

BALTIMORE COUNTY PUBLIC SCHOOLS
OFFICE OF TITLE I

PROCEDURES FOR
PUBLIC SCHOOL CHOICE: TITLE I TRANSFER OPTION
IN ACCORDANCE WITH
SECTION 1116(b)(1)(E) OF THE NO CHILD LEFT BEHIND ACT OF 2001
(P.L. 107-110)

GENERAL REQUIREMENTS:

20 U.S.C. SECTION 6301 ET SEQ., P.L. 107-110 SECTION 1116(b)(1)(E), AND 34 C.F.R. PART 200 REQUIRES LOCAL EDUCATION AGENCIES TO PROVIDE ALL STUDENTS ENROLLED IN THE SCHOOL, IDENTIFIED FOR SCHOOL IMPROVEMENT, CORRECTIVE ACTION, OR RESTRUCTURING, THE OPTION TO TRANSFER TO ANOTHER PUBLIC SCHOOL SERVED BY THE LOCAL EDUCATIONAL AGENCY. SCHOOLS IDENTIFIED FOR SCHOOL IMPROVEMENT, CORRECTIVE ACTION, OR RESTRUCTURING ARE DETERMINED BY THE MARYLAND STATE DEPARTMENT OF EDUCATION IN ACCORDANCE WITH *34 C.F.R. §§200.32, 200.33, 200.34*

BALTIMORE COUNTY PUBLIC SCHOOLS POLICIES & PROCESURES; SPECIAL PERMISSION TRANSFER:

BOARD OF EDUCATION POLICY 5140: SCHOOL ATTENDANCE AREAS, AND SUPERINTENDENT'S RULE 5140R: STUDENTS: ENROLLMENT AND ATTENDANCE, RECOGNIZE THE TITLE I PUBLIC SCHOOL CHOICE: TRANSFER OPTION AS A SPECIAL CIRCUMSTANCE FOR WHICH SPECIAL PERMISSION TRANSFERS MAY BE GRANTED.

SPECIAL PERMISSION TRANSFERS TO PERMIT A STUDENT TO ATTEND A SCHOOL OUTSIDE HIS/HER SCHOOL ATTENDANCE AREA UNDER THE PROCEDURES FOR TITLE I PUBLIC SCHOOL CHOICE: TRANSFER OPTION MUST BE INITIATED BY THE PARENT(S)/GUARDIAN(S).

TITLE I TRANSFER OPTION PROCEDURES:

- I. FOLLOWING THE IDENTIFICATION OF THE SCHOOLS TO WHICH THE TITLE I PUBLIC SCHOOL CHOICE: TRANSFER OPTION APPLIES FOR THE UPCOMING SCHOOL YEAR, THE OFFICE OF TITLE I WILL MAKE AVAILABLE TO RESPECTIVE PARENT(S)/GUARDIAN(S) TRANSFER APPLICATIONS, PROCEDURES, AND A LIST OF SCHOOLS ELIGIBLE TO ACCEPT TRANSFERS IN ACCORDANCE WITH *34 C.F.R. §200.44*.
- II. PARENT(S)/GUARDIAN(S) MUST COMPLETE AND SUBMIT THE REQUIRED FORM: TITLE I PUBLIC SCHOOL TRANSFER OPTION APPLICATION IN ORDER FOR THEIR CHILD TO BE CONSIDERED FOR TRANSFER. THE PARENT(S)/GUARDIAN(S) MUST SUBMIT THE FORM WITH ORIGINAL SIGNATURE TO THE OFFICE OF TITLE I FOR CONSIDERATION.
 - a. PARENT(S)/GUARDIAN(S) SHOULD RETAIN A PHOTOCOPY OF THE COMPLETED APPLICATION FOR THEIR RECORDS.

- b. THE OFFICE OF TITLE I WILL SEND PARENTS A LETTER CONFIRMING RECEIPT OF THEIR TITLE I PUBLIC SCHOOL TRANSFER OPTION APPLICATION.

III. SPECIAL PERMISSION TRANSFER APPLICATIONS FOR THE TITLE I PUBLIC SCHOOL CHOICE: TRANSFER OPTION WHICH ARE SUBMITTED AND/OR POSTMARKED AFTER THE DEADLINE NOTED ON THE APPLICATION WILL NOT BE CONSIDERED. WHEN A STUDENT IS ASSIGNED BY BALTIMORE COUNTY PUBLIC SCHOOLS TO ATTEND A SPECIAL EDUCATION CLUSTER PROGRAM IN A TITLE I SCHOOL THAT MEETS THE REQUIREMENTS FOR TITLE I PUBLIC SCHOOL CHOICE: TRANSFER OPTION, APPLICATIONS MAY BE ACCEPTED FOLLOWING THE ESTABLISHED DEADLINE.

IV. STUDENTS MUST CONTINUE ENROLLMENT IN THEIR HOME SCHOOL WHILE THEIR TRANSFER APPLICATION IS BEING PROCESSED. FOR THE PURPOSE OF THESE PROCEDURES, HOME SCHOOL IS DEFINED AS THE CHILD'S ASSIGNED PUBLIC SCHOOL WITHIN THE BOARD-APPROVED ATTENDANCE AREA IN WHICH THE CHILD RESIDES.

V. IN PROCESSING APPLICATIONS, THE OFFICE OF TITLE I WILL:

- a. EVALUATE THE APPLICATION FOR COMPLIANCE WITH THE FOLLOWING CRITERIA FOR THE TITLE I PUBLIC SCHOOL CHOICE: TRANSFER OPTION:
 - i. WHETHER THE STUDENT IS ENROLLED IN A HOME SCHOOL THAT MEETS THE REQUIREMENTS FOR TITLE I PUBLIC SCHOOL CHOICE: TRANSFER OPTION, AS SET FORTH IN SECTION II OF THESE PROCEDURES, AND WHETHER SAID STUDENT WOULD ATTEND SAME SCHOOL DURING THE SUBSEQUENT SCHOOL YEAR, *OR*,
 - ii. WHETHER THE STUDENT IS ENROLLED IN A BALTIMORE COUNTY PUBLIC SCHOOL AND ASSIGNED BY BALTIMORE COUNTY PUBLIC SCHOOLS TO ATTEND A HOME SCHOOL THAT MEETS THE REQUIREMENTS FOR TITLE I PUBLIC SCHOOL CHOICE: TRANSFER OPTION, AS SET FORTH IN SECTION II OF THESE PROCEDURES; *OR*,
 - iii. WHETHER THE STUDENT IS A NEWLY REGISTERED STUDENT WHOSE ASSIGNED HOME SCHOOL, ACCORDING TO BOARD-APPROVED ATTENDANCE AREAS, IS A TITLE I SCHOOL THAT MEETS THE REQUIREMENTS FOR TITLE I PUBLIC SCHOOL CHOICE: TRANSFER OPTION, AS SET FORTH IN SECTION II OF THESE PROCEDURES; A NEWLY REGISTERED STUDENT IS DEFINED AS REGISTERED BY THE DUE DATE OF THE TITLE I TRANSFER OPTION APPLICATION; *AND*,
 - iv. THE APPLICATION IS FOR A SCHOOL DESIGNATED AS ELIGIBLE TO RECEIVE STUDENTS WHO REQUEST A TRANSFER UNDER TITLE I PUBLIC SCHOOL CHOICE: TRANSFER OPTION FROM THE STUDENT'S HOME SCHOOL.
 - v. A SCHOOL WILL BE CONSIDERED INELIGIBLE TO RECEIVE TITLE I TRANSFER STUDENTS WHEN:
 - 1. TOTAL STUDENT ENROLLMENT IN A SCHOOL EXCEEDS STATE-APPROVED BUILDING CAPACITY BASED ON ENROLLMENT PROJECTIONS;

2. THE SCHOOL HAS BEEN IDENTIFIED BY MSDE AS A SCHOOL IN ALERT, SCHOOL IMPROVEMENT, CORRECTIVE ACTION, OR RESTRUCTURING;
 3. THE SCHOOL IS A MAGNET SCHOOL OR A SPECIAL EDUCATION SCHOOL; OR
 4. THE SCHOOL HAS NOT PARTICIPATED IN THE MARYLAND ASSESSMENT PROGRAM AND THEREFORE HAS NOT BEEN EVALUATED FOR SCHOOL IMPROVEMENT STATUS
- vi. WHETHER THE ACADEMIC OFFERINGS AT THE RECEIVING SCHOOL ARE CONSISTENT WITH THE STUDENT'S EDUCATIONAL PROGRAM AND NEEDS AS DETERMINED BY STAFF AT SENDING AND RECEIVING SCHOOLS.
- b. DETERMINE THE ORDER OF ELIGIBILITY OF TRANSFER
- i. FOR STUDENTS AT SCHOOLS IDENTIFIED FOR THE TITLE I PUBLIC SCHOOL CHOICE: TRANSFER OPTION.
 - ii. IN PROVIDING STUDENTS THE OPTION TO TRANSFER TO ANOTHER PUBLIC SCHOOL UNDER TITLE I PUBLIC SCHOOL CHOICE: TRANSFER OPTION THE SCHOOL SYSTEM WILL GIVE PRIORITY TO THE LOWEST-ACHIEVING STUDENTS FROM LOW-INCOME FAMILIES IN ACCORDANCE WITH *34C.F.R §200.44(a)(6)(e)*.
- c. IN ACCORDANCE WITH *BOARD OF EDUCATION POLICY 5140 AND SUPERINTENDENT'S RULE 5140R §II(C)(10)*, SCHOOLS SELECTED TO RECEIVE STUDENTS UNDER THE TITLE I PUBLIC SCHOOL CHOICE :TRANSFER OPTION MAY ACCEPT SPECIAL PERMISSION TRANSFER APPLICATIONS, BUT MAY NOT GRANT SPECIAL PERMISSION TRANSFERS FOR ANY REASON, UNTIL ALL TITLE I ELIGIBLE STUDENT TRANSFER APPLICATIONS HAVE BEEN PROCESSED.
- d. MAKE EVERY EFFORT TO ISSUE A WRITTEN DECISION TO PARENT(S)/GUARDIAN(S) BY THE ESTABLISHED DATE AND SHALL INDICATE APPROVAL OR DENIAL IN THE APPROPRIATE SECTION OF THE ORIGINAL APPLICATION. A PHOTOCOPY WILL BE RETAINED BY THE OFFICE OF TITLE I.
- VI. IF THE TRANSFER APPLICATION IS APPROVED, PARENT(S)/GUARDIAN(S) SHALL BE RESPONSIBLE FOR RETURNING THE TITLE I PUBLIC SCHOOL CHOICE: TRANSFER OPTION CONFIRMATION FORM TO THE OFFICE OF TITLE I BY THE STATED DEADLINE. UPON RECEIPT OF CONFIRMATION, THE OFFICE OF TITLE I SHALL NOTIFY THE PRINCIPAL OF THE HOME SCHOOL AND OF THE RECEIVING SCHOOL, AS WELL AS PUPIL PERSONNEL STAFF FROM EACH SCHOOL.
- VII. PARENT(S)/GUARDIAN(S) SHALL THEN BE RESPONSIBLE FOR COMPLETING THE REQUISITE REGISTRATION PROCESS AT THE RECEIVING SCHOOL.
- VIII. UPON COMPLETION OF THE REGISTRATION BY THE STUDENT'S PARENT(S)/GUARDIAN(S) AT THE RECEIVING SCHOOL, THE RECEIVING SCHOOL BECOMES THE STUDENT'S HOME SCHOOL.

- a. THE NEW HOME SCHOOL ASSIGNMENT SHALL REMAIN IN EFFECT UNTIL THE STUDENT COMPLETES THE TERMINAL GRADE OF THE SCHOOL.
 - b. WHEN THE FAMILY OF A STUDENT WHO HAS BEEN GRANTED A SPECIAL PERMISSION TRANSFER UNDER TITLE I PUBLIC SCHOOL CHOICE: TRANSFER OPTION CHANGES RESIDENCE WITHIN BALTIMORE COUNTY TO AN ATTENDANCE AREA FOR A SCHOOL THAT DOES NOT MEET THE REQUIREMENTS FOR THE TITLE I PUBLIC SCHOOL CHOICE: TRANSFER OPTION, AS SET FORTH IN SECTION II OF THESE PROCEDURES, PARENT(S)/GUARDIAN(S) WILL BE NOTIFIED IN WRITING THAT THE STUDENT WILL BE PERMITTED TO COMPLETE THE TERMINAL GRADE OF THAT SCHOOL. HOWEVER, TRANSPORTATION IS NO LONGER GUARANTEED TO BE PROVIDED.
 - c. WHEN THE FAMILY OF A STUDENT WHO HAS BEEN GRANTED A SPECIAL PERMISSION TRANSFER UNDER TITLE I PUBLIC SCHOOL CHOICE: TRANSFER OPTION CHANGES RESIDENCE OUTSIDE OF BALTIMORE COUNTY, *BOARD OF EDUCATION POLICY 5150 AND SUPERINTENDENT'S RULE 5150R* WILL APPLY. STUDENTS APPROVED FOR NONRESIDENTIAL ENROLLMENT IN ACCORDANCE WITH *BOARD OF EDUCATION POLICY 5150 AND SUPERINTENDENT'S RULE 5150R* WILL NOT BE PROVIDED TRANSPORTATION.
 - d. PARENT(S)/GUARDIAN(S) OF STUDENTS GRANTED SPECIAL PERMISSION TRANSFERS UNDER TITLE I PUBLIC SCHOOL CHOICE: TRANSFER OPTION MAY, AT ANY TIME, REQUEST THAT THEIR CHILD RETURN TO THEIR HOME SCHOOL OF ORIGIN.
 - e. PARENT(S)/GUARDIAN(S) OF STUDENTS GRANTED SPECIAL PERMISSION TRANSFERS UNDER TITLE I PUBLIC SCHOOL CHOICE: TRANSFER OPTION WHO WISH TO SUBSEQUENTLY REQUEST A TRANSFER TO ANOTHER BALTIMORE COUNTY PUBLIC SCHOOL MUST FOLLOW PROCEDURES SET FORTH *BOARD OF EDUCATION POLICY 5140 AND SUPERINTENDENT'S RULE 5140R*.
 - f. STUDENTS WHO VOLUNTARILY WITHDRAW FROM THE SCHOOL MUST REAPPLY DURING THE TITLE I PUBLIC SCHOOL CHOICE: TRANSFER OPTION PROCESS IF (RE) ENROLLMENT TO THE RECEIVING SCHOOL IS REQUESTED. PARENT(S)/GUARDIAN(S) MUST SUBMIT A NEW TITLE I PUBLIC SCHOOL CHOICE: TRANSFER OPTION APPLICATION IN ACCORDANCE WITH THESE PROCEDURES.
- IX. WHEN THE STUDENT COMPLETES THE TERMINAL GRADE OF A SCHOOL, THAT STUDENT SHALL BE REQUIRED TO ATTEND SUBSEQUENT MIDDLE OR HIGH SCHOOLS SERVING THE BOARD-APPROVED ATTENDANCE AREA IN WHICH HE/SHE RESIDES.
- X. BALTIMORE COUNTY PUBLIC SCHOOLS WILL PROVIDE TRANSPORTATION TO AND FROM THE NEWLY ASSIGNED SCHOOL FOR STUDENTS APPROVED FOR TRANSFER UNDER THE TITLE I PUBLIC SCHOOL CHOICE: TRANSFER OPTION.
- XI. FOR SCHOOLS NO LONGER SUBJECT TO SCHOOL IMPROVEMENT, CORRECTIVE ACTION OR RESTRUCTURING IN ACCORDANCE WITH *34 C.F.R. §§200.32, 200.33, 200.34*, PARENTS/GUARDIANS OF AFFECTED STUDENS WILL BE NOTIFIED IN WRITING AS TO

THE STATUS OF TRANSPORTATION FOR THE FOLLOWING YEAR. SUCH NOTIFICATION SHALL BE PROVIDED TO PARENTS/GUARDIANS OF AFFECTED STUDENTS EACH YEAR THE CHILD ATTENDS SUCH SCHOOL.

XII. THE OFFICE OF TITLE I WILL MAINTAIN A LIST OF ELIGIBLE STUDENTS WHO ARE DENIED TRANSFERS.

XIII. IF THE TRANSFER APPLICATION IS DENIED BY THE OFFICE OF TITLE I, THE PARENT(S)/GUARDIAN(S) MAY INITIATE THE APPEAL PROCESS AS DESCRIBED IN SECTION II(D) OF THESE PROCEDURES.

XIV. IF PARENT(S)/GUARDIAN(S) OF A STUDENT GRANTED A TRANSFER UNDER THE TITLE I PUBLIC SCHOOL CHOICE: TRANSFER OPTION DOES NOT ACCEPT SAID TRANSFER, THE OFFICE OF TITLE I RETAINS THE ABILITY TO OFFER THAT TRANSFER TO ANOTHER ELIGIBLE STUDENT. THE ORIGINAL ORDER OF ELIGIBILITY FOR TITLE I TRANSFERS SHALL BE FOLLOWED IN GRANTING TRANSFERS TO PREVIOUSLY DENIED STUDENTS. ELIGIBILITY TO RECEIVE TRANSFERS FROM AN ESTABLISHED WAITING LIST ENDS THE LAST BUSINESS DAY BEFORE THE FIRST DAY OF SCHOOL FOR STUDENTS.

XV. SIBLINGS OF STUDENTS WHO HAVE BEEN APPROVED FOR, OR HAVE EXERCISED, A TRANSFER UNDER TITLE I PUBLIC SCHOOL CHOICE: TRANSFER OPTION ARE NOT AUTOMATICALLY ELIGIBLE FOR SUCH TRANSFER. PARENT(S)/ GUARDIAN(S) WHO WISH TO ENROLL THE SIBLING OF A STUDENT, APPROVED FOR TRANSFER, IN THE SAME SCHOOL OR ANY OTHER SCHOOL, MUST MAKE APPLICATION FOR THE SIBLING(S) IN ACCORDANCE WITH THE PROVISIONS OF *BOARD OF EDUCATION POLICY 5140 AND SUPERINTENDENT'S RULE 5140R*.

XVI. ALL RECORDS AND REPORTS PERTAINING TO TITLE I PUBLIC SCHOOL CHOICE: TRANSFER OPTION SHALL BE MAINTAINED BY THE OFFICE OF TITLE I.

XVII. APPEALS

- a. DENIALS OF TITLE I PUBLIC SCHOOL CHOICE: TRANSFER OPTION APPLICATIONS MAY BE APPEALED BY THE PARENT(S)/GUARDIAN(S) WHO INITIATED THE TRANSFER APPLICATION. THE APPEAL MUST BE MADE IN WRITING TO THE EXECUTIVE DIRECTOR OF LIBERAL ARTS WITHIN TEN (10) CALENDAR DAYS OF THE DATE OF THE DENIAL LETTER OR THE POSTMARKED DATE, WHICHEVER IS LATER. THE EXECUTIVE DIRECTOR WILL RESEARCH AND EVALUATE THE APPEAL AND WILL MAKE EVERY EFFORT TO ISSUE A WRITTEN DECISION BY THE DATE STATED IN THE TIMELINE.
- b. IF THE APPEAL IS DENIED BY THE EXECUTIVE DIRECTOR, THE WRITTEN DECISION WILL INFORM THE PARENT(S)/ GUARDIAN(S) OF HIS/HER RIGHT TO APPEAL IN WRITING TO THE SUPERINTENDENT OR HIS DESIGNEE.
- c. DENIALS OF SPECIAL PERMISSION TRANSFER APPLICATIONS BY THE EXECUTIVE DIRECTOR MUST BE APPEALED IN WRITING TO THE SUPERINTENDENT OR HIS DESIGNEE WITHIN FIFTEEN (15) CALENDAR DAYS OF THE DATE OF THE DENIAL LETTER OR THE POSTMARKED DATE, WHICHEVER IS LATER. THE

SUPERINTENDENT OR HIS DESIGNEE WILL RESEARCH AND EVALUATE THE APPEAL AND MAKE EVERY EFFORT TO ISSUE A WRITTEN DECISION BY THE DATE LISTED IN THE TIMELINE.

- d. IF THE APPEAL IS DENIED BY THE SUPERINTENDENT OR HIS DESIGNEE, THE WRITTEN DECISION WILL INFORM THE PARENT(S)/GUARDIAN(S) OF HIS/HER RIGHT TO APPEAL IN WRITING TO THE BOARD OF EDUCATION WITHIN THIRTY (30) CALENDAR DAYS OF THE DATE OF THE DENIAL LETTER IN ACCORDANCE WITH *THE ANNOTATED CODE OF MARYLAND §4-205* AND *BOARD OF EDUCATION POLICY 8339, INTERNAL BOARD POLICIES: OPERATIONS, APPEAL BEFORE HEARING EXAMINER*. AN APPEAL WILL BE CONSIDERED TIMELY FILED, IF, WITHIN THE ALLOTTED TIME PERIOD, IT HAS BEEN DELIVERED TO THE BOARD OF EDUCATION, POSTMARKED, OR DEPOSITED IN THE U.S. MAIL, AS REGISTERED OR CERTIFIED MAIL.

LEGAL REFERENCE: 20 U.S.C. SECTION 6301 ET SEQ.
NO CHILD LEFT BEHIND ACT OF 2001; P.L. 107-110
CODE OF FEDERAL REGULATIONS (C.F.R.) 34 PART 200
ANNOTATED CODE OF MARYLAND §4-205
BOARD OF EDUCATION POLICY 5140, 5150
SUPERINTENDENT'S RULE 5140R, 5150R