

Change of Student Assignments (COSA)

Overview

This section of the report provides information and data on change of school assignment (COSA) requests and the intersection of COSA transfers with choice and special academic programs. The data provide an overview of the requested and approved COSAs for the 2013–14 school year and show the impact of COSAs granted for sibling link and articulation from middle to high school on student movement across the district. Before these data are presented, this section provides an overview of the COSA process and a brief history of how COSAs have been impacted by revisions made to Policy JEE, *Student Transfers*, over the past 20 years.

Purpose and History of COSAs

Change of student assignments or COSAs are defined as situations when a student requests to attend a school within MCPS that is not the school to which the student is assigned based on established attendance areas or in accordance with an Individualized Education Plan (IEP). COSAs are regulated under Policy JEE, *Student Transfers*, which was created for the purpose of “*establishing procedures concerning within-county transfer of students.*” The Policy was originally developed in 1972 and served to support MCPS’s voluntary desegregation efforts in alignment with Policy ACD, *Quality Integrated Education*. Policy JEE, as originally written, included the following provisions for approval of a transfer request: “*a) The school from which the student is transferring would not be unduly affected, b) The school to which the student is transferring is not unduly burdened by overcrowding, understaffing, or lack of adequate instructional resources, and c) The racial/ socioeconomic balance on both schools is not unduly affected.*”

In 1999, in response to the U.S. Court of Appeals for the Fourth Circuit’s decision in the *Eisenberg v. Montgomery County Public Schools*, the Board suspended consideration of race in Policy JEE, *Student Transfers*. In 2002, the Policy was officially amended to eliminate the aforementioned provisions, which essentially separated the Policy from the district’s integration efforts.²⁰³ The revisions impacted the stated desired outcomes of the Policy. Prior to the revisions, the desired outcomes were “*to facilitate movement of students without adversely affecting school enrollment, utilization, or diversity.*” With the 2002 revisions, the outcomes were modified to state the following as a desired outcome: “*to maintain the stability of school attendance boundaries by promoting home school attendance and*

²⁰³ Memorandum to the Board of Education from Sharon Cox, Board Policy Committee Chairman re: Final Action on Policy JEE, *Student Transfers*. (March 12, 2002).

respecting the space needs or limitations of the individual schools.” Noticeably missing is the outcome of diversity.²⁰⁴

The current version states that “*Students are expected to attend the school within the established attendance area in which they reside or are assigned in accordance with an IEP.*” This version, along with the accompanying MCPS Regulation JEE-RA, outline that requests for COSAs are considered only in situations of documented unique hardships, with the following exceptions, as outlined in the 2016–17 COSA booklet:

Unique hardships depend on the family’s individual and personal situation. Problems that are common to large numbers of families, such as issues involving day care or program/course preferences, do not constitute a hardship, absent of additional, compelling facts. – COSA Handbook (2014–15)

- “**Sibling link:** *Younger sibling may attend the school of an older sibling in the regular/general program, if the older sibling will be attending the requested school the following school year, absent a boundary change;*”
- “**Continuation:** *Although a new COSA form must be submitted, middle school students on an approved COSA will be permitted to continue to that school’s feeder pattern high school, absent a boundary change. However, elementary school students return to their home middle schools, unless a new COSA form is submitted and approved based on unique hardship or one of the stated exceptions applies;*” and
- “**Exempt programs:** *Students selected for an exempt countywide program do not need to submit a COSA form. The student has met the criteria for and been admitted to and attends a countywide program;* and.
- “**Family relocation/scheduled move:** *When a family moves within Montgomery County, preference to remain in the original school will be considered to complete the current school year only.*”

Thus, under Board policy, admissions to MCPS’s magnets, elementary centers for highly gifted students, and language immersion programs are exempt from COSAs, and families typically are not required to submit a COSA request in such circumstances. Under Policy JEE, “*if an older sibling attends a magnet or special program, an exemption may be granted on a case-by-case basis, with consideration given to space needs or limitations at the requested school.*” In practice, sibling links are not granted for the programs with academic criteria (magnets and elementary centers), but they are granted for language immersion programs. COSAs are not used for change of assignments within the regional consortia (DCC, NEC, and MSMC); instead, a separate processes is administered by DCCAPS.

On June 13, 2013, the Board tentatively adopted revisions to Policy JEE, *Student Transfers*, which included changes to two of the exemptions. The proposed revisions changed the exemption regarding sibling link to clarify the circumstances in which a COSA may be approved when a

²⁰⁴ The Policy was amended again in 2006, with only non-substantive changes.

student's older sibling attends a special program. The proposed revisions specified that, in such circumstances, a COSA may be approved *“to the regular program at the school on a case-by-case basis with considerations given to classroom space, grade-level enrollment, and staffing allocations, or other impacts.”* The proposed revisions also eliminated the automatic exemption for granting COSAs for the *“continuation at the articulation point from middle school to high school.”*²⁰⁵ This change would have made Policy JEE consistent with how elementary to middle school transitions are handled.

The Board sought public comments on the proposed revisions to Policy JEE. During the public comment period, the Board received opposition to the proposed changes on the sibling link and automatic articulation from middle school to high school. As a result, on November 12, 2013, the Board decided not to move forward with the proposed changes and await *“further analysis of the proposed changes”* as part of this study.²⁰⁶

COSA and Other Student Transfer Data

Approximately one-fifth of all students in MCPS attended a school outside of the attendance boundary or in one of the three regional consortia in 2013–14. As shown in Exhibit 49, in 2013–14 alone, 32,281 students (21.2% of all MCPS students in Grades K–12) attended a school outside of the attendance boundary in which their residence was located or a school in one of the three consortia that utilized lottery assignment processes. Reasons for transfers included: to enroll in a choice or special academic program, which is the focus of this report (although it is important to note that this number does not include all students in choice or special programs because some attend such programs in their home schools); provision of certain special education services as outlined in an IEP; and change of school assignment (COSA) requests or other administrative reasons

Among the students who attended a school outside of their attendance boundary in 2013–14, approximately 25% were due to COSAs or other administrative reasons. Two-thirds (66.2%) of student movement was due to enrollment in choice or other special academic programs; and 9.0% was for the provision of special education services outlined in an IEP. The remaining 24.7% of the transfers were due to COSAs and other administrative reasons, accounting for approximately 8,000 students. It should be noted that transfers due to COSAs cannot be separated from other administrative reasons because MCPS does not systematically and consistently record flags in its student data system to determine the reason for a student transfer or monitor which students have received COSAs in prior years—although staff report that the number of transfers for reasons other than COSAs is typically very small. The data were

²⁰⁵ Memorandum to the Board of Education from Patricia O'Neill, Chair Board Policy Management Committee re: Rescission of Tentative Action for Policy JEE, *Student Transfers*. (November 12, 2013).

²⁰⁶ Memorandum to the Board of Education from Patricia O'Neill, Chair Board Policy Management Committee re: Update Regarding Policy JEE, *Student Transfers*. (April 29, 2014).

analyzed using multiple data files to determine enrollment in choice and special academic programs, special education services, and other transfers, and thus are an approximation.

Exhibit 49: Number and Percentage of MCPS Students who Attended a Consortia School or a School Other than Home School, by School Level and Reason (2013–14)

School level		Reason for attending school other than home school						
		All reasons	Choice or special academic program outside home school		Special education services		COSAs and other reasons (admin transfer, etc.)	
			N	N	%	N	%	N
All students		32,281	21,380	66.2%	2,918	9.0%	7,983	24.7%
Elementary school		7,751	1,936	25.0%	1,636	21.1%	4,179	53.9%
Middle school	(non-consortia)	6,119	1,194	20%	625	10%	1,647	27%
	(consortia)		2,653	43%*				
High school	(non-consortia)	18,411	1,323	7.2%	657	3.6%	2,157	11.7%
	(consortia)*		14,274*	77.5%*				

*High school consortia totals include students who attend base area or non-base area school.

In 2013–14, 2,986 COSAs were requested, of which 2,347 (79%) were granted. These data are based on point-in-time snapshot of the requests that were submitted through July 2013 for the 2013–14 school year. The data were provided in a data file that included information on the requests submitted, the reasons, the status of each request, and the “leaving” and “entering” schools for each request. Furthermore, it should be noted the COSA decisions are ongoing; and therefore, these data only show the requests that were submitted through July 2013 and may not include the full cumulative impact of COSAs on school enrollment. In 2013–14, COSAs impacted almost all of the schools within MCPS, in that there is at least one student who requested to enter the school and at least one student who requested to leave the school through a COSA.

The majority of COSA requests across all grade levels was submitted on account of a unique hardship or scheduled moves. In 2013–14, 58% of COSA requests were for unique hardship, an additional 18% were for scheduled moves, 15% were for siblings, and 5% were to complete a program sequence (although this last category may be significantly understated for reasons discussed further below). Unique hardship requests made up a higher proportion of the requests at the elementary level (63%) than at the middle school (56%) or high school (50%) levels. COSAs for scheduled moves were even across the levels. The patterns were similar for approved COSAs. Among the COSAs that were approved in 2013–14, 51% were due to hardships, 22% for scheduled moves, 17% for siblings, and 5% to complete a program sequence.

Exhibit 50: Reasons for Requested COSAs, by Grade Level (2013–14 SY)

Reason for Request†	Total requests (N = 2,986)		Elementary (N = 1,529)		Middle school (N=715)		High school (N = 742)	
	N	%	N	%	N	%	N	%
Hardship	1,744	58%	970	63%	401	56%	373	50%
Scheduled move	532	18%	270	18%	129	18%	133	18%
Siblings attend requested school	434	15%	262	17%	79	11%	93	13%
Complete sequence ²⁰⁷	136	5%	-	-	-	-	126	17%
Other	136	5%	27	2%	96	13%	17	2%

† Data are not presented when N≤10.

Exhibit 51: Reasons for Granted COSAs, by Grade Level (2013–14 SY)

Reason for Request†	Total granted (N = 2,347)		Elementary (N = 1,227)		Middle school (N=552)		High school (N = 568)	
	N	%	N	%	N	%	N	%
Hardship	1,190	51%	700	57%	257	47%	233	41%
Scheduled move	511	22%	262	21%	123	22%	126	22%
Siblings attend requested school	399	17%	240	20%	74	13%	85	15%
Complete sequence	120	5%	-	-	-	-	113	20%
Other	127	5%	25	2%	91	16%	11	2%

† Data are not presented when N≤10.

Exhibit 52: Percent of COSAs Granted, by Reason (2013-2014 SY)

Reason for Request†	Total Requests		Elementary		Middle school		High school	
	Total Requests	% Granted						
Hardship	1,744	68%	970	72%	401	64%	373	62%
Scheduled Move	532	96%	270	97%	129	95%	133	95%
Siblings attend requested school	434	92%	262	92%	79	94%	93	91%
Complete Sequence	136	88%	-	-	-	-	126	90%
Other	146	89%	27	93%	96	95%	17	65%

²⁰⁷ According to feedback provided by district staff, the number of students who attend a school outside than their attendance boundary for program continuation is higher than the number reflected in the table.

Reason for Request [†]	Total Requests		Elementary		Middle school		High school	
	Total Requests	% Granted						
Total	2,986	79%	1,529	80%	715	77%	742	77%

† Data are not presented when N ≤ 10.

COSA requests to complete a sequence, meaning articulation of a feeder pattern from middle school to high school, accounted for 17% of all requests at the high school level; 90% of these requests were approved. At the time of the analyses, this constituted 126 of the requests that were submitted, of which 90% were approved. The majority of COSA requests granted for program continuation exemptions were found to be concentrated among just 17 high schools. In 2013-14, more than half (55%) of the COSAs that were granted for program continuation impacted five high schools—Bethesda Chevy-Chase HS (18 approved COSAs for program continuation), Walter Johnson HS (13), Winston Churchill (12), Richard Montgomery (10), and Rockville (10).

COSAs granted for program continuations intersect with choice and special academic programs when a student attends a special program in middle school, for example the language immersion program at Westland MS or the magnet programs at Takoma Park MS or Eastern MS, the students can articulate automatically into the high school in the feeder patterns (B-CC or the DCC schools, respectively). For example, among the 18 COSAs into B-CC HS for program continuation, 13 of the students (72.2%) articulated from the language immersion program at Westland MS. Among the 12 COSAs into Churchill HS for program continuation, six (50%) of the students articulated from the language immersion program at Herbert Hoover MS.

It should be noted that these data show the impact of COSAs for articulation to high school *for just one year*. To understand the magnitude of the impact at the school level, the numbers must be multiplied for four grade levels. For example, when the 18 COSAs in 2013–14 into B-CC HS are multiplied for each of the four grade levels, the true impact is an additional 72 students enrolled in the school due to program continuation COSAs. Furthermore, across the district, when the 113 approved COSAs for program continuation are multiplied by four, the data show that more than 450 students are attending a school other than their home school due to a COSA for program continuation.

It should also be noted that COSAs are granted for articulation in a feeder pattern from middle school to high school and are currently not associated with a specific program and course sequence. Thus, COSAs granted for articulation are not currently evaluated based on whether or not the student’s academic needs could or could not be met at the home school; the requests are granted purely to continue in a cluster and feeder pattern. Moreover, due to the automatic

exemption in Policy JEE to articulate from middle school to high school, not all families fill out a COSA request in such circumstances, and students who attend programs in either the DCC or NEC are not required to submit COSAs to articulate into the respective high school consortium; therefore, the numbers reported in the analysis above may under-estimate the scope and impact of student movement for this purpose.

Data presented in previous sections of the report show that sibling link in the application process for elementary language immersion programs reduces the number of seats available for other families.

The findings also acknowledge the negative impact of entirely eliminating sibling links for families with multiple children. As a result, a program-level recommendation was provided in the section on immersion programs to “consider revisions to Policy JEE *Student Transfers* to clarify that the sibling link for immersion and other choice programs is not automatic; while siblings of applicants should be able to attend the same school where the special academic program is located provided that there are available seats, those siblings should be required to participate in the application process, such as the lottery for immersion programs, to earn a seat in the program.”

Policy JEE does not allow for transfers for students who seek to attend a signature program or career and technical education pathways at a school other than their home school. COSA requests, although periodically submitted for these purposes, are not granted.²⁰⁸

There were very small differences in the approval rates for students by racial, ethnic, or socioeconomic group. As shown in Exhibit 53, the approval rates for COSA requests were generally similar across student groups, with some small differences. For example, the approval rate for requests made on behalf of Black/African American students (77%) was slightly lower than for White (81%), Hispanic/Latino (79%), and Asian (80%) students. It should, however, be noted that only 70% of the requests made by multi-ethnic students were approved. Furthermore, the approval rate for requests made on behalf of students who were eligible for FARMS (77%) was slightly lower than for non-FARMS eligible students (80%).

Exhibit 53: Approval Rates for COSA Requests, by Student Characteristics (2013–14 SY)

Student Characteristics	Total Requests	Approved (Full or 1-Year)	
		N	%
Total†	2,986	2,347	79%
Race/ethnicity			
American Indian	≤10	-	-
Asian	297	239	80%
Black/African American	817	626	77%

²⁰⁸ <http://marylandpublicschools.org/MSDE/stateboard/legalopinions/2010/docs/ChristineC.Opin.No.14-59.pdf>.

Student Characteristics	Total Requests	Approved (Full or 1-Year)	
		N	%
Hispanic/Latino	922	725	79%
Multi-Ethnic	138	97	70%
Pacific Islander	≤10	-	-
White	803	654	81%
Special education status			
General education	2,576	2,040	79%
Special education	337	249	74%
504	73	58	79%
Gender			
Female	1,495	1,182	79%
Male	1,491	1,165	78%
Limited English Proficiency (LEP)			
not LEP	2,368	1,867	79%
LEP	618	480	78%
Eligibility for free and reduced price meals (FARMS)			
Not current FARMS	1,672	1,336	80%
Current FARMS	1,314	1,011	77%
NOT ever FARMS	1,545	1,239	80%
Ever FARMS	1,441	1,108	77%

† Data are not presented when N≤10.

Research and Benchmarking

While MCPS eliminated consideration of demographics in student transfers after *Eisenberg v. MCPS*, some districts have continued to utilize demographic factors to ensure that transfers do not increase school segregation. This practice is typically used when districts seek to align the overall approach set forth in their student attendance zone policies and their transfer policies to ensure against unintended consequences, and often they are linked together in a single policy. A recent study identified at least 12 districts across the country that consider socioeconomic diversity as a factor in their intra-district student transfer policies, and five others that use this factor only for inter-district transfers.²⁰⁹ For instance, Seminole County Public Schools in Florida allows for what it labels “capacity transfers,” when students seek to move from an overcrowded school to a school that is at or under capacity, and “diversity incentive transfers,” which are transfers that promote socioeconomic diversity within schools that have

²⁰⁹ Potter, Halley et al. (2016). A New Wave of School Integration: Districts and Charters Pursuing Socioeconomic Diversity, Century Foundation. 17.

proportions of FARMS eligible students that exceed the districtwide average. An example of a “diversity incentive transfer” permitted in Seminole County is when a student who is eligible for FARMS and attends a school with a high proportion of FARMS eligible students seeks to transfer to a school with a local proportion of FARMS eligible students. Similar transfers are permitted for a non-FARMS eligible student in a student with a low FARMS rate who seeks to transfer to a school with a higher FARMS rate.²¹⁰

Other examples of options for student transfer processes that focus specifically on promoting diversity, consistent with applicable law, can be found in joint guidance issued by the U.S. Department of Education and the U.S. Department of Justice, including:²¹¹

- A school district might categorize neighborhoods based on average household income and allow a student from a geographic area with a lower than average household income to transfer out of his or her assigned school and into a school that draws from a geographic area with a higher than average household income if it would help to achieve racial diversity or avoid racial isolation.
- A school district could design a transfer program that expressly relies upon the overall racial composition of geographic areas within the district. For example, in evaluating requests to transfer into a predominantly Asian-American school, a school district could give priority to students who live in a neighborhood comprised predominantly of non-Asian-American households, regardless of the race of the particular student requesting the transfer. All students from this neighborhood would be treated the same in the decision-making process.

Most of the districts used to benchmark MCPS’s practice allow for student transfers for programmatic reasons. Transfer requests for the reason of attending a school that offers a program not offered in a student’s home school are accepted, although not automatically granted, in a number of the benchmark districts. It should be noted that transfers have implications on school capacity. Capacity of schools to receive transfers varies in benchmark districts. Many of MCPS’s schools are restricted by capacity issues. HISD, for example, allows qualified students to participate in vocational programs that are not offered on their zoned campus.²¹² BCPS also accepts special permission transfer requests “*when a student desires to pursue a*

²¹⁰ <http://www.scps.k12.fl.us/Portals/0/assets/pdf/newsStories/2012/12/Policy%205.30-10.pdf>.

²¹¹ <http://www2.ed.gov/about/offices/list/ocr/docs/guidance-ese-201111.pdf>

²¹² <http://www.houstonisd.org/site/handlers/filedownload.ashx?moduleinstanceid=157796&dataid=111920&FileName=Section18%201415%20B.pdf>.

curricular, academic, or sequential program of study not offered in the student's regularly assigned school."²¹³ Similarly, in Fairfax County Public Schools (FCPS), transfer requests are considered when "a student intends to enroll and remain enrolled for the year in a sequential curricular program from the Fairfax County Public Schools Standard Course offering which is not offered at the base high school."²¹⁴ Additionally, in Hillsborough County, school choice allows parents to request a student transfer for up to three non-magnet or CTE programs, given that the requested schools have capacity.²¹⁵

Conclusion and Recommendations

An analysis of data on COSAs indicates that the changes previously proposed by the Board in the amended Policy JEE, *Student Transfers*, support the district's commitment to equity. Specifically, as currently implemented, the sibling link for applicants to elementary language immersion programs and program continuations from middle school to high schools can inhibit equitable access for some students. In light of these findings, MCPS should consider the following recommendations:

- Enhance equitable access by revising Policy JEE, *Student Transfers*, to clarify that the sibling link for elementary language immersion programs is not automatic; while siblings should be able to attend the same school where the immersion program is located provided that there are available seats, those siblings should be required to participate in the immersion lottery to earn a seat in the program.
- To the extent that the district considers revisions to Policy JEE, *Student Transfers*, to alter the automatic articulation from middle school to high school within the cluster feeder pattern or consider approvals for programmatic requests, MCPS should analyze the impact on both school capacity and its efforts to promote diversity and avoid racial isolation.
- Systematically implement and utilize program flags for COSA requests to analyze the impact of COSAs, as well as revisions to Policy JEE, on both school capacity and efforts to promote diversity and avoid racial isolation.

²¹³ https://www.bcps.org/system/policies_rules/rules/5000Series/RULE5140.pdf.

²¹⁴ [http://www.boarddocs.com/vsba/fairfax/Board.nsf/files/8TPJAK4C3EDA/\\$file/R2230.pdf](http://www.boarddocs.com/vsba/fairfax/Board.nsf/files/8TPJAK4C3EDA/$file/R2230.pdf).

²¹⁵ <http://www.sdhc.k12.fl.us/doc/660/choice-faq>.