

# ADMINISTRATIVE PROCEDURE

## STUDENT TRANSFERS

5110.3  
Procedure No.  
June 1, 2021  
Date

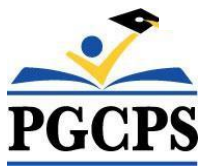
- I. **PURPOSE:** To provide procedures and general guidelines for student transfers in Prince George’s County Public Schools (PGCPS). Transfers are granted solely to students whose parents or legal guardians reside in Prince George’s County with the exception of students in foster care under the supervision of the Department of Social Services. In the case of foster care, a transfer may be granted to a student when the student is initially placed in foster care or exits home placement to maintain enrollment in the student's school of origin.
- II. **POLICY:** No person, on the basis of race, color, or national origin, is excluded from participation in, may be denied the benefit of, may be treated differently from another person, or may be otherwise discriminated against with regard to transfers.

The Board of Education directs the Chief Executive Officer to develop procedures to implement the student transfer guidelines and appeals process of the Board. (Policy 5110.3)

- III. **BACKGROUND:** PGCPS students are required to attend the identified residential boundary school of his or her parent(s) or legal guardian, except in the case of foster care as referenced above. A student transfer to another school may only be authorized by the Office of Student Records and Transfers and Archival Services (OSRTAS). In the event of a denial of transfer, the person making proper application thereafter may appeal the decision of the OSRTAS to the Office of Appeals, serving as the designee for the Chief Executive Officer, as delineated in this administrative procedure.

#### IV. **DEFINITIONS:**

- A. A Student with Disabilities Sibling Enrollment Transfer – The transfer of a student whose sibling has been assigned to a school outside of their designated attendance area to receive instruction and or services as required by the student’s Individual Education Plan (IEP). Transfers may only be granted if space is available.
- B. Before and After School Care Transfers – Transfers are not granted to elementary or middle school students to attend a **school that operates a before and after school care program**. Those program seats are allocated strictly to students residing within the school boundary and are fee-based. Transfers may be granted based upon student participation at an external childcare provider. The childcare provider’s address must be within the requested transfer school’s attendance area. Childcare provider verification must be provided to the school annually to continue a transfer under this provision. It is the parent’s responsibility to inform the school when they move or cease using the services of the identified external childcare provider.
- C. Boundary Changes – Action by the Board of Education to change the school assigned to a residential address.

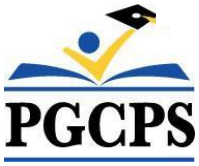


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- D. Boundary School – The school assigned to the principal address of the parent or legal guardian.
- E. English for Speakers of Other Languages (ESOL) Sibling Enrollment Transfer – The transfer of a student whose sibling has been assigned to an ESOL program outside of the designated attendance area. Transfers may only be granted if space is available.
- F. 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<sup>th</sup> of each school year. The enrollment includes all students who have completed registration requirements and are participating in the educational program regardless of attendance on specified dates.
- G. Guardianship – A legal appointment granting an adult the legal responsibility for the care and management of a child during its minority.
- H. Immediate Involuntary Transfer – Reassignment of a student to another school thereby prohibiting the student from remaining enrolled in the current school of assignment.
- I. List of Available Schools – A list of available school options for which a parent may submit a request for a discretionary transfer and in which the enrollment capacity has not exceeded 90% of the state-rated capacity.
- J. Newly Opened and/or Constructed Schools – A school that was recently built and slated to open or a school that was closed and is being reopened in an existing building. Transfers will not be granted in or out of newly constructed/newly opened schools during their first year of operation.
- K. Office of Student, Transfers and Archival Services (OSRTAS) – The office responsible for the review and disposition of transfer requests that are governed by this procedure.
- L. Public Charter Schools – A public school governed by a charter approved by the Prince George’s County Board of Education. Transfers to public charter schools are not granted by OSRTAS. Attendance at a PGCPS public charter school granted solely through the lottery process.
- M. Residency Fraud – Failure to provide valid proof of residency and failure to inform the school of any change in residency. Households found to have committed residency fraud are ineligible for transfers until the following school year.



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- N. State-Rated Capacity (SRC) – The number of students, as determined by Maryland Department of Planning (MDP) 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 Department of Planning formulas and is subject to that agency’s approval.
- O. Terminal Grade Completion Transfer – A provision that allows students to complete their terminal year at a school outside of their attendance area. The student must be eligible for graduation or promotion.
- P. 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.
- Q. Victim of a Violent Crime – A student who is a victim of a violent criminal offense which includes assault in the first degree, sexual assault in the first or second degree, abduction, arson, manslaughter, rape, and robbery (COMAR 13A.08.01.20).

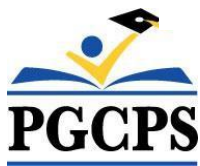
### V. PROCEDURES:

- A. **Transfer Request Guidelines:** The Office of Student Records, Transfers and Archival Services (OSRTAS) is responsible for the approval of student transfer requests to attend a school outside of the designated attendance area. Transfers are only granted if space is available at the requested school. If a school is under state-rated capacity (SRC), but the requested grade level is over SRC, the transfer may not be approved. The Associate Superintendent of Student Services, the Area Office Associate Superintendents and/or Area Instructional Directors, upon review of supporting documentation may remove a school from the “List of Available Schools.” Transportation is NOT provided for students receiving a transfer. Guardians will be responsible for the student’s transportation.

#### 1. **Deadlines:**

- a. To ensure that students are registered and prepared to receive instruction on the first day of each school year, transfer requests must be submitted beginning the first day of the official transfer launch date through the close of business on the last day of the transfer period. Transfers submitted after the deadline will not be accepted. The transfer launch dates will be publicized and are subject to change each school year due to boundary changes and new school construction.

A second transfer window for parents new to the county or those who did not apply during the first window will take place prior to the beginning of the new school year. Applicants who applied during the first transfer



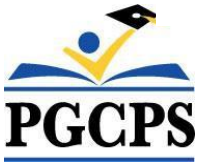
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- window are not eligible to reapply. This window will be based only on seats available submitted to OSTRAS; based on the principal's review of their enrollment by grade level. Parents can only submit one transfer application during the annual transfer window.
- b. Deadlines for submission of transfer requests are waived for victims of violent criminal offenses committed on school property or school sponsored events; employee-based requests at schools that do not exceed the capacity threshold; immediate involuntary transfers; or, terminal grade consideration.
2. Transfers may be requested to a school that is **under SRC** (less than 90% of the actual and projected enrollment). The school must be posted on the "List of Available Schools" for the requested school year. The list is subject to change based on school enrollment.
  3. Schools and programs that are not governed by this transfer process administrative procedure are as follows: School programs designed for students attending their assigned boundary school, such as AVID, Project Lead the Way, Colours, Creative and Performing Arts Programs and International Baccalaureate Programs. Special programs such as the Career and Technical Education academies, lottery-based programs and specialty programs with their own admissions criteria. No transfers are permitted into or between charter schools or lottery-based programs.
  4. In keeping with the Board of Education's non-discrimination policies, students having special needs as documented by an Individualized Education Program (IEP) or Section 504 Plan will be afforded the same access to transfer as students without special needs or accommodation requirements.
  5. A student, who is a **victim of a violent crime**, shall adhere to the following:
    - 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 or at a school sponsored event.
    - b. The victim's request to transfer is contingent upon immediate safety concerns, the conviction or adjudication of delinquency of the offender.
  6. **Bullying, Harassment and Intimidation:** The Department of Student Services is responsible for the review and approval of student transfer requests in the area of bullying, harassment and intimidation. Transfer requests to a specific school may only be granted if the circumstances are warranted through an investigation and space is available at the requested



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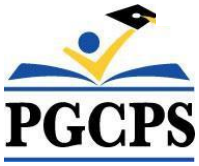
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school. In cases where school transfers are granted, transportation is the responsibility of the parent/guardian. Requests may be made via email to [studentservices.br@pgcps.org](mailto:studentservices.br@pgcps.org).

7. **Involuntary Transfers** are granted by the OSRTAS, the Department of Student Services, the Office of Appeals, or the Area Office for one or more of the following reasons:
  - a. The student has been involved in a gang, gang-related activity or is at-risk due to gang retaliation;
  - b. The student has been identified as the offender in a bullying, harassment or intimidation allegation and has continued these behaviors after documented interventions;
  - c. Extreme extenuating circumstances exist that may cause severe and untenable emotional and/or physical harm to the offender or to a victim if he or she were to remain at his or her current school assignment. The parent has the right to an appeal. The student may be referred to an alternative education program option by the local school to address safety issues.
  - d. An involuntary transfer may be requested by the principal and/or Area Office leadership whenever a student is charged with or accused of a criminal offense, either as a juvenile or an adult. OSRTAS or the Department of Student Services, based upon a review of the allegations associated with the arrest or accusation, shall have the authority to affect an immediate involuntary transfer in accordance with the Safe Schools Act of 2010.

The involuntary transfer is approved only if after careful review, based upon a preponderance of evidence, it is the opinion that the health, safety or welfare of students would be substantially at risk by maintaining the student in his or her current school assignment. The parent / legal guardian and student will be informed of the reasons for the transfer and granted an opportunity for a pre-involuntary transfer conference with OSRTAS or the Department of Student Services.



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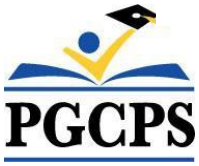
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8. **Bona fide Change in Residence:** A transfer may be granted for a bona fide change in residence of the student's parents or legal guardian.
  - a. Transfers may be requested to remain at the current school if there is a bona fide change in residence for the family which would result in a change in school assignment **after** the beginning of the **first quarter or after the completion of the first semester**. The parent/guardian will be responsible for providing transportation. Under this provision, transfers are granted through the end of the school year with an updated proof of residency. A transfer cannot be granted if the family moved from the attendance area without notifying school official(s) of the change of residence or at the conclusion of a residency investigation.
  - b. Student transfers granted according to Section 8(a) of this administrative procedure, expire at the end of the current school year. Students will be required to attend the residency boundary school for the next school year. The OSRTAS, in consultation with the Associate Superintendent, Instructional Director, or principal, may rescind the transfer prior to the end of the school year in extreme cases of absenteeism or discipline.
9. **The Sibling of a Student with Disabilities:** A transfer may be requested for siblings of students with disabilities to accommodate the same school assignment outside of the designated attendance area. 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 disabled student provided that space is available. Transportation may be terminated based on disruptive behavior or if space is no longer available. If the disabled student is withdrawn or if there is a change in placement, the sibling may remain; but transportation must be provided by the parent.
10. **Departmental Transfer:** A transfer may be granted for ESOL students to support instructional continuity at the school providing ESOL services. Transportation is not provided.
11. **Siblings of ESOL Students:** A transfer may be requested for siblings of students enrolled in a program for ESOL to accommodate the same school assignment outside of the designated attendance area. Sibling transfers under this section may only be granted if space is available. If the ESOL student is withdrawn or if there is a change in placement, the sibling may remain; but transportation must be provided by the parent.
12. **Completion of Terminal Grade Transfers:** Transfers may be requested in order to allow students to complete their terminal grade if they will be eligible for promotion or graduation during the requested school year.



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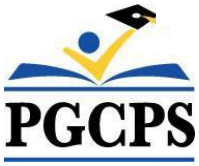
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13. **Children of School-Based Employees:** Children of PGCPS employees working 20 or more hours per week who are eligible to attend PGCPS may be assigned to the school at which the parent/guardian is assigned upon request to the OSRTAS.
  - a. This transfer is contingent upon the employee providing verification of employment by PGCPS' Department of Human Resources and the availability of space as determined by the OSRTAS. Unless the employee is assigned to a new school after the transfer window has closed, the transfer request must be made within the required timelines provided for student transfers and requests for before and after care services.
  - b. This transfer request will be considered for comprehensive schools **only on a space available basis**. All public charter, specialty schools and lottery-based programs are excluded.
  - c. Parents or guardians are responsible for the student's transportation.
- B. **Duration of Transfers Granted:** Transfers are in effect until the terminal grade level at the school unless otherwise specified. For transfers granted according to Section 13.A., and if the parent no longer works at the school identified, the student MAY remain in the school until the end of the school year; or the parent MAY request a transfer to the new school assignment if space is available and the parent remains employed with PGCPS.
- C. **Rescission of Student Transfers:** Transfers may be revoked for the following reasons:
  1. Providing false information on the transfer application or registration documents;
  2. Failure to provide verification of bona fide residence; or
  3. Evidence of a pattern of poor attendance, truancy and/or chronic behavioral concern unabated by documented interventions. Acceptable documentation may include, but is not limited to, the following:
    - a. Functional Behavioral Assessment (FBA);
    - b. Behavior Intervention Plan (BIP);
    - c. Truancy Checklist;
    - d. School Instructional Team (SIT) Notes;



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- e. Student Contracts; and/or
- f. Parent Meeting Notes and Recommendations.

In cases where these conditions occur, the principal may recommend that the OSRTAS revoke the approved transfer at the end of the first or second semester. Documentation must be provided to substantiate the rescission of the transfer under these conditions. Documentation for first semester rescissions should be submitted by **December 1** to OSRTAS. Documentation for second semester or year-end rescissions must be submitted by **April 1** to the OSRTAS.

- 4. Parents and/or legal guardians may appeal the rescission to the Office of Appeals within 10 days of notice of the transfer rescission.

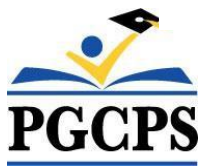
- D. **Appeals:** Appeals of denials of transfer request, involuntary transfers, and rescission of transfer may be appealed to the Office of Appeals. The appeal must be in writing and filed with the Office of Appeals not later than 10 calendar days of the denial of the transfer request, involuntary transfer notification, or transfer rescission notification. Written letters of appeals should be directed to the Office of Appeals at [appeals.office@pgcps.org](mailto:appeals.office@pgcps.org) or via U.S. Mail at Sasscer Administration Building Room 207, 14201 School Lane Upper Marlboro, MD 20772.

The Board of Education may hear an appeal from a decision of the Office of Appeals that relates to the transfer request in accordance with law.

## VI. MONITORING AND COMPLIANCE:

- A. The CEO or designee will delegate responsibility for monitoring procedures related to student transfers to the Department of Student Services in collaboration with other departments and offices that support the student transfer process.
- B. Instructional Directors are responsible to ensure that principals adhere to the guidance to identify seats available for the annual student transfer windows by the specified deadline for submission to the OSRTAS.
- C. The OSRTAS will maintain a database of all requested and approved student transfers submitted through the web/cloud based student transfer system.
- D. The Office of Appeals will maintain a database of all transfer appeals including the disposition of those appeals.
- E. The Office of Pupil Personnel Services will maintain a record of all requested, approved, or denied transfers for students in foster care.





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- F. The Department of Student Services will maintain a record of all requested, approved and denied student transfers for Bullying, Harassment and Intimidation.
- G. The school team will review and document the student's attendance and behavior semi-annually prior to December 1 and April 1 to determine if a rescission of the transfer is warranted.
- H. The OSRTAS will issue decision letters to parents, and schools for all requests submitted through the web/cloud based student transfer system.
- I. The school principal/designee shall ensure that a copy of the student's official transfer letter is filed in the student's Cumulative Folder.

#### **VII. RELATED PROCEDURES:**

- Board Policy 5110.3, Transfer of Students
- Board Policy 5116, Appeal Process for Student Transfer Requests
- Administrative Procedure 5010, Homeless Children and Youth-School Access and Services
- Administrative Procedure 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, Educational Requirements and Options in Secondary Schools; Individual Student Victim Transfer Option

#### **VIII. LEGAL REFERENCE:**

- Code of Maryland Regulations (COMAR 13A.08.01.20). Victims of a Violent Crime
- The Family Educational Rights and Privacy Act of 1974 (FERPA)
- Individuals with Disabilities Education Act (IDEA), 2004
- Every Student Succeeds Act (ESSA), 2015
- The Civil Rights Act of 1964, Title VII
- Safe Schools Act of 2010

**IX. MAINTENANCE AND UPDATE OF THESE PROCEDURES:** This Administrative Procedure originates with the Office of Student Records, Transfers and Archival Services, the Department Student Services within the Division of School Support and Leadership. A review is recommended every two (2) years or as deemed necessary.

**X. CANCELLATIONS AND SUPERSEDURES:** This Administrative Procedure cancels and supersedes Administrative Procedure 5110.3, dated March 1, 2018.

**XI. EFFECTIVE DATE:** June 1, 2021.

Distribution: Lists 1, 2, 3, 4, 5, 9 and 10