to attend school regularly and may be excused from class or school only for reasons specified in state regulation or as authorized by the Superintendent or his/her designee. The parent/guardian or person, who otherwise has legal custody, care, or control of a child, shall ensure that the child attends school.
- C. The Superintendent shall establish procedures to reduce absenteeism and provide support for chronically absent and habitually truant students and their families.

IV. Implementation The Board directs the Superintendent to implement this policy

V. Definitions

A. Absence – The failure of a student to be physically present in school/class or at a school-related activity during the school day.

B. Attendance – The act of being physically present at school or school-related activities during the school day.

C. Chronically absent – A year-to-date absence rate of 20% or more, including both lawful and unlawful absences. E. Exemplary attendance – A final attendance rate of 96% or more of the student year with no unlawful absences.

D. Habitual truant – A student who met ALL of the following criteria during the school year:

1. The student was age 5 through 20.

2. The student was enrolled in the Queen Anne’s County School System (QACPS) for 91 or more days

3. The student was unlawfully absent for 20% or more of the days of enrollment.

E. Lawful absence – An excused absence for any portion of the day.

F. Parent – Any one of the following, recognized as the adult(s) legally responsible for the student:

1. Biological parent – A natural parent whose parental rights have not been terminated.

2. Adoptive parent – A person who has legally adopted the student and whose parental rights have not been terminated.

3. Custodian – A person or an agency appointed by the court as the legal custodian of the student and granted parental rights and privileges.

4. Guardian – A person who has been placed by the court in charge of the affairs of the student and granted parental rights and privileges.

5. Foster parent – An adult approved to care for a child who has been placed in their home by a State agency or a licensed child placement agency.

G.. Truant – A student who is absent for a day or any portion of a day for any reason other than those cited as lawful in COMAR 13A.08.01.03 and/or failure to bring a note written by a parent to verify a lawful absence.

H. Unlawful absence – Any unexcused absence, including absence for any portion of the day, for any reason other than those cited as lawful are presumed as unlawful and may constitute truancy. Students unlawfully absent are considered truant. (COMAR 13A.08.01.04).

**REGULATION**

**Board of Education  
Queen Anne's County Public Schools**

Responsible Office: Student Support Services

**STUDENT ATTENDANCE**

**PROCEDURES**

Sources: Code of Maryland Regulations (COMAR) 13A.08.01.01-07

**A. General Procedures for all Schools**

1. Each child who resides in this state and is five (5) years old or older and under eighteen (18) years of age shall attend a public school regularly during the entire school year unless the child is otherwise receiving regular, thorough instruction during the school year in the studies usually taught in the public schools to children of the same age. (COMAR 13A.08.01.01 1.)
2. Students shall be considered in attendance at school when participating in school-sponsored activities during the school day, and when that participation is approved by the local superintendent of schools or the school principal, or their designees.
3. Coding Absence and Tardiness  
Students scheduled for a full day:  
A student is counted present for a full day if the student is in attendance four (4) hours or more of the school day. A student is counted present for a ½ day if in attendance for at least two (2) hours of the school day, but less than four (4) hours. (Maryland Student Records Manual 2016)
4. Determining Whether an Absence Is Lawful or Unlawful
  - a. When a child is absent from school, they have one (1) week to notify the school with a written note, email or phone call stating the reason for the absence. After one (1) week, an unlawful absence cannot be changed to a lawful absence without approval from the principal. At the middle and high school level, parents/guardians can excuse up to five (5) days a semester by phone call, written note or email.
  - b. Requests for late arrivals or early dismissals must be authorized by the Principal.
  - c. Upon reaching his/her age of majority (18 years old), a student may assume the responsibility for absence notes and requests for late arrivals and early dismissals.
  - d. When a student is not physically in the classroom but remains under the direct supervision of QACPS during the instructional day, students are considered present for state and local reporting purposes; however, students are marked absent by the teacher to record that they are not in the classroom. The attendance secretary will assign an EDU code for documentation purposes.
5. Criteria for Lawful/Excused Absence  
Students presently enrolled in public schools are considered lawfully absent from school, including absence for any portion of the day for the following reasons (COMAR 13a.08.01.03):
  - a. Bereavement

Immediate family – The number of days absent for a death in the “immediate family” is not to exceed five per instance. “Immediate family” is defined as parents, brother, sister, grandparents, or anyone who has lived regularly in the household of the student. All other requests for bereavement will be limited to one day for the funeral.

- b. Illness of the student - A doctor’s certification may be required for chronic illness, which is defined as a physical or mental health disease (condition) of long duration, showing little change or of slow progression, which may be minor or severe in nature. This includes, but is not limited to, medical appointments.
- c. Court Summons – When a student must report to court by the issuance of a summons, the time absent will be considered a lawful/excused absence.
- d. Hazardous Weather Conditions – This will be interpreted to mean only those conditions of the weather, as determined by the Superintendent, which would endanger the health or safety of the student when in transit to and from school. Students will be credited for at least a half day attendance if they are present any part of the school day that schools close for weather-related or other emergency conditions.
- e. Work – Such work must be approved or sponsored by the school, the local school system or the State Department of Education, and accepted by the Superintendent or the principal/designee.
- f. Observance of a Religious Holiday – Students may be excused when their attendance at school conflicts with participation in traditional and customary religious holidays.
  - (1) On days designated as religious holidays, students may request prior approval to be absent from school for personal and family observance.
  - (2) School cooperation is requested when scheduling tests or major project due dates.
  - (3) Student absences for religious purposes should not prohibit students from receiving "perfect attendance" recognition.
- g. State Emergency – The Governor/designee makes these determinations.
- h. Suspension – Suspension is the denial of a student’s right to attend regular classes or school for a specified period of time as a disciplinary consequence. Note: Suspension is a lawful/excused absence and the days of suspension status cannot be used when determining “habitual truancy.”
- i. Lack of authorized transportation – A student may be excused when school system authorized transportation is not available for reasons beyond the student’s control. This does not include students denied authorized transportation for disciplinary reasons.
- j. Other emergency or set of circumstances; which, in the judgment of the Superintendent/designee, constitutes a good and sufficient cause for absence from school. The principal, in consultation with Superintendent’s designee, as appropriate, will determine whether absences are excused under this provision.
  - (1) Absences of an Emergency Nature - Such absences will be reviewed by the

principal in consultation with the Superintendent's designee when appropriate to determine whether the absences will be lawful/excused or unlawful/unexcused.

(2) Deployment Related Absences - Deployment related absences will be excused for the purpose of visiting with a parent/guardian who is an active duty member of the uniformed services and has been called to duty for, is on leave from, or immediately returned from, deployment to a combat zone or support posting.

(3) Absences for Non-Emergency Circumstances -

(a) A written request for such absences to be lawful/excused should be submitted two weeks in advance to the principal/designee.

(b) Such absences may not occur during exam or state-mandated testing periods unless authorized by the principal/designee.

(c) The principal may determine whether the absences will be lawful/excused or unlawful/unexcused. Such absences may include, but are not limited to, the following events directly involving the student:

i. Visits to post-secondary institutions

ii. Participation in college orientation programs

iii. Scheduled interviews with prospective employers

iv. Special family events, including vacations/trips. The principal may excuse up to five (5) vacation days. For vacation absences in excess five days under this provision, the principal in consultation with the Superintendent's designee will determine if the absences will be lawful/excused or unlawful/unexcused.

k. Pregnancy and parenting needs(HB 616) *Education-Pregnant and Parenting Students*

(1) Pregnancy- and parenting-related conditions are lawful/excused absences for:

(a) Labor

(b) Delivery

(c) Recovery

(d) Prenatal and postnatal medical appointments.

(2) A parenting student is allowed ten (10) lawful/excused absences days after the birth of the student's child. Exceptions can be made for additional lawful/excused absences upon approval of the Superintendent/Designee.

(3) A parenting student's absences due to an illness or a medical appointment of the student's child are lawful/excused absences. After four days of such absences, during a school year, a physician's note may be required.

(4) A student's absences due to a legal appointment involving the pregnant or parenting student that is related to family law proceedings, including adoption, custody, and visitation are lawful/excused absences.

l. Health-related exclusion - Students are temporarily excluded from school for the following health-related reasons:

- (1) Failure of parents or guardians to abide by the health regulations regarding immunization schedules or failure to provide evidence of appropriate immunizations after 20 calendar days: COMAR 10.06.04.03;  
or
- (2) Conditions that present a clear and direct health risk to others: COMAR 10.06.01.06.

#### 6. Attendance Codes

ATS=Alternative to Suspension at APA  
CAL=Call In(Parent or Guardian)  
COL=Pre-approved College Visit  
COU=Court Summons  
DFA=Death in Immediate Family  
EME=Family or Personal Emergency  
DOC=Documented Absence(parent note or email)  
dmt=Medical Tardy  
dtd=Documented Tardy  
DUL=Documented Unlawful  
dut=Documented Unlawful Tardy  
DLT=Documented Late  
DML=Documented Medical  
DUN=Documented Unlawful  
EDU=Educational(School based activity)  
EDA=Pre-approved Educational Absence  
FNL=Funeral  
HEA=Documented Health Suite  
HEX=Health Exclusion  
HHT=Home Hospital Teaching  
ISS=In-School Suspension  
RAC=Ref to Alt Class Setting  
REL=Religious Holiday  
SUS=Suspension  
ULT=Undocumented Late  
UND=Undocumented  
utd=Undocumented Tardy  
VAC=Pre-approved Vacation

#### 7. Procedures for Make Up Work When Students are Absent.

- a. Whenever a child is absent, it is important for the child to have access to the information presented in class.
- b. The teacher will collect the work during the day while the child is absent. It will be given to the child upon their return to school.
- c. If the student is absent for multiple days, parents/guardians and teachers should be encouraged to communicate regarding make-up work that may be completed while the child is out of school. It is the child's responsibility to turn in the work

to the teacher. Teachers can also make arrangements to have make-up work picked up by in the front office

- d. A student shall be allowed a reasonable number of days, at least equivalent to the number of days absent, to make up work.

#### 8. High School Denial of Credit

- a. Before a student has accumulated five unlawful absences for a high school course during the semester, the school will notify the that the student is in danger of losing credit.
- b. Once a student has accumulated more than five unlawful absences during a semester credit(s) may be denied.
- c. The principal in consultation with the school-based Student Support Services Team will determine whether credit is awarded or denied.
- d. If credit is denied by the principal, a students may be given the opportunity to have the credit reinstated through extended day, Saturday school and summer school as determined by the principal.
- e. Any student who loses credit under this provision may appeal the determination to the Superintendent's designee.

#### 9. Unlawful/Unexcused Absence

- a. An absence for any reason other than those cited as lawful are presumed as unlawful and may constitute truancy (COMAR 13A.08.01.04).
- b. Enrolled students who do not report to school in August/September are marked absent during the first month of the school year until they report to class. By September 30, all enrolled students who have not reported since the first day of school, will be exited with the date of exit July 1.
- c. Students with unlawful absences of 10 consecutive school days or more will be withdrawn from school and may be allowed to re-enroll, provided they meet enrollment requirements, upon their return. Upon expiration of the 10-day window, the student will be withdrawn and the date of the exit will be the first day after the last day of attendance.

#### 10. Support and Intervention Procedures for Chronically Absent Students

- a. The expectation for regular attendance is the same for all students enrolled in the QACPS whether they are under or over the compulsory attendance age.
- b. Under The Annotated Code of Maryland, criminal charges may be filed in relation to unlawful absence from school.
  - (1) Any person who induces or attempts to induce a child to absent himself unlawfully from school or employs or harbors any child who is absent unlawfully from school while school is in session is guilty of a misdemeanor.
  - (2) Any person who has control over a child between the ages of 5 years old and under 18 who fails to see that the child attends school or receives instruction under this section is guilty of a misdemeanor and on conviction is subject to a fine not to exceed \$50 per day of unlawful absence or imprisonment not to exceed 10 days, or both.
- c. These support and intervention procedures should be in place for students who have chronic absences (lawful and/or unlawful).

- (1) Prior to a referral to the Student Services Team, a designated staff person should document attempts to notify the parent/guardian of the chronic absences.
- (2) If the absences continue, the student should be referred to the school's Student Services Team.
- (3) Members of the team will develop, implement and regularly monitor an attendance improvement plan that may include the follow
  - (a) Meeting with the student
  - (b) Meeting with the student's teachers and administrative staff
  - (c) Meeting with the student's parent/guardian
  - (d) Assigning the student to a counseling group
  - (e) Referring the student to an alternative placement
  - (f) Scheduling a hearing with the Pupil Personnel Worker
  - (g) Making a referral to an outside agency for support
  - (h) Making a referral to the State's Attorney's office for possible court action (for students under the compulsory attendance age)

#### **B. Procedures for Out of Attendance Zone Requests**

1. A student attending a public school in Queen Anne's County is expected to attend the home school that serves the attendance area in which the student's parents/guardians are domiciled.
2. Special permission may be requested for students in Grades K – 12 to attend a school within the district that is out of the student's attendance area.
3. Out of Attendance Zone Requests may be approved when one of the following conditions exists:
  - a. Change of Residence
    - (1) A student has moved from one school attendance area to a different school attendance area in the Queen Anne's County school district during the regular school year, but wishes to continue attending his or her school in his or her previous attendance area until completion of the school year. The family must provide the Office of Student Support Services with proof of the new address.
    - (2) A student plans to move from one school attendance area to a different attendance area on or before November 1 of the current school year.
      - (a) A student must demonstrate definite plans to move to a different attendance area, as follows:
        - i. Proof of purchase or rental must be provided with the application for student transfer.
        - ii. The new residence must be the primary permanent residence for the student and the student's family and must be located within the receiving school's attendance area.
        - iii. Additional documentation may be requested to establish that the new residence is a bona fide domicile for the student.
  - b. Child of an Employee

QACPS full-time employees may make an Out of Attendance Zone

request.

c. Child Care

- (1) Parents/guardians of elementary/middle school students who demonstrate hardship in obtaining appropriate full-time before- and/or after-school supervision of their child/children within the boundaries of the school where the child is domiciled may make an Out of Attendance Zone request to the Office of Student Support Services.
- (2) The parent/guardian shall provide documentation concerning the child care provider, including the provider's name, address and telephone number.

d. Medical/Student Adjustment

An Out of Attendance Zone Requests may be approved for medical/student adjustment under the following conditions:

- (1) The student demonstrates exceptional hardship for reasons of medical, emotional or social adjustment.
  - (a) Independent, detailed documentation substantiating the circumstances (e.g., from physicians, psychologists, social workers or counselors) is required.
  - (b) All Out of Attendance Zone requests for medical/student adjustment shall be submitted to the Supervisor of Student Support Services.

4. Application Procedure

The following procedures shall be followed when a student is requesting special permission to attend a school outside his or her home school.

- a. The parent/guardian must complete the Application for Out of Attendance Zone Requests, K-12, and submit the completed application form with requisite supporting documentation to the Office of Student Support Services
- b. Applications for the succeeding school year must be submitted between April 1 and June 1 of the current school year.
- c. All students who receive permission to attend a school out of their attendance zone may have their privileges revoked if failed to meet the following conditions:
  - (1) Absences resulting in an attendance rate that exceeds 10% for any given marking period, unless the absence is a verified, lawful absence.
  - (2) Accumulated tardiness in excess of 10%, unless the tardiness is a verified, lawful absence,
  - (3) Any out of school suspension or the accumulation of disciplinary referrals may result in the loss of an Out of Attendance Zone privilege.
- d. Parents/guardians are responsible for providing transportation to and from the receiving school unless the student can be accommodated by the existing bus routes and existing bus stops of that school. In such instances, the parents/guardians are responsible for providing transportation to and from the existing bus stop.

**C. General Procedures for Fraudulent Enrollments**

1. If non-residency or non-custody of an enrolled student is suspected, the matter will be referred to the Office of Pupil Personnel Services for investigation.
2. If a student is found to be fraudulently enrolled in a Queen Anne's County public school, the school will issue a letter notifying the parent/guardian that the student will be withdrawn in ten (10) business days; the letter will advise the parent/guardian of his/her right to appeal the finding.
3. Parents/guardians of students who are found to have fraudulently enrolled their children may be liable for tuition for each child determined to be fraudulently enrolled.

**Regulation History:** Adopted on

Approved

A handwritten signature in cursive script, appearing to read "Andrea Kane".

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Dr. Andrea Kane, Superintendent  
Board of Education of Queen Anne's County



## Intra-District Student Transfers

Local School System: St. Mary's County Public Schools

Prepared by: Cheryl A. Long, Director Student Services

Date: November 9, 2018

**I. Please complete information on Intra-District Transfers:**

	2014-2015	2015-2016	2016-2017	2017-2018
Number of Countywide Intra-District Transfer Requests	1,135	1,161	1,099	1,150
Number Approved	1,049	1,053	1,016	1,073
Local Superintendent-Level Appeals	0	0	0	0
Number Approved				
Local Board of Education-Level Appeals	0	0	0	0
Number Affirmed				

**II. For the 2017-2018 school year:**

- a. Please list most common reasons for transfer requests
- Child Care
  - Staff Request
  - School Year Completer
  - Course of Study
- b. Please list most common reasons for denials:
- Request Does Not Meet Criteria for Transfer
  - Capacity at Requested Grade Level is Not Available
  - 
  -

**Note:** Please submit this completed document and your local school system Intra-District transfer policy to [mary.gable@maryland.gov](mailto:mary.gable@maryland.gov) by November 9, 2018 close of business. Thank you!





Book	Policies
Section	JE - Student Attendance
Title	ADMISSION OF TRANSFER STUDENTS
Number	JECA
Status	Active
Legal	<b>Federal Law:</b> Elementary and Secondary; Education Act (ESEA) [P.L. 107-110]; Criminal Law Article § 14-101
Adopted	November 14, 1989
Last Revised	June 27, 2007
Last Reviewed	June 27, 2007

## **Regulation**

### **I. Purpose**

The purpose of this policy is to provide for the transfer of a student from one geographic attendance zone to another in accordance with specified conditions.

### **II. Policy Statement**

St. Mary's County Public Schools (SMCPS) recognizes the need for some students to transfer from one geographic school zone to another. A transfer may be granted, allowed, or offered. Consideration of a parent(s)/guardian(s) request may be given if the request meets certain criteria which warrant consideration. Also, federal and state laws and regulations identify other conditions which may require the SMCPS to offer a transfer to a student. SMCPS shall follow established laws, regulations, and SMCPS' procedures related to student transfers.

Students shall not be admitted to the requested school prior to written approval from all required sources.

### **III. Definitions**

N/A

### **IV. Expectations for Evaluation, Review, and Updates**

This policy will be reviewed and evaluated according to the Board of Education of St. Mary's County review schedule and/or as federal and state laws and regulations change.

**St. Mary's County Public Schools, Leonardtown, Maryland**



Book	Regulations
Section	JE - Student Attendance
Title	ADMISSION OF TRANSFER STUDENTS
Number	JECA-R
Status	Active
Adopted	November 14, 1989
Last Revised	July 1, 2013
Last Reviewed	July 1, 2013

Policy Cross Reference: JEC, JEC-R, JHFJ

#### I. Applications for Transfer [Parent('s)/Legal Guardian('s) Request for Specific Situations]

All applications for transfer from one geographic attendance zone to another shall be made in writing by the parent(s)/legal guardian(s) to the Director of Student Services. Parent(s)/legal guardian(s) shall complete form PS 103, Student Transfer Request. The form must be signed and dated by all required parties prior to submission to the Director of Student Services. Any required written documentation or statement/justification must also accompany the transfer request. Requests will be considered for the following conditions.

1. Course of Study - for a course of study not offered at the school servicing the student's assigned attendance zone. The parent(s)/legal guardian(s) must provide written documentation for the request. Parent(s)/legal guardian(s) will be responsible for the student's transportation to and from school.
2. Program Completer - for seniors who desire to graduate from the school at which they have been attending. Parent(s)/legal guardian(s) must provide a written explanation for the request. Parent(s)/legal guardian(s) will be responsible for the student's transportation to and from school.
3. Pending Move - for students from a family living outside the county with specific plans to move into the geographic school attendance zone within one semester. Copies of proof of purchase for a residence or a rental agreement must be attached to the transfer application. Parent(s)/legal guardian(s) will be responsible for the student's transportation to and from school.
4. School Year Completer - for students of a family who are moving from one county geographic school attendance zone to another during the school year. The parent(s)/legal guardian(s) may request to allow the student to complete the school year in the currently enrolled school and must provide a written explanation for the request. Parent(s)/legal guardian(s) will be responsible for the student's transportation to and from school.
5. Staff Request - for the son or daughter of a school-based staff member who wishes to have his/her child enrolled in the school where he/she is assigned. The staff member must provide a written explanation for the request. The student must be in grades kindergarten through 12 and the parent(s)/legal guardian(s) will be responsible for the transportation. (The principal and staff member need to reach an agreement regarding before and after school care for this child.)
6. Child Care - for elementary school students only who are in child care situations such as daycare, before and after school care, etc. Permission will be granted or denied based on school and classroom capacity. If permission is approved, transportation will be provided by St. Mary's County Public Schools (SMCPS) to the school for which the daycare is zoned.

The school's available capacity will be considered on two levels; the first component will be the local rated building capacity including relocatables and the second component will be individual grade/class level goal capacity as established by the Board of Education for St. Mary's County (the Board). If the building is at or over capacity and the request is not a Title I School Choice Option request, transfers

may not be approved. If the building is under capacity, but the requested class/grade level is at capacity and the request is not a Title I School Choice Option, transfers may not be approved. For new schools, the initial capacity may be less than the local-rated building capacity. This provides for future growth within the zoned area.

Transfer requests for all students must be accompanied by the appropriate agreement for an out of district school placement, PS 142 (secondary) or PS 142a (elementary). This form must be completed with appropriate signatures and agreed upon by all parties.

School officials may be consulted and an investigation may be conducted by the pupil personnel worker to verify conditions of the request and to make recommendations to the Director of Student Services/designee.

In cases where the parent(s)/legal guardian(s) is not satisfied with the decision of the Director of Student Services, a conference may be requested with the Superintendent/designee.

Children of SMCPs staff living out of the county will be allowed to attend SMCPs tuition free. Parent(s)/legal guardian(s) shall complete form PS 103, Student Transfer Request and a PS 142, Agreement For an Out of District Secondary School Placement, or PS 142a, Agreement For an Out of District Elementary School Placement.

Requests are granted for one year only and the parent(s)/legal guardian(s) must make application each school year.

## **II. Public Charter School**

The acceptance letter from the Public Charter School within St. Mary's County and parent('s)/legal guardian('s) confirmation serves as the approval of a student transfer (from a school in one geographic attendance zone to another).

For Students within St. Mary's County Public Schools - If the acceptance to a Public Charter School and parent('s)/legal guardian('s) confirmation occurs in the spring prior to the beginning of the next school year, the Public Charter School will be designated as the next year school for the student. However, if the transfer occurs anytime within the school year, the parent(s)/legal guardian(s) must withdraw their student from the school (assigned to their address) and enroll their student at the Public Charter School.

Other Students - Upon notification of acceptance to the Public Charter School, students who are not transferring from a SMCPs shall enroll at the Public Charter School.

The student will be considered a student of the Public Charter School while in attendance at the Public Charter School.

## **III. Countywide Programs and Specialized Programs [Individualized Education Program (IEP)]**

A. The acceptance letter for countywide programs and parent('s)/legal guardian('s) confirmation serves as the approval of a student transfer (from a school in one geographic attendance zone to another).

For Students within St. Mary's County Public Schools - If the acceptance to a countywide program and parent('s)/legal guardian('s) confirmation occurs in the spring prior to the beginning of the next school year, the school housing the countywide program will be designated as the next year school for the student. However, if the transfer occurs anytime within the school year, the parent(s)/legal guardian(s) must withdraw their student from the school (assigned to their address) and enroll their student at the school housing the countywide program.

Other Students - Upon notification of acceptance to a countywide program, students who are not transferring from a SMCPs shall enroll at the designated school housing the countywide program.

The student will be considered a student of the designated school while in attendance at that school.

B. The Individualized Education Program (IEP) documentation for a specialized program resulting from a SMCPs' IEP Team meeting is the approval of a student transfer.

For Students within St. Mary's County Public Schools - If IEP documentation and parent('s)/legal guardian('s) confirmation occurs in the spring prior to the beginning of the next school year, the school housing the specialized program will be designated as the next year school for the student. However, if the transfer occurs anytime within the school year, the parent(s)/legal guardian(s) must withdraw their student from the school (assigned to their address) and enroll their student at the school housing the specialized program.

The student will be considered a student of the designated school while in attendance at that school.

## **IV. Transfers under the Elementary and Secondary Education Act (ESEA) - No Child Left Behind Act**

### **Title I Transfer Option**

In accordance with the Elementary and Secondary Education Act (ESEA) and upon parent(s)/legal guardian(s) request, SMCPs' students may be allowed to transfer from a school identified as a school in need of improvement to another school within the county designated by SMCPs. Parent(s)/legal guardian(s) is encouraged, but not required, to schedule an appointment to meet with the principal of the school assigned to their address. During this meeting, parent(s)/legal guardian(s) should be fully informed about the transfer option, as well as, school improvement planning and the resources provided by the school. Parent(s)/legal guardian(s) may request a transfer by submitting a PS 105, Student Transfer Request for Title I Transfer Option, to the Director of Student Services. Title I Transfer Options will receive priority over other transfer requests.

Requests are granted for one year only, and the parent(s)/legal guardians(s) must make application each school year.

#### Unsafe School Choice Option

In accordance with the ESEA (Public Law 107-110), each county receiving funds under this Act shall establish and implement a policy requiring that a student attending a persistently dangerous public elementary school or secondary school, as determined by the State, or who becomes a victim of a violent criminal offense, be allowed to attend a safe public elementary school or secondary school within the local educational agency, including a public charter school. A violent criminal offense is defined in Criminal Law Article § 14-101, Annotated Code of Maryland. The criminal offense must occur during the regular school day or while the student is attending a school sponsored event, while in or on the grounds of a public elementary school or secondary school that the student attends. The school options will be determined by SMCPs. Parent(s)/legal guardian(s) will be notified by letter if their child qualifies for this type of transfer.

Requests are granted for one year only, and the parent(s)/legal guardian(s) must make application each school year.

**V. Students shall not be admitted to the requested school prior to approval of the transfer request by the Director of Student Services. In the case of a countywide program or charter school the acceptance letter serves as the approval of the student transfer.**

Once approval has been granted or the acceptance letter received:

1. For students who are not already registered in a St. Mary's County public school, the parent(s)/legal guardian(s) must enroll their student in the approved requested school or
2. For students who are registered in a St. Mary's County public school, the parent(s)/legal guardian(s) must withdraw their child from the school (assigned to their address) and enroll their student in the approved requested school.

In all instances of a transfer under this regulation, the parent(s)/legal guardian(s) must provide all required registration materials when enrolling their student at the approved transfer school. Withdrawal and entry procedures are established in the Maryland Student Records System Manual.

#### **VI. Definitions**

1. "Persistently dangerous school" means a school in which each year, for a period of three consecutive school years, the total number of student suspensions for more than ten (10) days or expulsions for any of the following offenses equals two and a half (2½) percent or more of the total number of students enrolled in the school:
  - o Arson or fire;
  - o Drugs;
  - o Explosives;
  - o Firearms;
  - o Other guns;
  - o Other weapons;
  - o Physical attack on a student;
  - o Physical attack on a school system employee or other adult; and
  - o Sexual assault.
2. "Safe school" means a school that has not been placed on probationary status or designated as persistently dangerous.
3. A "school in need of improvement" is a school that has not met adequate yearly progress for two consecutive years. "Adequate yearly progress" is the target (annual measurable objective) that a school must achieve in a particular year. The targets are set in three areas: Reading, Mathematics, and one other academic indicator (attendance rate in elementary and middle schools or graduation rate in high schools).



## Intra-District Student Transfers

Local School System: **Somerset**

Prepared by: **T. A. Davis (Deputy Superintendent)**

Date: **11/9/18**

I. Please complete information on Intra-District Transfers:

	<b>2014-2015</b>	<b>2015-2016</b>	<b>2016-2017</b>	<b>2017-2018</b>
Number of Countywide Intra-District Transfer Requests	76	70	80	65
Number Approved	72	70	78	62
Local Superintendent-Level Appeals	0	0	0	0
Number Approved	0	0	0	0
Local Board of Education-Level Appeals	0	0	0	0
Number Affirmed	0	0	0	0

II. For the 2017-2018 school year:

a. Please list most common reasons for transfer requests:

- Parent concern about class size of grade child is entering at home school
- Day care location with regard to employment location within county
- Children of SCPS staff
- 

b. Please list most common reasons for denials:

- Grade enrollment of requested grade is too large
- After realignment of grade bands, the grade requested did not exist at school requested.
- Residency Issues
- 

**Note:** Please submit this completed document and your local school system Intra-District transfer policy to [mary.gable@maryland.gov](mailto:mary.gable@maryland.gov) by November 9, 2018 close of business. Thank you!



# POLICY

SOMERSET COUNTY  
BOARD OF EDUCATION

<b>Date Submitted:</b> July, 1990 <b>Date Reviewed:</b> July, 2001, August 21, 2001 April 20, 2004, September 21, 2004, October 19, 2004, August 16, 2005, November 13, 2007, March 17, 2009 July 19, 2011, September 01, 2011 December 13, 2011 August 21, 2018	<b>Number:</b> 600-21
<b>Subject:</b>  Enrollment/Attendance Eligibility/Student Assignment	<b>Date Approved:</b> August 21, 1990, April 20, 2004, November 16, 2004, September 20, 2005, December 11, 2007, May 26, 2009, January 17, 2012 September 18, 2018 <b>Revised:</b> July, 2001, August 21, 2001 April 20, 2004, September 21, 2004, October 19, 2004, August 16, 2005, November 13, 2007, March 17, 2009 July 19, 2011, September 01, 2011 December 13, 2011 August 16, 2018 <b>Date Effective:</b> August 21, 2001, April 20, 2004 November 16, 2004 September 20, 2005 December 11, 2007, May 26, 2009, January 17, 2012, September 18, 2018

## 1. Purpose

To establish guidelines for student enrollment, attendance eligibility, and student assignments in Somerset County Public Schools.

## 2. Eligibility for Enrollment

A child five (5) years of age or older, or under the age of twenty-one (21) shall be admitted to Somerset County Public Schools without payment of tuition under one of the following circumstances:

- (1) When the child is a bona fide resident of Somerset County
- (2) When the child is emancipated and is a bona fide resident of Somerset County;

- (3) When the child has been placed in a foster home or residential facility in the county school system by a State Agency, a child placement agency licensed under Section 5-507 of the Family Law Article, or a court. (The county where the child's parent(s) or legal guardian(s) resides shall be financially responsible for the child's education in accordance with 4-120.1 of the Education Article, Annotated Code of Maryland. If an out-of-state agency placed the child, the out-of-state agency is financially responsible for the child's education. Educ. 4-120.1e.)
- (4) When a child lives with a person (caretaker) other than a parent/legal guardian and has been determined to be a bona fide resident of Somerset County under the procedures set forth in the Delegation of Parental Authority. This document is valid for one (1) school year.
- (5) When a child, whose parent/legal guardian is a resident of the State of Maryland, and due to special circumstances described in the Informal Kinship Care Law is living with a relative, who is a resident of Somerset County. (See the Affidavit in 600-21AP)

### **3. Documentation of Eligibility for Admission**

#### **A. Residence**

- (1) To be eligible for admission into Somerset County Public Schools, a student must be a bona fide resident of Somerset County or have received written permission to attend schools in Somerset County from the Superintendent of Schools or designee. A student who is a bona fide resident is one who meets the criteria set forth in II A-E and who provides proof of residence in Somerset County.
- (2) Proof of residence may be established by providing any one of the following documents indicating the parent/guardian's name, address and date of document.
  - (a) lease or rental agreement that can be substantiated
  - (b) a utility bill other than a phone bill
  - (c) proof of mortgage agreement/payment
  - (d) IRS document of any kind with address and name
  - (e) property tax document
  - (f) notarized Affidavit of Disclosure provided by SCPS
  - (g) migrant certificate of eligibility
  - (h) documentation verified by the receiving principal
  - (i) Other documents as approved by the Superintendent or the Superintendent's designee.
- (3) Somerset County Public School System has the right to verify primary night time residence (parent and student).

- (4) School personnel who register the student must complete a Residence Verification Form signed by the building principal and file it (along with the proof of residence), in the student's cumulative record file.

**B. Proof of Immunization.**

Proof of age appropriate immunizations are required unless the student is exempted from immunization and/or is homeless. A student who is not in compliance with this requirement shall be temporarily admitted with proof of an appointment no later than 20 calendar days after the first date of attendance. Proof of immunization may be in the form of a DHMH document or a computer generated form signed by an appropriate official.

**C. Proof of Age**

- (1) Birth Certificate (preferred)
- (2) Hospital Certificate
- (3) Physician's Certificate
- (4) Baptismal or Church Certificate
- (5) Parent Affidavit

**D. Evidence of Grade Placement.**

A temporary copy of transcripts and/or report card which contains the address and phone number of the previously attended school, if any.

**E. Evidence of Custody**

The legal guardian of a student, for purposes of this procedure, is the person or persons who, by court order, or who having completed the Delegation of Parental Authority forms available from the school counselor, has been granted and exercises custody and control over the student, or who has obtained the right to make educational and medical decisions for a student. A copy of the Court Order or Delegation of Parental Authority form must be produced at the time of enrollment and is valid for the current school year only. A student who is over the age of 18 and who can provide proof of age, residence and immunization may enroll in Somerset County Public Schools. Determination of the natural parent of a student may be established through the Proof of Age. Parents listed on such proof of age, by default, will be considered the sole guardian's unless evidence to the contrary is presented.

**4. Other Procedures for Enrollment.**

**A. Educational Record**

At the time of enrollment, the education records of a student will be assessed. The enrolling school may take up to five (5) school days to determine that:

- (1) The student is not currently expelled or on a long term suspension by another school system;
- (2) The student's placement is appropriate and to determine any other services which were being provided to the student; and
- (3) In the event that a student who is not a bona fide resident of Somerset County is placed by a state agency or court into a Somerset County residence, the Superintendent or his/her designee will develop a transition plan with the sending agency, placement home, and the school.

**B. Suspended or Expelled Students Seeking Enrollment**

Notwithstanding the requirements above, and prior to attending a Somerset County Public School, parents, guardians, or other persons in control or charge of a child, upon registration must verify that the student has not been expelled or placed on a long term suspension from a public or private school in this state, or another state, for any offense that is in violation of school board policies relating to weapons, alcohol, or for the willful infliction of injury to another person. Expulsion or long term suspension means a student who has been expelled (withdrawn for disciplinary reasons) or suspended for more than thirty (30) days from either a public or private school.

- (1) A student who has been expelled from another school district will not be enrolled until such time as the expulsion period has expired, a hearing before the Superintendent or Superintendent's designee has taken place and a decision permitting enrollment has been rendered. A student who has been placed on long term suspension may be provided alternative educational services until the long term suspension period has been completed.
- (2) Procedures for Exclusion  
Upon determination that the student is currently on extended suspension or expulsion from another school district, the school will notify the student and the student's parent, in writing, that the student may be subject to exclusion/non-enrollment and the date, time and place of a hearing before the Superintendent or the Superintendent's designee. The letter must include the reason for the proposed exclusion and notice that the student or the student's parent will have the opportunity to participate in the hearing. If the Superintendent decides to exclude the student from attendance/enrollment, the decision will be final unless altered by the school board. The school Board will consider the matter only if the student or the student's parent has filed a written petition within fifteen (15) days after the Superintendent has made a decision.

(3) **Procedures for Readmission after Exclusion**

Upon the expiration of the exclusion period, the student may petition the Superintendent for admission. If the petition for admission is rejected, the Superintendent shall identify the length of the exclusion period and the subsequent date upon which the student may re-petition the School Board. The Superintendent may permit students who have been on a long term suspension, or expelled from Somerset County Public Schools or another school district to attend an alternative learning setting within or outside of the traditional school hours.

**5. Students with Special Needs**

At the time of enrollment, school personnel enrolling students should inquire if the student received special education and related services in the previous school.

**A. IEP Records**

The parent/guardian acknowledges the student receives special education services, then the IEP should be produced by the parent/guardian. If the parent does not have a copy of the IEP, a school staff person should call the previous school to obtain a verbal placement or have the sending school fax a copy of the IEP. Before enrolling, a record release form should be signed by the parent/guardian.

**B. Emergency IEP Meeting**

If the student receives special education services and has a current IEP, then an "Emergency IEP" meeting should be held to review and determine the student's needs and develop a schedule. An "Emergency IEP" meeting Committee has the option to:

- (1) Place the IEP information on Somerset County Special Education Forms; information on the IEP must be current within one year of IEP meeting date.
- (2) Retest if evaluations are older than 6 months.

**6. Exceptions to these Requirements**

**A. Homeless students as defined by 42 U.S.C. Section 11302 who:**  
Refer to Policy 600-20

**B. Students in State Supervised Care as outlined in Senate Bill 426.**

- A child who is in the custody of, committed to, or otherwise placed by a placement agency (DHMH, DJS, DSS)
- Records must be requested from the sending school within 2 days of notice of enrollment
- The sending school must immediately inform the receiving school orally of grade placement and whether the child has a 504 plan or an IEP

- The sending school has 3 days from the receipt of the request for records to submit by mail or electronically the required information according to Education Article 8-501 through 8-506.

C. Students described in (1), (2), or (3) above should be included in regular student enrollment reports.

**7. Payment of Tuition (Non-Residence)**

Parents/Guardians who are non-residents of Somerset County and who desire to enroll their child(ren) in Somerset County Public Schools may be permitted to enroll their child(ren) after written application to and approval by the Superintendent of Schools. This approval may be subject to the parent's agreement to pay tuition as indicated below and Board approval. Tuition fees are subject to change according to student enrollment.

- A. If the parent/guardian is a resident of the State of Maryland and the student enrolls prior to September 30<sup>th</sup> in a given school year, tuition in an amount equal to the County's actual share of the average cost per student during the last preceding school year must be paid prior to enrollment in 50% increments. 50% of the tuition payment must be paid prior to enrolling the student and the other 50% must be paid prior to second semester.
- B. If the Parent/Guardian is a resident of the State of Maryland and the student enrolls subsequent to September 30<sup>th</sup>, the parent/guardian agrees to pay tuition in an amount equal to the county's share and the State's share of the average cost per student during the last preceding school year. 50% of the tuition payment must be paid prior to enrolling the student and the other 50% must be paid prior to second semester. If student enrolls after September 30<sup>th</sup>, the parent/guardian will be subject to full tuition as indicated below.
- C. If the parent/guardian is not a resident of the State of Maryland, regardless of the date of entry, the parent/guardian agrees to pay tuition in an amount equal to the County's Share and the State's share of the average cost per student during the last preceding school year. 50% of the tuition payment must be paid prior to enrolling the student and the other 50% must be paid prior to second semester.
- D. Special Education students who are residents of other states and/or Maryland who enrolls will be subject to the same fees as indicated in item A and B in addition to the cost for special education services based on least restrictive environment (LRE). This will be evaluated on an individual student basis upon completion of the enrollment application.

E. Grandfather Clause: there will be no payment of tuition for non resident students entering SCPS prior to the 2012-2013 school year. Non resident students entering SCPS at the beginning of (and thereafter) the 2012-2013 school year shall be subject to the following fees. For example:

F. Somerset County Public School system employees are exempt from paying tuition.

## **8. Student Assignment**

### **A. School Attendance Areas**

All schools have designated attendance areas as determined by the Board of Education in order to make optimum use of all school facilities. To avoid crowding in some schools and under-utilized facilities in others, students are required to attend the school to which they have been assigned unless a special exception is made. The bona fide residence of the student shall be used to determine the appropriate attendance area.

### **B. Students Reassigned Due to Change of Residence**

When parents request transfer of students from one school to another within the county because of change of residence, application for registration should be made directly to the receiving school which will handle the request in accordance with established procedures.

### **C. Students Reassigned for Other Reasons**

A request for transfer or enrollment for a student to a school other than that serving the attendance area in which he/she resides may be given official consideration in relation to one or more of the following circumstances:

- (1) Availability of space in requested facility
- (2) Availability of specialized educational offerings or services
- (3) Presence of a physical or emotional condition resulting in a medical recommendation for transfer
- (4) Evidence of conditions that produce hardships on the family necessitating transfer.
- (5) County-wide factors such as "socio-economic level, building utilization, enrollment levels, and educational program needs for an individual student" deemed as legally permissible and proper subjects for consideration.<sup>1</sup>

**D. Procedures for Requesting a Transfer**

- (1) When a parent desires his/her child to attend a school other than the one to which he/she has been assigned, application in writing must be made to the Superintendent of Schools.
- (2) After investigation of the circumstances and consultation with appropriate personnel, a recommendation shall be made regarding the student's placement.
- (3) While the application is pending, the applicant must remain in attendance in the school of original assignment unless otherwise directed by the Superintendent of Schools.
- (4) Transfer of individual students for special cause may be initiated by the Supervisor of Student Services or the Supervisor of Special Education. In each case after conducting an investigation and securing the consent of the parents, a recommendation will be made to the Superintendent.
- (5) Public transportation for students attending schools outside their attendance area can be arranged only under special circumstances (i.e., if it is written in student's IEP, etc.). Parents, therefore, must assume this responsibility.

**9. Right of Appeal**

An appeal from the decision of the Superintendent of Schools must be made in writing and received by the Board of Education within 15 days of the date of the Superintendent's decision letter.



## Intra-District Student Transfers

Local School System: \_\_\_\_\_ Talbot County Public Schools \_\_\_\_\_

Prepared by: \_\_\_\_\_ Darlene Spurrier \_\_\_\_\_

Date: \_\_\_\_\_ 11/13/2018 \_\_\_\_\_

I. Please complete information on Intra-District Transfers:

	2014- 2015	2015- 2016	2016- 2017	2017- 2018
Number of Countywide Intra-District Transfer Requests	245	330	323	261
Number Approved	237	318	314	250
Local Superintendent-Level Appeals	1	2	0	2
Number Approved	1	2	0	2
Local Board of Education-Level Appeals	0	0	0	0
Number Affirmed	0	0	0	0

II. For the 2017-2018 school year:

a. Please list most common reasons for transfer requests:

- Convenience
- Staff Privilege
- Curriculum & Programming
- Childcare

b. Please list most common reasons for denials:

- State Rated Capacity
- Class Size
- Attendance History
- 

**Note:** Please submit this completed document and your local school system Intra-District transfer policy to [marv.gable@maryland.gov](mailto:marv.gable@maryland.gov) by November 9, 2018 close of business. Thank you!



**TALBOT COUNTY  
PUBLIC SCHOOLS  
EASTON, MD 21601**

**POLICY CODE**

**10.10**

**ADOPTED: 07/21/99**

**REVISED: 06/20/12**

**REVISED: 02/21/18**

**ASSIGNMENT OF STUDENTS TO SCHOOLS**

- I.** Transfer of students across geographical attendance lines is established by the Talbot County Board of Education.
  
- II.** All students shall attend school in the attendance areas in which they reside. Any exception to this regulation must be approved by the Supervisor of Student Services. Parents (or adult resident students) must obtain prior permission, in writing, for their child to attend a school out of their area. Procedures for submitting a request will be established by the Superintendent or designee.
  
- III.** The request for out of area transfer will be submitted to the Supervisor of Student Services for approval. The Supervisor of Student Services shall notify the parent (or student, if applicable), principal of receiving and sending school, and the transportation department of all decisions regarding out of area applications.

**-END-**

**ASSIGNMENT OF STUDENTS TO SCHOOLS- AR**

**I. Criteria for Approval**

**A. An out-of-area placement may be requested for one of the following reasons:**

- 1. Childcare – These requests are made when the primary issue is the child’s safety and welfare. A childcare provider is that person, nursery school, day care center, or other facility, which directly provides childcare for the student.**
- 2. Curriculum – These requests involve the pursuit of a program of instruction unavailable in the student’s home school. A program is defined as a sequence of courses leading to a specific academic or vocational preparation, or to the development of a specific interest or need.**
- 3. Hardship – These requests pertain to personal safety and family circumstances of an unusual and adverse nature, which precludes the student’s enrollment in his/her home school.**
- 4. Other Conditions – These requests pertain to conditions/circumstances, as determined by the Superintendent and/or designee that may justify an out-of-area placement if it is in the best interest of the student and/or school system.**

**II. Limitations of Approvals**

**A. Out-of-Area approval of students may only occur:**

- 1. If the receiving school’s April 30<sup>th</sup> State Rated Capacity is less than or equal to 87%, and the sending school’s April 30<sup>th</sup> State Rated capacity is greater than or equal to 60%. Note: Each school’s April 30<sup>th</sup> State Rated Capacity will be rounded to the nearest whole percentage.**

2. If the above condition is met then 1% of the larger school's State Rated Capacity will be used to determine the number of transfers that will be granted from the smaller school. Any school with less than 75% of State Rated Capacity may accept a number of students that would achieve a state rated capacity of 75%. In the case of the middle/high school the maximum number of students allowed to transfer would be 1% of the largest receiving school.
3. If the class size at the requested school/grade level is not at or exceeding the goal level class size. Goal level class sizes are as follows:
  - a. PK and K - 20
  - b. Grade 1 - 22
  - c. Grades 2 through 5 - 25

### **III. Application Process**

- A. Applications for the following school year must be submitted by June 1 each year.
- B. All applications must be submitted to the Office of Student Services.
- C. Applications must be submitted yearly. There is no guarantee of approval for continued placement from one year to the next.
- D. Notification of approval or denial will be provided to parents/guardians by June 30<sup>th</sup> of each year for the following school year.
- E. If requests for out-of-area placements to any one school exceed the number of placements allowed, a lottery to randomly select approved out-of-area requests will be held in open session at the June Board of Education meeting.

### **IV. Transportation**

The parent (or adult student) is responsible for transportation to and from school in a safe and acceptable manner.

**V. Exceptions/Special Circumstances**

**A. Special Education programs are generally considered to be county-wide programs and transfers across attendance lines for this purpose by the administrative or supervisory staff need not comply with this policy and administrative regulation. The program being offered shall be adjudged by the IEP Committee to be the most appropriate program available to meet the needs of the special education student.**

**B. Unsafe School Transfer Policy**

**1. Each local school system shall allow a student attending a public elementary or secondary school within the school system if the student:**

- a) Attends a persistently dangerous public elementary or secondary school; or**
- b) Is a victim of a violent criminal offense as defined in Criminal Law Article, §14-101, Annotated Code of Maryland.**
  - i. During the regular school day; or**
  - ii. While attending a school sponsored event in or on the grounds of a public elementary or secondary school that the student attends**

**2. The local school system shall effectuate a transfer pursuant of §A of this regulation in a timely manner following either the:**

- a) Designation of a school as persistently dangerous; or**
- b) Conviction of or adjudication of delinquency of the perpetrator of a violent criminal offense.**

**C. Employees who request to have their child(ren) attend an out of area school will not impinge on the number of transfer requests granted.**

## **VI. Transfers During the School Year**

- A. Requests for a change of school placement during the school year will be acted upon, and notification will be provided within ten (10) school days of the receipt of the request. Since school changes during the school year impact severely upon both the student and the school, such requests will be carefully scrutinized as to need. The sending school will be required to document efforts to resolve any problem or issue if the request is based upon personal differences between the school and home, student attendance, or student academic progress.**
- B. A student who is granted an out of area transfer must remain at the school for the entire year. A student is permitted to return to the home school once, and thereafter is ineligible to apply for an out of area transfer to the same out of area school.**

## **VII. Termination of Placement**

- A. Upon the written recommendation of the receiving school principal or a Pupil Personnel Worker (PPW), an out-of-area placement may be revoked by the Supervisor of Student Services under and of the following conditions:**
  - 1. The stated reason for the out-of-area placement is no longer valid.**
  - 2. False information was given at the time of the out-of-area placement request.**
  - 3. The student accumulates more than five (5) unexcused absences or tardies in any one marking period.**
  - 4. The parent/guardian picks up the student early from school more than five (5) times in any marking period.**
  - 5. The student demonstrates significant or challenging behaviors as deemed by the school administrator and documented disciplinary referral.**
- B. The parent will be notified in writing of the decision of the Supervisor of Student Services regarding the revocation of an out-of-area placement.**

## **VIII. Appeal Process**

**Appeals should be addressed in writing to the Superintendent of Schools within 15 days following notification of denial or termination of an out-of-area placement.**



## Intra-District Student Transfers

Local School System: Washington County Public Schools

Prepared by: Carol W. Costello, Supervisor of Student Services

Date: November 9, 2018

**I. Please complete information on Intra-District Transfers:**

	2014-2015	2015-2016	2016-2017	2017-2018
Number of Countywide Intra-District Transfer Requests	783	860	940	886
Number Approved	610	665	725	684
Local Superintendent-Level Appeals	4	8	25	21
Number Approved	2	4	15	3
Local Board of Education-Level Appeals	0	0	0	0
Number Affirmed	0	0	0	0

**II. For the 2017-2018 school year:**

**a. Please list most common reasons for transfer requests:**

- Child Care
- School Level Completion (5th grade; 8th grade; 11th or 12th Grade)
- Unique Course Offering or Program
- School Year Completion (after relocation)

**b. Please list most common reasons for denials:**

- School enrollment exceeds capacity
- Exceptionally large class size
- Request does not meet established special permission criteria
- History of attendance and/or academic concerns

**Note:** Please submit this completed document and your local school system Intra-District transfer policy to [mary.gable@maryland.gov](mailto:mary.gable@maryland.gov) by November 9, 2018 close of business.  
Thank you!





Washington County  
Public Schools

Book	Board Policies
Section	J - Students
Title	Permission to Attend School Out of Home School Attendance Area
Number	JC
Status	Active
Legal	Annotated Code of Maryland
Adopted	February 11, 1975
Last Revised	March 18, 2003
Last Reviewed	April 23, 1996

The elected Board of Education (The Board) has the responsibility to determine the geographical attendance area for each student in the public schools of the county.

Any student residing with a parent or legal guardian within the limits of Washington County may attend the public schools of the county.

In general, the student shall attend the school in his or her designated attendance area. Boundaries of school attendance areas are subject to change because of enrollment fluctuations, conditions of school facilities and budgetary constraints. The Board recognizes, however, that in some specific and limited situations, students may be considered for the privilege of placement outside of their designated attendance area. In such circumstances, the parent(s) or guardian(s) shall make application using the Board of Education's special permission application form to the principal of the school they wish their child to attend. An appeal of the principal's decision shall be made to the Department of Student Services. Any further appeal should be made in writing to the Superintendent or designee. This letter should be received by the Superintendent within five (5) work days after the decision of the Department of Student Services.

Transportation to and from the out-of-area school shall be the responsibility of the parent(s) or guardian(s).

Should a student be granted permission to attend a school outside his/her designated attendance area, the Department of Student Services shall monitor and periodically review the placement. The school principal in collaboration with the Department of Student Services may rescind this privilege if one of the following conditions exists:

- ◆ Child's attendance, behavior, or grades are unsatisfactory
- ◆ Child no longer meets out-of-area criteria
- ◆ The information in the out-of-area application is found to be false or misrepresented

Nothing in this policy shall prohibit a student from being transferred to a school outside of his or her attendance area when such transfer is deemed to be in the best interest of the student.

The Board, in consultation with the Superintendent, reserves the right to declare a moratorium on out-of-attendance area enrollments at any school at any time.

The Superintendent shall develop administrative regulations for admissions of students to schools outside of their attendance areas.

## **PUPIL TRANSPORTATION**

### **I. ELIGIBILITY**

**A. Regular.** Pupil transportation shall be provided for eligible Washington County Public School pupils from established school vehicle stops to the appropriate public school and return from school to the established school vehicle stops. Each school facility shall have an exclusively designated attendance area.

- (1) Middle and high school pupils who live 1 1/2 miles or more from school, and elementary, including kindergarten pupils, who live 1 mile or more from school, are eligible for transportation. Pre-kindergarten pupils living more than 1/2 mile from school may be transported at mid-day. Each school shall have a non-transported area, as described in the administrative regulation, which shall be determined by measuring the appropriate walking distance from the pupil's private lane, driveway, or walking entrance where it meets the public roadway, to the nearest authorized entrance of the school building as designated by the Supervisor of Transportation or his/her designee. The distance shall be measured by the most direct, traveled route and may be along public roads or walkways.
- (2) Request for transportation due to unsafe walking conditions will be reviewed by the Assistant Supervisor responsible for the area of concern.
- (3) When an emergency occurs causing exceptional conditions as determined by the Supervisor of Transportation or designee Transportation Department may authorize temporary emergency transportation service.
- (4) Appeal Process.

If a request is denied, an appeal can be made to the following positions or entity in the following order:

- A. Supervisor of Transportation;
- B. The Review Committee comprised of the Superintendent, Deputy Superintendent and two (2) Assistant Superintendents. Any two members of the Review Committee have the authority to issue a ruling.
- C. Board of Education

### **B. Students with Disabilities (SWD)**

- (1) For purposes of pupil transportation, a student with disabilities is one who needs special transportation arrangements to a facility which is the approved appropriate educational placement. Pupil transportation shall be provided for eligible students with disabilities from established school vehicle stops to appropriate school and return from the school to the established school vehicle stops. The need for transportation shall be determined by the Individual Education Program in charge of special education placement and the Supervisor of Transportation or designee. Appropriate facilities are:
  - (a) Maryland public schools.
  - (b) State Department of Education approved nonpublic schools.
  - (c) State institutions.
  - (d) State schools.

- (2) Students with disabilities who are residents of Washington County, who are placed at residential facilities for the school year, shall be eligible for two round trips each school year as determined by the Individual Education Program and the Supervisor of Transportation or designee.
- (3) Students with disabilities who are residents of Washington County, who attend a weekly residential program at Maryland State Department of Education approved public or nonpublic school may have transportation available to and from specified locations on weekends, as determined by the Transportation Department.
- (4) A bus assistant may be employed to serve on each vehicle that transports students with disabilities as needed.

**C. *Non-approved Transportation.*** The following transportation is to be disallowed:

- (1) Privately operated summer programs and day camps.
- (2) Nonpublic school pupils (except students with disabilities as defined in Section I.B).
- (3) Transportation of adults except persons between 18 and 20 years old who are enrolled in approved regular or special education daytime school programs and parents who are participating in special education parent/infant programs. (Does not exclude adults who participate as chaperones on field trips on a space available basis.)
- (4) Transportation of pupils to after school job sites, clubs or private lessons.
- (5) Transportation of public school pupils whose request is based on the inability of the parent, guardian or caregiver.

**D. *Transportation of Students with Special Permission Approval***

- (1) A student who has been granted special permission to attend a school outside of his/her assigned attendance area may, subject to the submission of required information and the approval of the Department of Transportation, access an existing bus stop inside the attendance area of the approved school zone, to get to and from school.
- (2) A parent or guardian who is requesting transportation services must submit a Transportation Location Change Request Form to the Department of Transportation.
- (3) The Transportation Location Change Request Form is subject to the approval of the Transportation Department. Available seating on the bus is one of the considerations in the approval process.
- (4) Students, for whom transportation is approved, will be dropped-off at a pre-designated location which, in most cases, will not be in proximity to the student's home. It is the obligation of the parent or guardian to be present at the designated drop-off location at the designated drop-off time at all times. It is also the obligation of the parent or guardian to designate, in writing, an alternate adult and a dwelling in the immediate area of the designated bus drop-off location in the event the parent or guardian is unable to meet the student at the designated stop at the designated time. Failure of the parent or guardian to adhere to these obligations will result in the immediate termination of special permission bus services.

**[SEE ALSO POLICY JC AND ADMINISTRATIVE REGULATION JC-R – "PERMISSION TO ATTEND SCHOOL OUT OF HOME SCHOOL ATTENDANCE AREA"]**

## **II. OPERATIONS AND ADMINISTRATION**

The transportation program shall be operated and administered in accordance with the State Regulations (COMAR 13A.06.07), which govern student transportation services.

## **III. AUDIO AND VIDEO SURVEILLANCE CAMERA**

The Washington County Board of Education believes that the safety and security of students are top priorities. The Board authorizes the installation and use of audio and video surveillance cameras on school buses operating in Washington County.

Staff and students will be informed of the presence of audio and video surveillance cameras on the school bus in the annual WCPS Handbook and Guide.  
See also Policy EFGH.

## **IV. SCHOOL VEHICLE SPECIFICATIONS**

School vehicles used to transport any Washington County public school pupils shall meet all Federal Motor Vehicle Safety Standards, all Maryland Motor Vehicle Administration specifications, and minimum specifications as set forth in COMAR Regulations 13A.06.07.

## **V. EXCEPTIONS TO POLICY**

The Superintendent of Schools or designee may make exceptions to this policy and accompanying regulations under emergency conditions when:

- A. Compliance with this policy may endanger the life and physical well being of pupils, or when
- B. Compliance with this policy may make the operation of pupil transportation impossible or unsafe due to an Act of God, strike, rebellion, or other unforeseen disturbance.

These exceptions shall remain in effect only until the next regular meeting of the Washington County Board of Education.

- C. If possible, the Superintendent will notify the Board of Education of action taken pursuant to this section. The notification should include information on the expected duration of the action and whether action by the Board of Education is required.

## **VI. ADMINISTRATIVE REGULATIONS**

Specific limits, allowances, guidelines, and procedures not stated in this policy but related to the administration and funding of pupil transportation shall be found in the regulations which accompany this policy.

### **Related Policies and Administrative Regulations**

See also Policy EEBA and Administrative Regulation EEBA-R – "Use of School Owned Vehicles (Other than School Buses)" and Policy JC – and Administrative Regulation JC-R - "Permission to Attend School Out of Home School Attendance Area"

Policy adopted: July 21, 1981 Revised: May 20, 2008 Revised: November 18, 2008. Amended: June 2, 2009.

Board of Education of Washington County

**SPECIAL PERMISSION APPLICATION**  
**2018-2019 SCHOOL YEAR**  
 (Please print all information clearly)

SP-1

*If your request is based on child care use form SP-2*

STUDENT NAME	STUDENT'S DATE OF BIRTH	GRADE IN 2018-2019	NAME OF SCHOOL REQUESTED	NAME OF SCHOOL IN YOUR DISTRICT

Date of application\*: \_\_\_\_\_ \*If application is submitted after May 1, indicate reason for late submission.

**Mother or Court-Appointed Female Guardian**

**Father or Court-Appointed Male Guardian**

Name \_\_\_\_\_

Name \_\_\_\_\_

Official Address \_\_\_\_\_  
 House # and Street Name Apt. #

Official Address \_\_\_\_\_  
 House # and Street Name Apt. #

City State ZIP Code

City State ZIP Code

And Mailing Address (If different than above)

And Mailing Address (If different than above)

Home Phone \_\_\_\_\_

Home Phone \_\_\_\_\_

Employer's Name Employer's Phone

Employer's Name Employer's Phone

**Student resides with** (Name and Relationship):

\_\_\_\_\_ Address Phone

School student currently or most recently attended: \_\_\_\_\_

**Reason for request: (attach additional information, if necessary)**

\_\_\_\_\_  
 \_\_\_\_\_

I AFFIRM THAT THE INFORMATION PROVIDED IS IN FACT AND TRUTH VALID AT THIS TIME AND THAT I WILL NOTIFY THE SCHOOL ADMINISTRATION OF ANY CHANGES, OR BE SUBJECT TO SIGNIFICANT PENALTIES.

Signature of Parent or Guardian Date

DO NOT WRITE BELOW THIS LINE – WASHINGTON COUNTY PUBLIC SCHOOLS USE

**Application Reviewed by:**

Pupil Personnel Worker \_\_\_\_\_  
 Signature Date

Comments: \_\_\_\_\_

**Recommendation:**

Principal of Receiving School \_\_\_\_\_  
 Signature Date

Approve  Deny

Comments: \_\_\_\_\_

Special Permission Approved for: \_\_\_\_\_  
 \_\_\_\_\_ Student Adjustment/Hardship (Documented)  
 \_\_\_\_\_ Student's Health (Documented) \_\_\_\_\_ Student Adjustment (Trial Basis) PPW review in 30 days  
 \_\_\_\_\_ Completing School Year \_\_\_\_\_ Course Availability (Program) \_\_\_\_\_  
 \_\_\_\_\_ Child Supervision Issue \_\_\_\_\_ Other \_\_\_\_\_

Special Permission Denied Due To: \_\_\_\_\_

Supervisor's Signature \_\_\_\_\_ Date \_\_\_\_\_

PLEASE RETURN THIS APPLICATION TO THE PRINCIPAL OF THE REQUESTED SCHOOL.

---

**REQUEST FOR SPECIAL PERMISSION TO ATTEND SCHOOL OUT OF HOME SCHOOL ATTENDANCE AREA**  
**Reference Policy JC-R**

County residents requesting a change in their school attendance area for the next school year must submit an application between February 1 and May 1 of the current school year. The principal will render a recommendation by May 30. The principal will forward a copy of the special permission application with his/her recommendation to the Student Services Department. Written notification of the decision will be sent from the Supervisor of Student Services to the applicant shortly thereafter. Requests for special permission may be granted if the school has adequate local rated capacity to accommodate the student, and if at least one of the specified approval circumstances listed below is deemed to exist. If the request is granted, transportation to and from the assigned school will be the responsibility of the parent/guardian.

Special permission to attend a school outside of the designated attendance area may be granted for the following reasons:

1. There is a need for a specific academic or special program or course, which is not available in the home school attendance area. (Acceptance into a Magnet Program does not require special permission.)
2. A student's legal custodial parent/guardian is employed and the student stays with a daycare provider who resides in Washington County but outside the child's attendance area. (Applicable only to students through age 13).
3. School boundaries have been changed and a student is in the last year of a program at a particular elementary or middle school, or in the last two years of a program at a particular high school.
4. A student whose legal custodial parent/guardian has moved from the home school attendance area during the school year (but still resides in Washington County) may be permitted to complete the school year at his/her current school. If a student is within one year of completing elementary or middle school, or two years of completing a high school, this permission may be extended.
5. A student's family, who are current Washington County residents, must present a bona fide plan to move into the requested school attendance area within 90 days of original request for special permission. Bona fide plans include:
  - Contract with completion or "move in" date specified.
  - For Rentals, a signed contract or lease, with "move in" date specified.
6. A student will be entering grade 11 or 12 of a high school or grade 8 of a middle school or grade 5 of an elementary school where they have been previously enrolled and attending.
7. A significant hardship is determined to exist by the principal and/or Supervisor of Student Services.

Schools and/or grade levels may be "closed" when the projected enrollment significantly exceeds preferred local rated capacity, as determined by the Deputy Superintendent of Schools.

Requests for admission to a school/grade level considered "closed" will be subject to additional scrutiny and may be denied, even if a valid approval circumstance is deemed to exist.

Please note:

- If special permission is granted, transportation is the responsibility of the parent or guardian.
- Parents/ guardians are advised to explore childcare options in the home school attendance area until special permission is granted.
- If special permission is granted, it is for *one school year only*. A new special permission application must be completed and submitted annually.

**All applications for Special Permission must be received by WCPS between February 1 and May 1. In order for an application for Special Permission to be considered after May 1, a parent/guardian must be able to document that the family situation has changed after May 1.**

If special permission is denied, an appeal may be made in writing to the Supervisor of Student Services, within 5 days after receipt of the initial decision letter.

**SPECIAL PERMISSION APPLICATION BASED ON CHILDCARE**

SP-2

**2018-2019 SCHOOL YEAR**

(Please print all information clearly)

STUDENT NAME	STUDENT'S DATE OF BIRTH	GRADE IN 2018 - 2019	NAME OF SCHOOL REQUESTED	NAME OF SCHOOL IN YOUR DISTRICT

Date of application\*: \_\_\_\_\_ **\*If application is submitted after May 1, indicate reason for late submission.**

**Mother or Court-Appointed Female Guardian**

**Father or Court-Appointed Male Guardian**

Name \_\_\_\_\_

Name \_\_\_\_\_

Official Address \_\_\_\_\_  
House # and Street Name Apt. #

Official Address \_\_\_\_\_  
House # and Street Name Apt. #

City State ZIP Code

City State ZIP Code

And Mailing Address (if different than above)

And Mailing Address (if different than above)

Home Phone \_\_\_\_\_

Home Phone \_\_\_\_\_

**Student Resides with (Name and Relationship):**

**School student currently or most recently attended:**

Address and phone number of person with whom student resides:

**BEFORE AND AFTER SCHOOL CHILDCARE PROVIDER INFORMATION/DOCUMENTATION**

Name of Childcare Provider: \_\_\_\_\_

Childcare Provider's Signature: \_\_\_\_\_

Childcare Provider's Address: \_\_\_\_\_

Childcare Provider's License No. \_\_\_\_\_

Childcare Provider's Phone #: \_\_\_\_\_

or  
Childcare Provider's Relationship \_\_\_\_\_

Circle: before school after school overnight

Circle day(s) care is provided M T W T F S S

**Mother or Court-Appointed Female Guardian  
Place of Employment**

**Father or Court-Appointed Male Guardian  
Place of Employment**

Employer's Name Phone

Employer's Name Phone

Employer's Address

Employer's Address

WORK DAYS: (Circle) M T W T F S S

WORK DAYS: (Circle) M T W T F S S

Work Hours: \_\_\_\_\_ to \_\_\_\_\_

Work Hours: \_\_\_\_\_ to \_\_\_\_\_

OVERTIME: (Circle) No Yes

OVERTIME: (Circle) No Yes

If yes, indicate amount/frequency \_\_\_\_\_

If yes, indicated amount/frequency \_\_\_\_\_

ROTATING SHIFTS: (Circle) No Yes

ROTATING SHIFTS: (Circle) No Yes

On Disability or Maternity Leave: (Circle) No Yes

On Disability or Maternity Leave: (Circle) No Yes

If yes, indicate approximate date of return \_\_\_\_\_

If yes, indicate approximate date of return \_\_\_\_\_

**I AFFIRM THAT THE INFORMATION PROVIDED IS IN FACT AND TRUTH VALID AT THIS TIME AND THAT I WILL NOTIFY THE SCHOOL ADMINISTRATION OF ANY CHANGES, OR BE SUBJECT TO SIGNIFICANT PENALTIES.**

Signature of Parent or Guardian Date

**DO NOT WRITE BELOW THIS LINE - FOR WASHINGTON COUNTY PUBLIC SCHOOLS USE**

Application Reviewed by: Pupil Personnel Worker \_\_\_\_\_ Date \_\_\_\_\_ Comments: \_\_\_\_\_  
Recommendation:

Principal of Receiving School \_\_\_\_\_ Date \_\_\_\_\_  Approved  Deny

Comments: \_\_\_\_\_

Special Permission APPROVED/DENIED Due To: \_\_\_\_\_

Supervisor's Signature \_\_\_\_\_ Date \_\_\_\_\_

**PLEASE RETURN THIS APPLICATION TO THE PRINCIPAL OF THE REQUESTED SCHOOL.**

---

**REQUEST FOR SPECIAL PERMISSION TO ATTEND SCHOOL OUT OF HOME SCHOOL ATTENDANCE AREA**  
**Reference Policy JC-R**

County residents requesting a change in their school attendance area for the next school year must submit an application between February 1 and May 1 of the current school year. The principal will render a recommendation by May 30. The principal will forward a copy of the special permission application with his/her recommendation to the Student Services Department. Written notification of the decision will be sent from the Supervisor of Student Services to the applicant shortly thereafter. Requests for special permission may be granted if the school has adequate local rated capacity to accommodate the student, and if at least one of the specified approval circumstances listed below is deemed to exist. If the request is granted, transportation to and from the assigned school will be the responsibility of the parent/guardian.

Special permission to attend a school outside of the designated attendance area may be granted for the following reasons:

1. There is a need for a specific academic or special program or course, which is **not** available in the home school attendance area. (Acceptance into a Magnet Program does not require special permission.)
2. A student's legal custodial parent/guardian is employed and the student stays with a **daycare provider** who resides in Washington County but outside the child's attendance area. (Applicable only to students through **age 13**).
3. **School boundaries have been changed** and a student is in the **last year of a program** at a particular elementary or middle school, or in the last two years of a program at a particular high school.
4. A student whose legal custodial parent/guardian has **moved** from the home school attendance area during the school year (but still resides in Washington County) may be permitted to **complete the school year** at his/her current school. If a student is within one year of completing elementary or middle school, or two years of completing a high school, this permission may be extended.
5. A student's family, who are current Washington County residents, must present a **bona fide plan to move** into the requested school attendance area within 90 days of original request for special permission. Bona fide plans include:
  - Contract with completion or "move in" date specified.
  - For Rentals, a signed contract or lease, with "move in" date specified.
6. A student will be entering grade 11 or 12 of a high school or grade 8 of a middle school or grade 5 of an elementary school where they have been previously enrolled and attending.
7. A **significant hardship** is determined to exist by the principal and/or Supervisor of Student Services.

Schools and/or grade levels may be "closed" when the projected enrollment significantly exceeds preferred local rated capacity, as determined by the Deputy Superintendent of Schools.

Requests for admission to a school/grade level considered "closed" will be subject to additional scrutiny and may be denied, even if a valid approval circumstance is deemed to exist.

Please note:

- If special permission is granted, transportation is the responsibility of the parent or guardian.
- Parents/ guardians are advised to explore childcare options in the home school attendance area until special permission is granted.
- If special permission is granted, it is for *one school year only*. A new special permission application must be completed and submitted annually.

**All applications for Special Permission must be received by WCPS between February 1 and May 1. In order for an application for Special Permission to be considered after May 1, a parent/guardian must be able to document that the family situation has changed after May 1.**

If special permission is denied, an appeal may be made in writing to the Supervisor of Student Services, within 5 days after receipt of the initial decision letter.

## Intra-District Student Transfers

Local School System: Wicomico County Public Schools

Prepared by: Dr. Susan Jones, Director of Elementary Education, and Mr. Micah Stauffer,  
Director of Secondary Education

Date: November 9, 2018

I. Please complete information on Intra-District Transfers:

	2014-2015	2015-2016	2016-2017	2017-2018
Number of Countywide Intra-District Transfer Requests	1,046	899	776	683
Number Approved	852	721	608	537
Local Superintendent-Level Appeals	0	0	2	0
Number Approved	0	0	0	0
Local Board of Education-Level Appeals	0	0	1	0
Number Affirmed	0	0	0	0

II. For the 2017-2018 school year:

- a. Please list most common reasons for transfer requests:
- Change of residence after the start of the year
  - Home under construction with occupancy date after the start of the school year
  - Last year in current school
  - Program reasons/athletics—high school only
  - Child care—Kindergarten through Grade 5 only
  - Other—extenuating circumstances that are documented
- b. Please list most common reasons for denials:
- School over capacity
  - Student’s history – conduct/attendance/academic standing
  - Misrepresentation of facts
  - Request not meeting transfer criteria

**Note:** Please submit this completed document and your local school system Intra-District transfer policy to [mary.gable@maryland.gov](mailto:mary.gable@maryland.gov) by November 9, 2018 close of business. Thank you!





# Wicomico County Board of Education

## Assignment of Students to Schools Policy

### I. Purpose

The purpose of this policy is to establish standards by which students are assigned to their school of attendance.

### II. Policy Statement

To assure maximum but balanced use of available school facilities, the student population for each school in Wicomico County will be determined by residence within a specific geographic area within Wicomico County. This geographic area is hereinafter referred to as the *Attendance Area*. A student's residence will be determined by the legal residence of the parent(s) or legal guardian(s).

### III. Definitions

For the purpose of this policy, the following definitions apply:

- A. "Legal Guardian" – the person(s) having custodial care of a minor child (either natural parent(s) or person(s) having the appropriate documentation).
- B. "Attendance Area" – the geographic area approved by the Wicomico County Board of Education to provide sufficient and appropriate enrollment for each individual school operation.
- C. "Special Permission" – the process of a student requesting permission and receiving approval to attend a school other than the one in his/her attendance area.

### IV. Policy

To assure balanced use, students will be required to attend schools in the attendance area in which they reside unless special permission is granted. If a student wishes to attend a school outside his/her attendance area, a current *Request for Permission to Attend a School Outside Student's Attendance Area* form must be completed and submitted to the school. The request will be investigated and the student and parent(s) or legal guardian(s) must meet the criteria and follow the steps as outlined in the Special Permission to Attend School Outside of the Attendance Area Procedure, INS-SCH-PR-003, in order to be considered for approval.

#### Related Documents:

- INS-SCH-PR-008, Special Permission to Attend School Outside of the Assigned Attendance Area Procedure

#### Approval Status

#### Index Code

Title: Assignment of Students to Schools Policy  
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 Legal Review: 12/06/16  
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 Effective: 12/14/16 06/30/00 07/14/99

SFS-GEN-PL-034



# Wicomico County Board of Education

## Special Permission to Attend School Outside of the Assigned Attendance Area Procedure

### I. Purpose

The purpose of this procedure is to define the process by which students can be assigned to a school outside of their respective attendance area. This procedure covers parent requests, the administrative process, and the stipulations by which students may attend a school other than the one within their attendance area.

### II. Procedural Statement

The Wicomico County Board of Education (WCBOE) requires students to attend the school within their respective attendance area for the purposes of instructional continuity, social stability, and geographic accessibility. At the same time, WCBOE understands that there may be circumstances by which a parent/guardian may request their child to attend a school outside of their assigned attendance area. This procedure outlines the circumstances and the conditions by which permission to attend school outside of the assigned attendance area may be considered.

### III. Procedure

#### A. Initial Enrollment

1. Parents must enroll their child(ren) in the school of their assigned attendance area prior to requesting special permission to attend a school outside their attendance area.
2. Once initial enrollment is complete, the parent may submit the *Request for Permission to Attend a School Outside Student's Attendance Area* form, available at all school offices. The form is to be submitted to the principal of the requested school or their designee. The school principal, or designee, will make the final decision as to whether special permission to attend the requested school is granted.
  - a. Reasons for special permission include:
    - i. Change of residence after the start of the school year (documentation required)
    - ii. Home under construction with occupancy date after the start of the school year (documentation required).
    - iii. Last year in current school (may be approved for a student who completes the year immediately preceding a standard last year or highest grade level offered in a school).
    - iv. Program reasons/Athletics – High School. Obtaining special permission for the purposes of athletics applies only when a particular sport is not offered at the school within the student's attendance area. The school the student would attend will be determined based on the school with the lowest building utilization for that year, and in accordance with the Wicomico County Public Schools Athletic Handbook.

#### Approval Status

Title: Special Permission to Attend School Outside of the Assigned Attendance Area  
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#### Index Code

INS-SCH-PR-010



# Wicomico County Board of Education

- v. Childcare – Pre-Kindergarten through grade 5 only.
  - 1. The parent/guardian in a single parent/guardian home is employed before/during/after the hours of the school day, or
  - 2. Both parents/guardians in a two-parent/-guardian home are both employed/before/during/after the hours of a school day, and the parent/guardian has engaged the services of a childcare facility (babysitting) outside of the assigned attendance area, to care for his/her children during the hours of his/her employment.
- vi. Other
  - 1. The parent must submit, in writing, a detailed explanation of why their child should be granted special permission. Supporting documentation must be included and deemed sufficient by school administration.
  - 2. Reasons for “other” may not include any of the reasons cited in section “b.” below.
- b. Disqualifying requests for special permission
  - i. Parent perception of the quality of the school in their assigned attendance area.
  - ii. Closer proximity to after-school activities (school-related or not).
  - iii. Social reasons and/or preferences.
- c. Special Provisions
  - i. School staff who wish for their child(ren) to attend the school at which they are employed, may request special permission provided the school has capacity as described in section III.B.
  - ii. Homeless children must attend the school of origin. If the parent wishes otherwise, the best interest of the child should be determined according to the McKinney-Vento Homeless Assistance Act of 2001, and *Guiding the Discussion on School Selection*, published by the National Center for Homeless Education at the Southeastern Regional Vision for Education (SERVE).
  - iii. Students who transfer from one Wicomico County school to another under the special permission enrollment provision or any other type of transfer are ineligible for participation in interscholastic athletics for a period of 365 days from the date of transfer, except as stated in the student athletic handbook.
- B. The following reasons for denial of appeals are supported by Federal, State and Local laws:
  - 1. State-rated capacity/classroom capacity
  - 2. Pre-Kindergarten capacity
    - a. Capacity for Pre-Kindergarten programs is based on the ratio of teachers to students (1:10) with a maximum average classroom size of 20 students (COMAR 13A.14.02.31).
    - b. Pre-Kindergarten capacity is determined apart from state-rated capacity of a school building.

**Approval Status**

**Index Code**

Title: Special Permission to Attend School Outside of the Assigned Attendance Area  
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INS-SCH-PR-010



# Wicomico County Board of Education

- c. Pre-Kindergarten capacity cannot be averaged with other Pre-Kindergarten classrooms to determine an overall average class size. Therefore, no Pre-Kindergarten classroom size can exceed 24 students.
  - d. Special permission to attend Pre-Kindergarten may be considered under the following conditions:
    - i. All requests within the attendance area of that school have all been filled. Students who live in the attendance area and who are not economically disadvantaged will be considered prior to granting special permission to a student not living within the attendance area.
    - ii. There are still open seats within the Pre-Kindergarten class.  
The required amount of staff has been fulfilled (teacher-student ratio, 1:10, not to exceed 24 students).
- C. The following schools are not available for Pre-Kindergarten special permission requests due to federal grant requirements:
1. Chipman Elementary
  2. Pemberton Elementary
  3. Beaver Run Elementary
  4. West Salisbury Elementary
- D. The following schools are available for request for special permission to Pre-Kindergarten:
1. Westside Primary
  2. Fruitland Primary
  3. Willards Elementary
  4. Pinehurst Elementary
  5. Northwestern Elementary
  6. Prince Street Elementary

## Related Documents:

- McKinney-Vento Homeless Act of 2001
- Guiding the Discussion on School Selection – National Center for Homeless Education
- COMAR 13A.14.02.31
- SFS-GEN-PL-032, Assignment of Student to Schools Policy

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## Approval Status

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## Index Code

INS-SCH-PR-010

## Intra-District Student Transfers

Local School System: Worcester

Prepared by: L. Eloise Henry-Gordy

Date: 11/5/18

I. Please complete information on Intra-District Transfers:

	2014-2015	2015-2016	2016-2017	2017-2018
Number of Countywide Intra-District Transfer Requests	<u>245</u>	<u>238</u>	<u>258</u>	<u>254</u>
Number Approved	<u>242</u>	<u>236</u>	<u>255</u>	<u>247</u>
Local Superintendent-Level Appeals				
Number Approved				
Local Board of Education-Level Appeals				
Number Affirmed				

II. For the 2017-2018 school year:

a. Please list most common reasons for transfer requests:

- Daycare
- Moving
- 
- 

b. Please list most common reasons for denials:

- Their daycare was not established.
- 
- 
- 

**Note:** Please submit this completed document and your local school system Intra-District transfer policy to [mary.gable@maryland.gov](mailto:mary.gable@maryland.gov) by November 9, 2018 close of business. Thank you!



IVA7

Domiciled in One School Attendance Area to a School Outside the Area

Upon the approval of the Superintendent, a student may be permitted to attend a school outside the Attendance Area in which the student is domiciled. Such approvals shall be limited to the school year next following the date of approval, if schools are not in session; or for the remainder of the current school year if schools are in session. In considering these requests, the Superintendent shall utilize any or all of the following considerations:

1. An educational service or program is provided by the receiving school which is not provided by the school in the student's Attendance Area, and such service or program is educationally more appropriate to the needs of the student.
2. The Superintendent and professional staff, for sound educational reasons affecting the progress of the student and with the approval of the parents, initiate such a transfer.
3. The receiving school, by reason of construction and design, provides building facilities more appropriate to the physical needs of the student.

