

POLICY

BOARD OF EDUCATION OF MONTGOMERY COUNTY

Related Entries: JEE-RA, KLA, KLA-RA
Responsible Office: Chief Operating Officer

Student Transfers

A. PURPOSE

To explain the limited circumstances under which students may be granted a transfer, referred to as a Change of School Assignment (COSA), to attend a school other than their home school or the school assigned in accordance with their Individualized Education Program (IEP)

B. ISSUE

Students are expected to attend the school within the established area in which they reside (home school) or assigned in accordance with their IEP. Students may submit applications for COSAs from the home school or the school assigned through the IEP process in cases of documented unique hardship, a recent family move within Montgomery County, and in certain circumstances to permit a sibling to attend the same school as another sibling.

C. POSITION

1. A student may apply for a COSA based on any of the following criteria:

a) Unique Hardship

Students may apply for a COSA when extenuating circumstances related to their specific physical, mental, or emotional well-being or their family's individual or personal situation that could be mitigated by a change of school environment. However, problems that are common to large numbers of families do not constitute a unique hardship, absent other compelling factors. Documentation that can be independently verified must accompany all hardship requests, or the request will be denied. Examples of such unique hardships include, but are not limited to, the following:

(1) Child care

Parents/guardians must demonstrate extenuating circumstances, in obtaining age-appropriate supervision of school students before and/or after school because –

- (a) their work hours extend significantly beyond the typical hours for available child care programs and activities located within the home school or otherwise easily accessible child care programs; and /or
 - (b) significant financial constraints limit the family’s ability to otherwise access child care, or other student specified needs. The extenuating circumstances must be extremely significant for students beyond the elementary level.
- (2) When there are extenuating circumstances involving the physical, mental, or emotional well-being of the student.
- (a) Parents/guardians seeking COSAs for this reason should provide documentation of –
 - (i) ongoing treatment by a health care provider of issues related to the student’s physical, mental, or emotional well-being that are directly related to or significantly impacted by the school environment; and/or
 - (ii) a significant health issue with unique care requirements (e.g., frequent medical appointments far from the student’s home school and/or the parent/guardian’s work location).

In the absence of such documentation, evidence of such extenuating circumstances may be obtained through consultation with school staff.

b) Family Moves

Students whose families have moved within Montgomery County, during the school year, who wish their student to continue attending their former home school may request a COSA without demonstrating a unique hardship. Such requests should be submitted immediately after the family moves, and such requests will be granted for the remainder of the current

school year only, with the exception that students in Grades 11 or 12 may be granted a COSA to stay through high school graduation.

c) Siblings

- (1) When a sibling seeks to attend the school where a sibling will be enrolled in the regular/general school program, or a special education program, during the year the sibling seeks to enroll
- (2) For elementary school students only, when a sibling attends a magnet, language immersion, or other application program, a COSA may be approved to the regular school program for siblings on a case-by-case basis
- (3) Such approvals require consideration of available classroom space, grade-level enrollment staffing allocations, or other factors that impact the schools involved.
- (4) Section (1), (2) and (3) above do not apply if a boundary change has occurred.
- (5) For the purpose of this policy, siblings include step-brothers and sisters, and half-brothers and sisters.

d) MCPS Staff

- (1) Consistent with MCPS strategic priorities to encourage and support school-based staff who work in Title I Schools, Innovative School Year Calendar Schools, or Focus Schools, staff based in any one of those schools may request a transfer for their own child to attend the school which they work under the following conditions:
 - (a) The staff member is assigned to work in one of the above referenced schools for the upcoming school year in a budgeted full-time equivalent (FTE) position that is eligible for leave, retirement, and health benefits coverage; and
 - (b) The staff member is a Montgomery County resident, and the student is otherwise eligible to enroll in MCPS; and

- (c) The request is accompanied by a plan for childcare or other supervision during all times during the staff member's duty day.
 - (2) If the student's enrollment in the school in which the staff member works becomes an impediment to the staff member's ability to perform their duties satisfactorily, the student transfer may be rescinded.
 - (3) The superintendent of schools may establish a process and timeline for consideration of such requests, as well as limit eligibility based on staff performance or conduct concerns.
 - (4) MCPS staff who do not work in one of the schools identified in this section may otherwise apply for COSAs for their children in accordance with requirements of this policy and related regulations.
2. COSAs are subject to the following procedures:
- a) COSA applications are to be submitted between the first school day in February and the first school day in April of the school year preceding the year of the desired transfer. Every effort will be made to notify parents/guardians and students of the decision regarding their COSA request by May 31. COSA requests submitted after the first school day in April 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 the first school day in April. Documentation supporting this situation must be supplied.
 - b) High school students who receive an approved COSA out of their current feeder pattern must attend the new school for one calendar year to be eligible to participate in athletics. A waiver from this restriction may be requested.
 - c) Parents/guardians accepting a COSA assume responsibility for transportation, and recognize that student parking is regulated on a school-by-school basis.
 - d) Reassignment from one consortium school to another after lottery assignments are finalized for that year are handled through the Division of Consortia Choice and Application Program Services, based on a unique hardship.

- e) The COSA application will be approved or denied after considering –
 - (1) the reasons for the request;
 - (2) for students receiving special education services, whether the IEP can be implemented at the requested school;
 - (3) applicable staffing and services available at the requested school;
 - (4) school capacity, including grade level and cluster capacity, and other issues that implicate the ability of the school to admit new students; and
 - (5) if the requested school has a utilization rate of less than 80 percent, the request may receive special consideration after factoring in any issues of capacity at the grade or cluster level.
- 3. Students attending an elementary school on a COSA must reapply for a COSA to attend a middle school other than their home middle school. Starting with students who enter 6th grade during school year 2021-2022, a student attending a middle school on a COSA seeking to attend the high school in that middle school's feeder pattern will have to reapply for a COSA. Starting with students who enter 3rd grade in 2021-2022, students in a middle school immersion program must apply for a COSA in order to attend a high school other than their home school, including the high school in that middle school's feeder pattern.
- 4. Students who have been admitted to countywide programs, regional programs, or programs specifically identified by the superintendent of schools in a publication that will be issued annually and distributed broadly to promote equitable access to these programs are not required to obtain a COSA to attend a school other than their home school. MCPS reserves the right to require students to return to their home school if they cease participation in the program.
- 5. MCPS shall implement a process, separate from the COSA process described in this policy, for the purpose of considering certain academic transfer requests for high school students as described below.
 - a) Students may request academic transfers to participate in either –
 - (1) a multi-year sequence of related courses, as defined in the district or school course catalog, that is not available at the student's home school, or

- (2) a multi-year single course sequence, as defined in the district or school course catalog, that is not available at the student's home school.
 - b) Such a process will include deadlines for submission of academic transfer requests that align with MCPS timelines for course registration and staffing needs.
 - c) Such transfers will be permitted only if space is available after local students enroll.
 - d) Consistent with the district's strategic priorities, MCPS may also consider adjustments to academic programming at the student's home school in lieu of granting the academic transfer request.
 - e) MCPS reserves the right to require students to return to their home school if they withdraw from the course-sequence for which the academic transfer request was granted.
6. Any child who has an older sibling who is currently enrolled in a language immersion program, and will continue to be enrolled in that language immersion program the year the younger sibling seeks to enroll, may participate in a lottery established by the superintendent of schools for admission into the language immersion program. Such lottery shall include a weighting process that takes into consideration factors to include: (a) students who have an older sibling who is currently enrolled in a language immersion program and will continue to be enrolled in that language immersion program in the year the younger sibling seeks to enroll; (b) socio-economic status and poverty; and, (c) other factors as identified by the superintendent of schools, such as, in specific circumstances, a catchment area. Any child who has an older sibling who was enrolled in a language immersion program during the 2017-2018 school year and has an older sibling who will continue to be enrolled in the language immersion program the year the younger sibling seeks to enroll, may enroll in the language immersion program without the necessity of participating in the lottery conducted for admission into that program.

D. DESIRED OUTCOMES

- 1. To maintain the stability of school attendance boundaries by promoting home school attendance and respecting the space needs or limitations and staffing allocations of the individual schools
- 2. To provide a process for students to receive a COSA when circumstances arise regarding a documented unique hardship, a recent family move within Montgomery

County, or certain circumstances to permit a sibling to attend the same school as another sibling

3. To provide clarity that the COSA process is distinct from the admissions processes for countywide programs, academic transfer requests, and administrative placements initiated by MCPS staff, the criteria for which are established by the superintendent of schools through administrative regulation

E. IMPLEMENTATION STRATEGIES

This policy is implemented through administrative regulation.

F. REVIEW AND REPORTING

This policy will be reviewed on an annual basis in accordance with the Board of Education policy review process.

Policy History: Resolution No. 288-72, April 11, 1972, amended by Resolution No. 825-72, December 12, 1972, reformatted in accordance with Resolution No. 333-86, June 12, 1986 and Resolution No. 458-86, August 12, 1986, accepted by Resolution No. 517-86, September 22, 1986; reviewed February, 1995; amended by Resolution No. 92-02, March 12, 2002; non-substantive modification, November 16, 2006; amended by Resolution No. 124-17, March 17, 2017; amended by Resolution No. 457-20 and Resolution No. 458-20 on October 6, 2020.