

REGULATION

MONTGOMERY COUNTY PUBLIC SCHOOLS

Related Entries: ACD, JEE, FAA
Responsible Office: Chief Operating Officer

Transfer of Students

I. PURPOSE

To establish procedures concerning the within-county transfer of students

II. BACKGROUND

Students are expected to attend the school within the established attendance area in which they reside (home school) or are assigned in accordance with an IEP. A request for a student to attend a school outside such attendance area may be initiated by the parent/guardian/eligible student (18 years of age or older), student services staff, or the principal of the home school.

III. DEFINITIONS

- A. The *home school* is the school to which a student is assigned based upon the Board of Education geographical boundary decision. Absent any other considerations, this will be the assigned school. In addition, should the student be reassigned through the transfer process, he or she may elect at any time to return to the home school.
- B. The *base school* is, within a Consortium, the school to which the student is assigned absent an approved choice to attend another. The school is assigned a catchment area, which includes the student's residence.
- C. The *assigned school* is the school to which the student has been assigned for a given school year. This is the home school in the absence of an approved change of school assignment, or the base school in the absence of an approved preferred choice. When a student is granted a preferred choice or a change of school assignment, the requested school becomes the assigned school.

IV. PROCEDURES

- A. Only documented hardship situations will be considered for a change in school assignment.

B. Exemptions

1. An older sibling attending the requested school at the same time
2. The student is ready to move from middle school to high school, except for boundary change
3. The student has met the criteria for and been admitted to a countywide program

C. Timetables and Deadlines

1. Change of school assignment requests for the next school year will be accepted only between February 2 and April 1 for the following school year.
2. Every effort will be made to notify parents and students in May.
3. Some programs, such as elementary language immersion programs, admit students by lottery when there are more requests than spaces allotted.
4. Change of school assignment requests submitted after April 1 will not be accepted unless the student is a new resident of Montgomery County or there is a bona fide emergency or event that could not have been foreseen prior to April 1. Documentation supporting this situation must be supplied. Students must enroll in and attend their home school while a change of school assignment request is being processed.

D. Process for Change of School Assignment**1. General**

- a) Paired elementary schools are considered one school for change of school assignment purposes. However, when a student on an approved COSA matriculates from the primary grades to the new school, a form must be submitted.
- b) A student who transfers to another school without a change in residence of his/her parents or legal guardian shall attend the new school for one calendar year in order to be able to participate in athletics. A waiver from this restriction may be requested.
- c) Middle school students who received a change of school assignment, or are reassigned, to a new secondary feeder pattern for high school

and wish to remain in that pattern will be required to reapply at the end of middle school. The exemption will be approved and the athletic ineligibility will be waived.

- d) A change in school assignment form must be submitted for any high school student who wishes to change or is reassigned to a high school outside his or her existing feeder pattern or home school. If the change of school assignment is approved, the athletic ineligibility applies. Parents may request a waiver by writing to the director of systemwide athletics explaining the reason for the change of school assignment.
- e) In unique circumstances, change of school assignments may be granted for one year only. Parents/guardians must reapply for change of school assignment or students must return to their home school for the next school year.
- f) Students whose families have moved within the county who wish to continue attending their former home school should request a change of school assignment from the school serving their new neighborhood to the school they have been attending. Such requests will be given preference for the remainder of the current school year only. Continuation in feeder pattern does not apply. Students in Grades 11 or 12 are exempt from this restriction and will be allowed to stay through graduation.
- g) Change of school assignment or exemption requests for younger siblings of students, including step brothers and sisters and half brothers and sisters, for whom changes of school assignment have been approved will be given a preference for change of school assignment, provided that the older sibling will also be in attendance at the receiving school.
- h) Change of school assignment requests after an extended suspension will be addressed by the appropriate field office staff in consultation with the school principals involved. School changes for this reason are not generally approved.
- i) Students who have been given permission to attend schools other than assigned may, with proper cause, have that permission rescinded.

2. Initiated by Parent/Guardian/Eligible Student (18 years of age or older)
 - a) If a change of school assignment is desired, MCPS Form 335-45: *Request for Change of School Assignment*, must be obtained from the principal of the home school.
 - b) This completed form must be submitted to the principal of the student's home school by the deadline. The principal's signature signifies verification of residency and knowledge of the request, but does not constitute agreement or disagreement with the request.
 - c) The principal will forward the requests as received to the field office for a decision, or to the division of special education programs and services if the student is receiving special education services other than resource and/or itinerant services such as speech and language.
 - d) The change of school assignment may be approved or denied after considering the reason(s) for the change of school assignment and, for students receiving special education services, whether the IEP can be implemented, considering staffing and services available at the required school.
 - e) Parents accepting an approved change of school assignment or exemption assume responsibility for transportation.
 - f) The parent/guardian will receive written notification of approval or disapproval of a change of school assignment or exemption request from the field office. The student must enroll in and attend the home school while the appeal of a denial is in process. The sending and receiving schools will be notified that the request has been approved or disapproved.
3. Initiated by the Principal
 - a) Prior to initiating a request for an administrative change of assignment of a student, the principal and the pupil personnel worker assigned to the student's home school will:
 - (1) Review the student's educational, medical, and behavioral record and consider alternative programs
 - (2) Schedule a conference with the parent/guardian and the student

- b) If a change of school assignment is indicated, the following steps are implemented:
 - (1) The principal will inform the field office director in writing of the reason(s) for the recommended change of school assignment and the alternatives, if any, which were attempted to maintain the student in the home school
 - (2) The pupil personnel worker will arrange the necessary conferences with the parent/guardian, student, and principal of the receiving school and student services staff and supply written confirmation of the placement, athletic eligibility, and athletic waiver process
- c) Student Services staff, for the area in which the receiving school is located, is responsible for monitoring the academic progress and social adjustment of the student whose change of school assignment was initiated by the principal.

4. Initiated by Student Services

Change of school assignment may be initiated by Student Services staff, in concert with the parent/guardian and the concerned school's staff, at any time for special circumstances. The approval or denial of Student Services-initiated changes of school assignment are the responsibility of the director of Student Services for the area in which the receiving school is located.

- a) Students transferred and assigned under this provision [IV.D.4.a] based on their behavior that raised concerns about the health and/or safety of others in the school setting must attend the assigned school for one calendar year in order to be eligible to participate in athletics. Parents may request a waiver by writing to the director, Systemwide Athletics, explaining the reason for the change of school assignment.
- b) Students transferred and assigned under this provision [IV.D.4.b] based on concerns about their health and/or safety in the school setting must attend the assigned school for one calendar year in order to be eligible to participate in athletics. However, with assistance from pupil services, parents may request a waiver by writing to the director, Systemwide Athletics, explaining the reason for the change of school assignment. In these cases, a waiver will be granted.

E. Appeals

1. Superintendent of Schools

If a change of school assignment is denied by the field office director, the parent/guardian may appeal the decision to the superintendent of schools. Appeals must be made in writing and must be received by the Office of the Chief Operating Officer (the chief operating officer serves as the superintendent's designee) within 15 calendar days of the date of the decision letter. The appeal should state the reason(s) for seeking review of the decision. It is not necessary to provide additional information in order to appeal, but the appellant should include any additional information in order for it to be considered. The superintendent, or the chief operating officer as his designee, will review all available information before issuing a decision. Although the matter is usually considered on the basis of the documents and telephone conferences, personal conferences may be arranged by the chief operating officer's hearing officer. Decisions will be made promptly given the number, complexity, and timing of appeals being handled at the same time. Appeals received by the chief operating officer before June 30 will be decided prior to the beginning of school.

2. Board of Education

An appeal after the decision of the superintendent or his designee must be made in writing and received by the Board of Education within 30 calendar days of the date on the superintendent's decision letter, although appellants are strongly encouraged to note any appeal within 10 calendar days of receipt of the superintendent's decision. If there is additional information in the appeal to the Board, the superintendent will be given the opportunity to respond, with a copy sent to the appellant, before the Board considers the appeal. The Board's decision will be rendered in writing.

Regulation History: Formerly Regulation 265-2, February 22, 1980, revised January 23, 1992, revised April 25, 1994; revised December 23, 1994; revised December 30, 1997; revised July 20, 1998; revised December 2, 1999; updated office titles June 1, 2000; revised December 6, 2000; revised January 7, 2002; revised January 10, 2003; revised November 29, 2006; non-substantive revision, November 27, 2007; non-substantive revision, November 17, 2008.