



# ADMINISTRATIVE PROCEDURE

## STUDENT TRANSFERS

5110.3

Procedure No.

October 6, 2008

Date

- I. **PURPOSE:** To provide procedures and general guidelines for student transfers in Prince George's County Public Schools.
- II. **POLICY:** No transfer of students from the school serving the unitary attendance area in which the student's parent or legally constituted guardian, as hereafter qualified, is a bona fide resident shall be permitted unless such transfer shall have first been approved by the Office of Student Records and Transfers (OSRT), provided, however, that in the event of a denial of transfer, the person making proper application thereafter may appeal the decision of the Office of Student Records and Transfers to the Superintendent of Schools, from whom further appeals may be had in accordance with law. (Board Policy 5110.3)
- III. **DEFINITIONS:**
  - A. Transfer – a request for special permission to attend a school other than the in boundary school based on the residence of the student's parent or court appointed guardian.
  - B. Enrollment – the number of students enrolled in an educational district, program or school on a given date. The official enrollment for Maryland public schools is the number of students enrolled on September 30 of each year. The enrollment includes all students who have completed registration requirements and are participating in the educational program regardless of attendance on specified dates.
  - C. State Rated Capacity (SRC) – the number of students, as determined by Maryland State Department of Education (MSDE) that can be accommodated for a full-time educational program in a school without impairing the delivery of educational services. The State Rated Capacity is proposed by a local educational agency using Maryland State Department of Education formulas and is subject to its approval.
  - D. Instructional Program – a sequence of courses leading to a specific academic preparation including Contextual Learning Environment (CLE) and Technical Academy Programs. The program must be recognized as an official school system's program. For example, consideration would be given to a transfer request based on a sequential two-year, three-year, or four-year course of study, but not to a request based on a single semester or one-year course. Athletic activities and extracurricular activities **do not constitute as instructional programs.**
  - E. Unitary Attendance Area – the geographical attendance area for each school under the jurisdiction of the Board of Education determined by the Office of Pupil Accounting and School Boundaries.



## ADMINISTRATIVE PROCEDURE

### STUDENT TRANSFERS

5110.3

Procedure No.

October 6, 2008

Date

- F. Special Education Sibling Transfers – The transfer of a student whose sibling has been assigned to a special education program at a school other than that which serves the student’s home address.
- G. ESOL Sibling Transfer – The transfer of a student whose sibling has been assigned to a program for English for Speakers of Other Languages (ESOL) at a school other than that which serves the student’s home address.
- H. Guardianship – a legal appointment granting an adult the legal responsibility for the care and management of a child during its minority.
- I. Persistently Dangerous School – a school in which each year for three (3) consecutive school years, the total number of student suspensions for more than ten (10) days or expulsions for any of the following offenses equals 2 ½ percent or more of the total number of students enrolled in the school: arson or fire; drugs; explosives; firearms; other guns; other weapons; physical attack on a student; physical attack on a school system employee or other adult; and sexual assault (COMAR 13A.08.01.18).
- J. Signature Programs – A signature program is a school specific program that is designed for students attending their assigned boundary school. Examples of signature programs are Avid and America’s Choice. No transfers are granted by the OSRT for signature programs.
- K. Terminal Year Completion – The provision that allows students to complete their terminal year at an out of boundary school if they are eligible for graduation/promotion and their parent/legal guardian relocates during the terminal year.
- L. The Office of Student Records and Transfers (OSRT) – The office responsible for the review and disposition of transfer requests that are governed by this procedure.

#### IV. PROCEDURES:

- A. The following guidelines govern the approval of student transfers:
  - 1. The Superintendent or his/her designee and the principal or his/her designee may request a transfer of a student after a conference with the student’s parent or legal guardian for the sole reason that the transfer would serve an educational advantage for the student. The student transfer request must be signed by the school official and parent/guardian.
  - 2. Transfers may be requested in order to obtain a program of instruction unavailable in the assigned school. A program is a **sequence of courses** leading to a specified academic and/or career preparation. The program must be recognized as an official school



## ADMINISTRATIVE PROCEDURE

### STUDENT TRANSFERS

5110.3

Procedure No.

October 6, 2008

Date

- system program. Athletic activities and extracurricular activities **do not constitute instructional programs.**
3. A student, who is a **victim of a violent criminal offense during the regular school day** or while attending a school sponsored event in or on the grounds of a public elementary or secondary school **that the student attends**, shall have the right to request a transfer. The victim's right to transfer in a timely manner is contingent on the conviction or adjudication of delinquency of the perpetrator of the violent criminal offense. Violent criminal offenses shall include assault in the first-degree, sexual assault in the first or second degree, abduction, arson, manslaughter, rape, and robbery (COMAR 13A.08.01.20).
    - a. The request for a transfer under this provision requires that the parent submit **a copy of a police report to substantiate** that the violent crime as stipulated by this provision occurred on school grounds during regular school hours.
    - b. The No Child Left Behind Act (NCLB) of 2001 permits parents of students attending a school identified by the State as a "persistently dangerous school" to transfer to another public school located within the school system. To the extent possible, the school system will allow the student to transfer to a school that is making adequate yearly progress and has not been identified as being in school improvement, corrective action, or restructuring (COMAR 13A.08.01.20).
    - c. A request for a transfer under this provision requires that the parent complete a Request for Transfer Form, and the school system must have provided notification to parents that the State has identified their child's school as "persistently dangerous," thus affording the opportunity for a school transfer. The first notice to parents is required at least one (1) year prior to the designation as "persistently dangerous," when a school is placed on probationary status following the first two (2) consecutive years of meeting the threshold of suspensions and expulsions for certain offenses. No transfer shall be considered or approved under this process unless the student's school of attendance has actually met the requirements for designation as a "persistently dangerous" school.
  4. The bona fide change of residence of the student's parents or legally constituted guardians:



## ADMINISTRATIVE PROCEDURE

### STUDENT TRANSFERS

5110.3

Procedure No.

October 6, 2008

Date

- a. Transfers may be requested to complete the school year at the current school if the family moves from that school's attendance area to another PGCPS attendance area **after** the beginning of the **second semester**. However, the parent/guardian will be responsible for providing transportation.
  - b. If the parent/guardian moves any time after the first quarter, the student may remain in the current school to complete the first (fall) semester. Upon completing the first (fall) semester, student will be required to enroll in school located in boundary of existing residence. Special provision is granted for graduating seniors **who meet graduation requirements** for the spring of the current school year. The student will be permitted to remain in the current school, if preferred, regardless of parent's/guardian's relocation. However, the parent/guardian will be responsible for providing transportation.
  - c. An elementary or middle school student may be granted a transfer, pursuant to this provision, by the school-based principal for Before and After Care, based on capacity.
5. The children of school-based employees working 20 or more hours per week who are eligible to attend PGCPS may be assigned to the school at which the parent/guardian is stationed upon request to the Office of Student Records and Transfers. This request is contingent upon the availability of space as determined by the Office of Student Records and Transfers.
  6. The sibling of a special education student who has been placed in a special education program at a school other than his/her boundary school may receive a transfer to the school where the special program is located. Sibling transfers under this section may only be granted if space is available. The sibling, if granted a transfer, may be eligible to ride on the bus with the special education student provided that space is available. Transportation may be denied or terminated if the behavior of the sibling who has been granted the transfer is disruptive or if space is no longer available. The sibling of the special education student will be required to return to his/her boundary school if the special education student is withdrawn or dismissed from the special program.
  7. The sibling of a student who has been assigned to a program for English for Speakers Other Languages (ESOL) at a school other than his/her boundary school may receive a transfer to the school offering the ESOL program. Transfers may only be granted if space is available. The sibling will be required to attend his/her



## ADMINISTRATIVE PROCEDURE

### STUDENT TRANSFERS

5110.3

Procedure No.

October 6, 2008

Date

boundary school if the the ESOL student is withdrawn or dismissed from the the ESOL program. The sibling, if granted a transfer, may be eligible to ride on the bus with the ESOL student provided that space is available. Transportation may be denied or terminated if the behavior of the sibling who has been granted the transfer is disruptive or if space is no longer available. The sibling of the ESOL student will be required to return to his/her boundary school if the ESOL student is withdrawn or dismissed from the program.

8. School-based transfers are limited to schools which are not severely overcrowded (defined by the Maryland State Department of Education as 105% or more of the State Rated Capacity) as determined by the Office of Pupil Accounting and School Boundaries.

#### B. Duration of Transfers Granted

Unless otherwise specified in the transfer approval, student transfers approved by the Office of Student Records and Transfers, the Office of Appeals, or the Board of Education, will be permanent, unless the student:

1. withdraws from the academic program for which the transfer was granted;
2. provided false information on the application; or
3. engages in conduct evidencing a pattern of poor attendance, truancy, and/or chronic behavioral problems unabated by **documented interventions**. Acceptable documentation may include, but is not limited to:
  - a. Functional Behavioral Assessment (FBS)
  - b. Behavior Intervention Plan (BIP)
  - c. Truancy Checklist
  - d. School Instructional Team (SIT) Notes
  - e. Student Contracts
  - f. Parent Meeting Notes and Recommendations

#### C. Rescission of Student Transfers

Students who have been granted a transfer may remain for the balance of their current educational level, unless the student:

1. withdraws from the academic program under which the transfer was granted;
2. provided false information on the transfer application; or



## ADMINISTRATIVE PROCEDURE

### STUDENT TRANSFERS

5110.3

Procedure No.

October 6, 2008

Date

3. evidenced a pattern of poor attendance, truancy and/or chronic behavioral problems unabated by documented interventions.
4. In cases where these conditions occur, the principal may recommend to the Office of Student Records and Transfers that the approved transfer be rescinded. Documentation must be provided to substantiate the rescission of the transfer under these conditions.
5. Parents may appeal any decision of the Office of Student Records and Transfers through the appeals process.

#### D. Other Provisions

1. School bus transportation is not provided by PGCPSS to students on an approved transfer.
2. Transfers may be requested in order to allow students to attend, in their twelfth (12) grade year, the same school where they completed their eleventh (11) grade year, **only if they are eligible to graduate**. Elementary and Middle school students may request transfers to complete their terminal grade if they are eligible for promotion during the requested school year.
3. The address of the student's legal guardian or custodial parent shall be considered the address at which the student resides.
4. Transfers are only granted between comprehensive programs, given available space. Enrollment in specialty, enrichment or special education programs is governed by other policies and administrative procedures and is **not under the purview** of the Office of Student Records and Transfers. No transfers are granted for school-based signature programs.
5. Transfers shall not be granted to a student who claims distress for reasons related to the racial balance at the school from which the transfer is sought.

#### E. Deadline for Transfer Requests

To insure that students are registered and prepared to receive instruction on the first day of school, transfer requests must be submitted beginning the first Monday after winter break in January through July 15. For example, a transfer request for School Year (SY) 2009-2010 should be received between January 2009 and July 15, 2009. Deadlines for submission of transfer requests are waived for victims of violent criminal offenses committed on school grounds.

- V. **RELATED PROCEDURES:** Administrative Procedure 5010, Homeless Children and Youth School Access and Services; Administrative Procedure



## ADMINISTRATIVE PROCEDURE

### STUDENT TRANSFERS

5110.3

Procedure No.

October 6, 2008

Date

5110.4, Special Education-Sibling Enrollment; Administrative Procedure 5111, Registration and Withdrawal of Students; Administrative Procedure 6142.1, Technical Academy Program Enrollment Criteria; Administrative Procedure 6150, Student Enrollment in Courses and Educational Requirements and Options in Secondary Schools; Individual Student Victim Transfer Option; and No Child Left Behind Act of 2001.

- VI. **MAINTENANCE AND UPDATE OF THESE PROCEDURES:** This Administrative Procedure originates with the Office of Student Records and Transfers. A review is recommended every three (3) years or as deemed necessary.
- VII. **CANCELLATIONS AND SUPERSEDURES:** This Administrative Procedure cancels and supersedes Administrative Procedure 5110.3, dated July 1, 2008.
- VIII. **EFFECTIVE DATE:** October 6, 2008.

Approved by:  
John E. Deasy  
Superintendent of Schools

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