

RESIDENCY: SPECIAL PERMISSION TRANSFERS

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- I. Homeless Students: Rule 5140 does not apply to homeless students requesting school choice. School choice for homeless students is governed by PS 512, "Procedures for the Education of Homeless Children and Youth." Rule 5140 does apply to homeless students requesting a Special Permission Transfer for reasons that are unrelated to homelessness.
- II. Application for Special Permission Transfers under Policy and Rule 5140: Procedures
 - A. Policy and Rule 5140 allows parent(s)/guardian(s) to request special permission transfers to schools outside the attendance area for their residence.
 - B. Parent(s)/guardian(s) must apply for a special permission transfer using the "Application for Special Permission Transfer" (BEBCO 15-0261-07). All applications for an upcoming school year must be submitted between April 1 and June 1 of the current school year. Applications must be date stamped immediately upon receipt by the school.
 1. Principals may not accept or process special permission transfer applications for an upcoming school year **before** April 1.
 2. Applications for the upcoming school year that are submitted after June 1, should be denied for lateness unless the principal determines that a circumstance exists supporting one of the conditions listed in Rule 5140 as "Unforeseen Emergency."
 3. Applications for a current school year may be submitted at any time. However, the principal should evaluate the application for circumstances described in number 2 above. Applications for a current school year that do not present documentation of an "Unforeseen Emergency" should be denied for lateness.
 - C. All special permission transfer determinations must be made in strict adherence to Rule 5140, and principals must be consistent in their determinations.

1. Applications containing medical documentation must be forwarded to the coordinator of Health Services. The principal will withhold a decision until receiving a recommendation from the coordinator.
 2. Applications containing emotional/psychological documentation must be forwarded to the coordinator of Psychological Services. The principal will withhold a decision until receiving a recommendation from the coordinator.
 3. Upon approval of a special permission transfer application, parent(s)/guardian(s) and the student are to sign the “Contract for Special Permission Transfer Students.” Upon completion of this document, the receiving school should enroll the student. If a parent/guardian/student refuses to sign the contract, this does not negate the implementation of the contract.
 4. Students who were accepted under the sibling “Reason for Request” of Rule 5140 shall be allowed to continue enrollment under special permission transfer unless the contract is violated.
 5. Terminal year students in Grades 5, 8, and 12 who entered the school under the special permission process shall be held accountable under the “Contract for Special Permission Transfer Students.” The special permission may not be revoked for students who have earned senior status (accumulated enough credits to graduate during the current school year).
 6. Principals should deny applications for any and all reasons detailed in Rule 5140. Specifically, if an application is late, but also fails to meet other criteria, the principal should deny for the other reason(s) in addition to lateness.
 7. Denied applications **must** be mailed the **same day** that they are signed and dated by the principal.
- D. Students may remain in the requested school until the completion of their terminal year unless:
1. The student/parent(s)/guardian(s) fails to meet the standards stated on the “Contract for Special Permission Transfer Students” as required in Rule 5140. In such circumstances, principals will review and may revoke special permission transfers. Clear documentation of a student’s violation of Baltimore County Public Schools’ policies and rules and of school interventions to assist the student/family must be present. A special permission transfer may **only** be revoked at the end of a school year.
 - a. The student and parents must be informed as soon as it is apparent that the student is not meeting, or may not meet, the conditions of the special permission contract as outlined in Rule 5140. It is important to provide notification in sufficient time to assist the student in taking corrective actions (send PS 517, L1). The notification must include a statement as to the consequences if the student does not meet the conditions of the contract.

- b. The school staff is expected to attempt to work with the parent(s)/guardian(s) and student to address the issue(s) of concern by providing reasonable support, counseling, and/or intervention.
 - c. The parent(s)/guardian(s) should be kept informed as to the student's progress toward meeting the requirements of the contract.
 - d. It is important to maintain documentation of all correspondence, contacts, meetings, and interventions, etc.
2. Students believed to be fraudulently enrolled in a Baltimore County public school, should be immediately referred to the pupil personnel worker for investigation. If the student is determined to be fraudulently enrolled, he/she should be sent notice of withdrawal as outlined in PS 516.
 3. Students determined to be fraudulently enrolled in a Baltimore County public school are not eligible to apply to remain at that school through a special permission transfer.
 4. Students who change residence from the attendance area of a school during the school year may remain in that school if/while a special permission transfer application is filed and/or appealed only if that application is made under *change of residence from attendance area*, and if the enrollment at the school was not fraudulent (PS 517, L2).
- E. At the end of the school year, students not meeting the conditions of the "Contract for Special Permission Transfer Students," where every reasonable effort has been made and documented to assist the students, principals may revoke the transfer in accordance with Rule 5140 (PS 517, L3).

III. Appeal Process:

- A. To initiate an appeal, the parent(s)/guardian(s) must file written notice of appeal to the executive director of Student Support Services within ten (10) school days of the denial. The residency liaison will act as designee for the executive director of Student Support Services. Every effort will be made to issue a decision within thirty (30) days.
- B. If an appeal is denied, it may be further appealed by written notice to the superintendent within ten (10) school days of the denial by the residency liaison. The superintendent's designee will make every effort to issue a written decision within ninety (90) days of receipt of the appeal.
- C. If the appeal is denied by the superintendent's designee, a further appeal may be made to the Board of Education by filing written notice within thirty (30) school days of the denial of the superintendent's designee.
- D. If the student is enrolled in a Baltimore County public school at the time of a timely appeal, he/she may remain at that school until the exhaustion of all appeals or the end of the current school year.

- E. Upon receipt of a timely appeal, an e-mail will be sent notifying the principal not to withdraw the student.