

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

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**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 6<sup>th</sup> 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 3<sup>rd</sup> 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 October 6, 2020.





# REGULATION

## MONTGOMERY COUNTY PUBLIC SCHOOLS

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

### Student Transfers and Administrative Placements

#### I. PURPOSE

To establish procedures concerning within-county student transfers and administrative placements

#### II. BACKGROUND

Students are expected to attend the school for the established attendance area in which they reside or the school that they 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 (student who has reached the age of majority, 18, or is emancipated prior to the age of 18), or Montgomery County Public Schools (MCPS) staff.

#### III. DEFINITIONS

- A. The *home school* is the school to which a student is assigned based upon the Montgomery County Board of Education's geographical boundary decisions. Should the student be reassigned through the Change of School Assignment (COSA) transfer process, the student may elect at any time to return to the student's 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 COSA, participation in a countywide magnet or other program, or administrative placement. When a student is granted a COSA, the requested school becomes the assigned school.

#### IV. TIMELINES AND APPLICATION PROCEDURES FOR REQUESTING A CHANGE OF SCHOOL ASSIGNMENT (COSA)

## A. Application Procedures

1. Parents/guardians/eligible students use MCPS Form 335-45, *Request for Change of School Assignment (COSA)*, to request a transfer to a school other than their home school in cases of:
  - a) documented unique hardship (See Section V.A.); or
  - b) a recent family move within Montgomery County (See Section V.B.); or
  - c) in certain circumstances, to permit a younger sibling to attend the same school as an older sibling will be enrolled (See Section V.C.);
2. MCPS Form 335-45, *Request for COSA*, is available at every MCPS school and on the MCPS website, and is available in multiple languages.
3. MCPS Form 335-45, *Request for COSA*, is not required for 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.

## B. Timelines

1. COSA requests will be accepted only between the first school day in February and the first school day in April for the following school year.
2. 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 provided. Students must enroll in and attend their home school while a COSA request is being processed.
3. Every effort will be made to notify parents/guardians/eligible students by May 31 of the decision regarding their COSA request submitted on or prior to the first school day in April.
4. The completed MCPS Form 335-45 must be submitted to the principal/designee of the student's home school by the deadline.

- a) The principal/designee of the student's home school will sign the form to signify verification of residency and knowledge of the request. Such signature does not constitute agreement or disagreement with the request.
  - b) The student's home school will forward the completed form to the Division of Pupil Personnel and Attendance Services (DPPAS) for processing.
  - c) DPPAS will complete a review prior to a decision being made.
5. Students receiving special education services available in all schools (for example, Speech and Language, Home School Model, Hours Based Staffing, or Learning and Academic Disabilities Services) should follow the regular COSA process. If the student's Individualized Education Program (IEP) requires special education services that are not offered in all schools, the parent/guardian should indicate on the COSA form that the student receives special education services in a specialized program in addition to submitting appropriate documentation indicating the reason for the COSA request. Decisions regarding requests for students receiving special education services that are not available in all schools will be made after July 1.
6. The COSA application will be approved or denied after considering:
- a) the reasons for the request;
  - b) for students receiving special education services, whether the IEP can be implemented at the requested school;
  - c) applicable staffing and services available at the requested school;
  - d) school capacity and other issues that implicate the ability of the school to admit new students.
7. 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.
8. The parent/guardian/eligible student will receive written notification of approval or denial of a COSA request from DPPAS.

9. The home and requested schools will be notified that the request has been approved or denied.

## V. GUIDELINES FOR STUDENT TRANSFERS THAT REQUIRE AN APPROVED COSA

### A. Unique hardship

1. Transfers, or COSAs, may be requested when a family's individual and personal situation creates a unique hardship that could be mitigated by a change of school assignment. However, problems that are common to large numbers of families, such as day care issues or program/course preferences, do not constitute a unique hardship, absent other compelling factors.
2. Documentation that can be independently verified must accompany all hardship requests, or the request will be denied.
3. Elementary school students on approved COSAs as a result of a unique hardship must submit another COSA application that demonstrates a unique hardship in order to attend a middle school other than their home middle school.

### B. Family Move

Students whose families have moved within Montgomery County who wish to continue attending their former home school may request a COSA without demonstrating a unique hardship. Such requests may be considered 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 graduation.

### C. Siblings

1. A younger sibling may request a COSA to attend the school where an older sibling will be enrolled in the regular/general school program, or a special education program, during the year the younger sibling seeks to enroll. For the purposes of this regulation, siblings include step brothers and sisters, and half brothers and sisters.
2. When an older sibling attends a magnet, language immersion, or other application program, a COSA may be approved to the regular school program for younger siblings on a case-by-case basis. Such approval requires consideration of available classroom space, grade-level enrollment, staffing allocations, or other factors that impact the schools involved.

3. Sections 1. and 2. above do not apply if a boundary change has occurred.
4. Criteria for sibling preference in the lottery process for language immersion programs are described in Board Policy JEE, *Student Transfers*.

#### VI. STUDENT TRANSFERS SUBJECT TO AUTOMATIC APPROVAL

The following student transfers are automatically approved but require submission of MCPS Form 335-45, *Request for a COSA*, for record keeping purposes

- A. Paired schools are considered one school for COSA purposes; however, if students attend a paired elementary school on an approved COSA, they must submit a new MCPS Form 335-45, *Request for a COSA*, which will automatically be approved, to attend the upper elementary grade school. Each pairing has unique characteristics that can impact implementation of transfers.
- B. Students who are assigned to Poolesville Elementary School who wish to attend Monocacy Elementary School must submit MCPS Form 335-45, *Request for a COSA*, which will automatically be approved.
- C. Although submission of a new MCPS Form 335-45, *Request for a COSA*, is required, middle school students on approved COSAs, or attending a middle school immersion program, will automatically be approved to attend high school in the middle school's feeder pattern. Students are subject to the assignment processes of the consortia where applicable. The request must be filed in accordance with the timelines and application procedures in Section IV. The athletic ineligibility provision in Section VII.A. will be waived. Out of area students in Downcounty Consortium middle school special programs are guaranteed a Downcounty Consortium high school by participating in the Choice Process lottery.

#### VII. GENERAL PROVISIONS

##### A. Athletics

High school students who receive a COSA out of their feeder pattern must attend the new school for one calendar year before being able to participate in athletics. However, a waiver may be requested in writing to the director of Systemwide Athletics explaining the reason for the COSA. Waivers may be granted in exceptional circumstances.

##### B. Transportation

Parents/guardians/eligible students accepting an approved COSA assume responsibility for transportation.

C. Returning to Home School

1. If a student is reassigned through the COSA process, the student may elect at any time to return to the home school. This provision does not apply to administrative placements. (See Section VIII)
2. In unique circumstances, COSAs may be granted for one year only. Additionally, in cases where a family moves during a school year, a COSA may be granted to complete the school year only (see also Section V.B. above). In such cases, students must return to their home school for the next school year unless parents/guardians/eligible students reapply for and receive a COSA to continue in the assigned school the next year.
3. A principal may request to have a student's COSA rescinded with proper cause – if, for example, there are ongoing disciplinary infractions or attendance issues.
4. Students who are attending a school other than their home school because they are participating in a countywide or regional program will be required to return to their home school if they discontinue participation in such program.
5. COSA requests after an extended suspension will be addressed by DPPAS in consultation with the school principals involved. School changes for this reason are not generally approved.

D. Change of school assignment within consortia

Students who reside within the boundaries of a consortium, who have a documented unique hardship and seek to attend another school within the consortium, do not need to submit a COSA form but must submit a letter of appeal to the Division of Consortia Choice and Application Program Services.

**VIII. ADMINISTRATIVE PLACEMENTS**

A. Administrative placement initiated by the principal

1. Prior to initiating a request for an administrative placement, the principal and the pupil personnel worker assigned to the student's home school will –

- a) review the student's educational, medical, and behavioral record and consider different school placements, and
  - b) schedule a conference with the parent/guardian and the student.
2. If an administrative placement is indicated, the following steps are implemented:
- a) After consulting with the principal and the appropriate area associate superintendent in the Office of School Support and Improvement (OSSI) as to the reason(s) for the administrative placement, the director of DPPAS will identify an appropriate school placement for the student.
  - b) The pupil personnel worker will arrange any necessary conferences with the parent/guardian, student, principal of the receiving school, and the Office of Student and Family Support and Engagement (OSFSE) staff, as well as supply written confirmation of the placement, athletic eligibility, and athletic waiver process.

**B. Administrative placement initiated by OSFSE**

An administrative placement may be initiated by the associate superintendent of OSFSE/designee, in consultation with the parent/guardian/eligible student and the home school's staff, as well as its appropriate area associate superintendent in OSSI, at any time for special circumstances. The director of DPPAS will approve or deny OSFSE-initiated administrative placements.

**C. OSFSE staff members are responsible for monitoring the academic progress and social adjustment of students with administrative placements.**

**D. Students transferred and assigned under this provision 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.**

**IX. APPEALS**

**A. Superintendent of Schools**

- 1. If a COSA is denied by the director of DPPAS, the parent/guardian/eligible student may appeal the decision to the superintendent of schools/designee.

2. The student must enroll in and attend the home school while the appeal of a denial is in process.
3. 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.
4. 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 the superintendent's designee, will review all available information before issuing a decision.

5. Although the matter is usually considered on the basis of the documents received and telephone conferences, in-person conferences may be arranged by the chief operating officer's hearing officer.
6. Decisions will be made promptly given the number, complexity, and timing of appeals being handled at the same time.
7. Appeals received by the chief operating officer before July 1 will be decided prior to the beginning of school.

B. Board of Education

1. An appeal of the decision of the superintendent of schools/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.
2. Appellants are strongly encouraged to file any appeal as soon as possible.
3. The superintendent of schools/designee will be given the opportunity to respond, with a copy sent to the appellant, before the Board considers the appeal.
4. The Board's decision will be rendered in writing based on procedures set forth in Board Policy BLB, *Rules of Procedure in Appeals and Hearings*.



**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; revised April 5, 2018; revised January 7, 2019.

