

# Appendix V

JEE

## **POLICY** BOARD OF EDUCATION OF MONTGOMERY COUNTY

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**Related Entries:** JEE-RA  
**Responsible Office:** Chief Operating Officer

### **Student Transfers**

#### **A. PURPOSE**

To explain the limited circumstances under which students may be granted a transfer 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. Transfers from the home school or the school assigned through the IEP process may be permitted in cases of documented unique hardship.

#### **C. POSITION**

1. Transfers should be honored whenever there is a documented unique hardship circumstance. Problems that are common to large numbers of families do not constitute a unique hardship.

2. Exemptions

The following circumstances are exempted from the student transfer process:

- a) An older sibling attends the requested school in the regular program. If the 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.
- b) Continuation at the articulation point from middle school to high school
- c) Students have met the criteria for and been admitted to countywide programs

3. 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.
4. Parents either accepting a hardship transfer or receiving an approved exemption under 2 a) or b) assume responsibility for transportation, and recognize that student parking is regulated on a school by school basis.

**D. DESIRED OUTCOMES**

To maintain the stability of school attendance boundaries by promoting home school attendance and respecting the space needs or limitations of the individual schools.

**E. IMPLEMENTATION STRATEGIES**

This policy is implemented through administrative regulation.

**F. REVIEW AND REPORTING**

This policy will be reviewed on an ongoing 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.

# REGULATION

## MONTGOMERY COUNTY PUBLIC SCHOOLS

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**Related Entries:** ACD, JEE, FAA

**Responsible Office:** Chief Operating Officer  
Deputy Superintendent of Teaching, Learning, and Programs

### 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 or are assigned in accordance with an Individualized Education Program (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.

#### III. DEFINITIONS

- A. The *home school* is the school to which a student is assigned based upon the Montgomery County Board of Education (Board) geographical boundary decision. 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 *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 (COSA). When a student is granted a COSA, the requested school becomes the assigned school.

#### IV. PROCEDURES

- A. Only documented unique hardship situations will be considered for a COSA.

B. Exemptions

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

C. Timetables and Deadlines

1. COSA requests for the next school year will be accepted only between February 1 and April 1 for the following school year.
2. Every effort will be made to notify parents and students of the decision on their COSA request in May.
3. Some programs, such as elementary language immersion programs, may be based on attendance area, or admit students by lottery when there are more requests than available spaces.
4. COSA 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 COSA request is being processed.

D. Process for COSA

1. General
  - a) Paired elementary schools are considered one school for COSA purposes. However, when a student on an approved COSA matriculates from the primary grades to the upper grades, a new form must be submitted. Each pairing has unique characteristics that can impact implementation of transfers.
  - b) High school students who receive an approved COSA are ineligible for athletic participation for one calendar year. A waiver may be

requested in writing from the director of Systemwide Athletics explaining the reason for the COSA.

- c) Middle school students on an approved COSA, who wish to remain in that pattern for high school, will be required to reapply for a COSA at the end of middle school. The exemption will be approved and the athletic ineligibility will be waived.
- d) Elementary school students on an approved COSA must reapply and meet the criteria in order to attend a middle school other than that serving their residence.
- e) In unique circumstances, COSAs may be granted for one year only. Parents/guardians must reapply for a COSA 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 COSA 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) COSA or exemption requests for younger siblings of students, including step brothers and sisters and half brothers and sisters, for whom COSAs have been approved, will be approved for a COSA, absent a boundary change, provided that the older sibling still will be attending the requested school in the regular program.
- h) COSA requests after an extended suspension will be addressed by staff in the Division of Pupil Personnel Services (DPPS) 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, such as poor attendance or behavior, have that permission rescinded. In addition, students whose COSAs were approved because they were attending a special/exempt program must return to their home school if they leave that program.

2. Initiated by Parent/Guardian/Eligible Student (18 years of age or older)
  - a) If a COSA is desired, MCPS Form 335-45: *Request for Change of School Assignment* (COSA), 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) Students receiving special education services available in all schools follow the regular COSA process. Students receiving all other special education services should *not* use the COSA form, but should submit their request in writing to the Department of Special Education Services at 850 Hungerford Drive, Room 230, Rockville, Maryland 20850.
  - d) The COSA may be approved or denied after considering the reason(s) for the COSA and, for students receiving special education services, whether the IEP can be implemented, considering staffing and services available at the requested school.
  - e) Parents accepting an approved COSA or exemption assume responsibility for transportation.
  - f) The parent/guardian will receive written notification of approval or disapproval of a COSA or exemption request from DPPS. The student must enroll in and attend the home school while the appeal of a denial is in process. The home and requested schools will be notified that the request has been approved or denied.
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 COSA is indicated, the following steps are implemented:
    - (1) After consulting with the principal and the appropriate associate superintendent as to the reason(s) for the COSA, the director of DPPS will identify an appropriate school placement for the student.
    - (2) The pupil personnel worker will arrange any necessary conferences with the parent/guardian, student, principal of the receiving school, and Department of Student Services staff, as well as supply written confirmation of the placement, athletic eligibility, and athletic waiver process.
  - c) Department of Student Services staff members are responsible for monitoring the academic progress and social adjustment of the student whose COSA was initiated by the principal.
4. Initiated by the Department of Student Services

A COSA may be initiated by Department of Student Services staff, in concert with the parent/guardian and the home school's staff, at any time for special circumstances. The approval or denial of Department of Student Services initiated COSAs is the responsibility of the director of DPPS.

- 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 of Systemwide Athletics, explaining the reason for the COSA.
- 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. Parents may request a waiver by writing to the director of Systemwide Athletics, explaining the reason for the COSA. In these cases, a waiver will be granted.

## E. Appeals

### 1. Superintendent of Schools

If a COSA is denied by the director of DPPS, 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 of schools' 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 of schools, or the chief operating officer as his/her 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 of the decision of the superintendent of schools or his/her designee must be made in writing and received by the Board within 30 calendar days of the date on the superintendent of schools' decision letter. Appellants are strongly encouraged to note any appeal as soon as possible. The superintendent of schools 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; revised January 04, 2010; revised November 18, 2010; revised December 12, 2011; revised December 20, 2012; revised November 6, 2013; revised December 13, 2013.