

**Talbot County
Public Schools
Easton, MD 21601**

**Policy Code
10.10-AR
Adopted: 05/16/12
Revised: 06/20/12
05/20/20**

ASSIGNMENT OF STUDENTS TO SCHOOLS- AR

I. Criteria for Approval

A. An out-of-area placement may be requested for one of the following reasons:

1. Childcare – These requests are made when the primary issue is the child’s safety and welfare. A childcare provider is that person, nursery school, day care center, or other facility, which directly provides childcare for the student.
2. Curriculum – These requests involve the pursuit of a program of instruction unavailable in the student’s home school. A program is defined as a sequence of courses leading to a specific academic or vocational preparation, or to the development of a specific interest or need.
3. Hardship – These requests pertain to personal safety and family circumstances of an unusual and adverse nature, which precludes the student’s enrollment in his/her home school.
4. Other Conditions – These requests pertain to conditions/circumstances, as determined by the Superintendent and/or designee that may justify an out-of-area placement if it is in the best interest of the student and/or school system.

II. Limitations of Approvals

A. Out-of-Area approval of elementary students (Grades PK-5) will be decided by the following process:

1. State rated capacity of each building will be calculated on April 30th. All calculations will be rounded to the nearest whole percentage.

A school must have a minimum of 60% state rated capacity to have any students approved to leave and attend another school as an out-of-area student.

- A school having less than 84% state rated capacity, may accept the number of out of area students that would bring the school to 84% state rated capacity based on the April 30th calculations.

2. Additionally, the class sizes as of June 1st will be used to determine approval or denial of out of area applications.

- TCPS class size goals are as follows:

PK and K - 20

Grade 1 - 22

Grades 2 through 5 - 25

- 3 seats at each grade level must be saved for in area students not yet registered.
- Class sizes must be no larger than 17 in PK and K, 1st grade, and 22 in grades 2 through 5 to approve any out of area students for these grade levels.

3. Students currently attending a school as an out of area student will be counted in the existing enrollment number for that school. They must be in good standing as outlined in VII. A.1-5 of this regulation, to be approved for a renewed placement each year.

Please note that an elementary school must meet the requirements for both state rated capacity AND the class size for a student to be approved out of area to that school.

B. Out-of-Area approval of secondary students (Grades 6-12) will be decided using the following process:

1. State rated capacity of each building will be calculated on April 30th. All calculations will be rounded to the nearest whole percentage.
 - A school must have a minimum of 60% state rated capacity to have any students approved to leave and attend another school as an out-of-area student.
 - A school having less than 94% state rated capacity, may accept the number of out-of-area students that would bring the school to 94% state rated capacity based on the April 30th calculation.

2. Students currently attending a school as an out of area student will be counted in the existing enrollment number for that school. They must be in good standing, as outlined in VII. A. 1-5 of this regulation, to be approved for a renewed placement each year.

III. Application Process

- A. Applications for the following school year must be submitted by June 1 each year.
- B. All applications must be submitted to the Office of Student Services.
- C. Applications must be submitted yearly. There is no guarantee of approval for continued placement from one year to the next.
- D. Notification of approval or denial will be provided to parents/guardians by June 30th of each year for the following school year.
- E. If requests for out-of-area placements to any one school exceed the number of placements allowed, a lottery to randomly select approved out-of- area requests will be held in open session at the June Board of Education meeting.

IV. Transportation

The parent (or adult student) is responsible for transportation to and from school in a safe and acceptable manner.

V. Exceptions/Special Circumstances

- A. Special Education programs are generally considered to be county-wide programs and transfers across attendance lines for this purpose by the administrative or supervisory staff need not comply with this policy and administrative regulation. The program being offered shall be adjudged by the IEP Committee to be the most appropriate program available to meet the needs of the special education student.

B. Unsafe School Transfer Policy

1. Each local school system shall allow a student attending a public elementary or secondary school within the school system if the student:

a) Attends a persistently dangerous public elementary or secondary school; or

b) Is a victim of a violent criminal offense as defined in Criminal Law Article, §14--101, Annotated Code of Maryland.

i. During the regular school day; or

ii. While attending a school sponsored event in or on the grounds of a public elementary or secondary school that the student attends

2. The local school system shall effectuate a transfer pursuant of §A of this regulation in a timely manner following either the:

a) Designation of a school as persistently dangerous; or

b) Conviction of or adjudication of delinquency of the perpetrator of a violent criminal offense.

C. Employees who request to have their child(ren) attend an out of area school will not impinge on the number of transfer requests granted.

VI. Transfers During the School Year

A. Requests for a change of school placement during the school year will be acted upon, and notification will be provided within ten (10) school days of the receipt of the request. Since school changes during the school year impact severely upon both the student and the school, such requests will be carefully scrutinized as to need. The sending school will be required to document efforts to resolve any problem or issue if the request is based upon personal differences between the school and home, student attendance, or student academic progress.

B. A student who is granted an out of area transfer must remain at the school for the entire year. A student is permitted to return to the home school once, and thereafter is ineligible to apply for an out of area transfer to the same out of area school.

VII. Termination of Placement

A. Upon the written recommendation of the receiving school principal or a Pupil Personnel Worker (PPW), an out-of-area placement may be revoked by the Supervisor of Student Services under and of the following conditions:

1. The stated reason for the out-of-area placement is no longer valid.
2. False information was given at the time of the out-of-area placement request.
3. The student accumulates more than five (5) unexcused absences or tardies in any one marking period.
4. The parent/guardian picks up the student early from school more than five (5) times in any marking period.
5. The student demonstrates significant or challenging behaviors as deemed by the school administrator and documented disciplinary referral.

B. The parent will be notified in writing of the decision of the Supervisor of Student Services regarding the revocation of an out-of-area placement.

VIII. Appeal Process

Appeals should be addressed in writing to the Superintendent of Schools within 15 days following notification of denial or termination of an out-of-area placement.

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