

**BALTIMORE COUNTY PUBLIC SCHOOLS**

**DATE:** June 12, 2007

**TO:** **BOARD OF EDUCATION**

**FROM:** Dr. Joe A. Hairston, Superintendent

**SUBJECT:** **PROPOSED CHANGES TO BOARD OF EDUCATION POLICY 5140,  
STUDENTS: ENROLLMENT AND ATTENDANCE**

**ORIGINATOR:** Sonia Diaz, Chief Academic Officer

**RESOURCE** Hays B. Lantz, Assistant Superintendent, STEM  
**PERSON(S):** Dale Rauenzahn, Executive Director, Student Support Services  
Ronald Boone, Residency Liaison

**RECOMMENDATION**

That the Board of Education review and approve the recommended revision to Policy 5140, STUDENTS: Enrollment and Attendance. This is the third reading.

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Attachment I: Policy Analysis  
Attachment II: Policy 5140

**BOARD OF EDUCATION OF BALTIMORE COUNTY**  
Analysis for Proposed Revision to Policy 5140:

Statement of Issues Addressed By the Revised Policy

1. Principals and school staff have expressed concerns regarding the impact of special transfer students who do not adjust to the new school, and/or when the distance they must travel to reach the school results in chronic absence and tardiness, poor academic performance as a result of tardiness and absence, adjustment problems for the child, use of resource issues for the school, and challenges to meet annual yearly progress as well as service goals on 504 Plans and IEPs.
2. Once approved, students may now remain in the requested school until the end of that level of education regardless of fraudulence, attendance, tardiness, academic performance, impact on school resources and annual yearly progress, behavior, or changes in the reason for which the transfer was originally requested.

The Policy 5140 was last revised on 4/11/00.

Proposed revisions will:

1. Enhance the ability of the school system to address fraudulent enrollment by resident students.
2. Place greater responsibility and accountability for acceptable attendance, promptness, behavior, and academic performance on parents and students receiving special transfers. This allows principals to respond to special permission students whose residence is a long distance from the school that results in chronic absence and tardiness, poor academic performance as a result of tardiness and absences, adjustment problems for the child, strain on human and time resources at the school, and negative impact on individual schools' and on school system's annual yearly progress. The new language also addresses accountability for special permission students who chronically disrupt the learning of students whose home school the student is attending under special permission.

Cost Analysis and Fiscal Impact on School System

The printing of new copies of the policy is the only new fiscal impact on the system resulting from the proposed revisions.

Relationship to Other Board Policies

Related Board of Education policies and Superintendent's rules as designated in the policy and rule are:

Policy and Rule 5150 STUDENTS: Enrollment and Attendance  
Policy and Rule 6130, Instruction: Magnet Schools and Programs  
Policy 8339, Appeal Before Hearing Examiner  
Policy 8340, Appeal Before the Board of Education

Legal Requirement

The legal references included in this policy and rule includes:

**42 U.S.C. §11431, et seq. (McKinney-Vento Homeless Education Assistance Improvement Act)**

***Annotated Code of Maryland, Education Article, §7-101***

***Annotated Code of Maryland, Education Article, §4-122***

***Annotated Code of Maryland, Education Article, §5-201***

Similar Policies Adopted by Other School Systems

Similar policies exist in Harford, Howard, Howard, Montgomery, and Anne Arundel counties.

Draft of Proposed Policy (see attached)

Other Alternatives Considered by Staff

No alternatives to the proposed policy and rule were considered.

STUDENTS: Enrollment and Attendance

School Attendance Areas

The Board of Education will establish geographical attendance areas for each school and keep records thereof in accordance with the Public School Laws of Maryland.

In order to use efficiently the facilities available, it is necessary to control the student population by careful school districting. For this reason, school boundaries shall be described in detail and approved by the Board of Education. Whenever a new school is built, or a school is closed, appropriate attendance areas shall be outlined in order to relieve the surrounding schools of being overcrowded, while at the same time making provision for safe, efficient, adequate, and economical school transportation service.

The Board of Education recognizes that circumstances may arise which will cause parents or guardians to request permission for a student to attend a school other than the school within the attendance area in which the student resides. The Superintendent of Schools has delegated the responsibility of determining if the transfer should be granted to the principal of the requested school. The requested school principal has the responsibility and the authority to make the decisions and implement the transfer.

Decisions to review special permission transfers will be based upon the circumstances involved and the information and recommendations received from various sources. A SPECIAL TRANSFER REPRESENTS AN OPPORTUNITY FOR A STUDENT TO BENEFIT FROM ATTENDANCE AT A SCHOOL OTHER THAN THE ONE ZONED FOR HIS/HER DOMICILE. SPECIAL TRANSFERS ARE INTENDED TO PROVIDE FOR THOSE STUDENTS WHO CAN BENEFIT FROM A CHANGE OF SCHOOLS, BUT WITHOUT DISRUPTING THE EDUCATIONAL OPPORTUNITIES OF STUDENTS AT THE NEWLY ASSIGNED SCHOOL. THE SPECIAL TRANSFER OF A STUDENT MAY BE REVIEWED AND/OR REVOKED.

Legal Reference: Annotated Code of Maryland, Education Article Section 4-109  
Establishment of public schools

Also See: Boundary Change Practices  
Policy 3410, NON-INSTRUCTION SERVICES:  
Transportation Services

CAPS = indicates proposed addition  
Brackets [ ] = indicates proposed deletion

Policy

Adopted: 12/13/73

Revised: 03/12/80

Revised: 07/12/84

Revised: 10/12/93

Revised: 04/11/00

REVISED:

Board of Education of Baltimore County