

**BALTIMORE COUNTY PUBLIC SCHOOLS**

**DATE:** December 6, 2011

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

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

**SUBJECT:** **CONSIDERATION OF THE PROPOSED CHANGES TO BOARD OF EDUCATION POLICY 5140 – SCHOOL ATTENDANCE AREAS**

**ORIGINATOR:** Renee A. Foose, Deputy Superintendent

**RESOURCE PERSON(S):** Michele O. Prumo, Chief of Staff  
Dale R. Rauenzahn, Executive Director, Student Support Services  
Sharon Ochs, Coordinator, Pupil Personnel Services

**RECOMMENDATION**

That the Board of Education approves the proposed changes to Policy 5140, *School Attendance Areas*. This is the third reading.

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Attachment I – Policy Analysis  
Attachment II – Policy 5140

**POLICY ANALYSIS FOR  
BOARD OF EDUCATION POLICY 5140  
SCHOOL ATTENDANCE AREAS**

**Statement of Issues or Questions Addressed**

In accordance with Board of Education Policy and Superintendent's Rule 8130, Board of Education Policy 5140 is scheduled for review in school year 2011-2012. Policy 5140 establishes school attendance areas and requires that students be enrolled in the school serving their attendance area, unless special permission is granted to attend a school outside the attendance area. Staff is recommending the following revisions: (1) Include a policy statement declaring the Board's authority to establish geographical attendance areas; (2) delete unnecessary language or language that is procedural and currently included in the Superintendent's Rule; (3) Conform with the Policy Review Committee's editing conventions.

**Cost Analysis and Fiscal Impact on School System**

No fiscal impact is anticipated by the revision of this policy.

**Relationship to Other Board of Education Policies**

1. Board of Education Policy 5110, *Admission*
2. Board of Education Policy 5150, *Residents and Nonresidents*
3. Board of Education Policy 6400, *Magnet School Schools and Programs*

**Legal Requirements**

1. *Annotated Code of Maryland*, Education Article §4-101, *Control and Promotion of Education*
2. *Annotated Code of Maryland*, Education Article §4-109, *Establishment of Public Schools*

**Similar Policies Adopted by Other Local School Systems**

1. Anne Arundel County Board of Education, Policy JAB, *Assignment and/or Transfer of Students to a School*
2. Howard County Board of Education, Policy 9000, *Enrollment, Residency, Student Assignment and Admission to Pre-K and Kindergarten*
3. Prince George's County Board of Education, Policy 5110.2, *Attendance*

**Draft of Proposed Policy**

Attached

**Other Alternatives Considered by Staff**

No other options were considered

**Timeline**

First reading – October 25, 2011

Public comment – November 8, 2011

Third reading/vote – December 6, 2011

STUDENTS: Enrollment and Attendance

School Attendance Areas

I. POLICY STATEMENT

- A. MARYLAND’S PUBLIC SCHOOL LAW CONFERS ON THE BOARD OF EDUCATION OF BALTIMORE COUNTY (BOARD) THE RESPONSIBILITY TO CONTROL EDUCATIONAL MATTERS THAT AFFECT THE COUNTY AND PROMOTE THE INTERESTS OF THE SCHOOLS UNDER ITS JURISDICTION. THE BOARD HAS ESTABLISHED THE BALTIMORE COUNTY PUBLIC SCHOOL SYSTEM (BCPS) WHICH IS MAINTAINED FOR THE EDUCATION OF STUDENTS WHO ARE DOMICILED WITH THEIR PARENTS IN BALTIMORE COUNTY.
  
- B. The Board HAS ESTABLISHED TO AVOID OVER UTILIZATION OF SOME SCHOOLS AND THE UNDER UTILIZATION OF OTHERS. [of Education will establish] geographical attendance areas for each BCPS school [and keep records thereof in accordance with the Public School Laws of Maryland.] STUDENTS ARE ASSIGNED TO SCHOOLS IN THE SCHOOL ATTENDANCE AREAS WHERE THEY ARE DOMICILED, UNLESS APPROVAL IS GIVEN IN ACCORDANCE WITH THE APPLICABLE BOARD OF EDUCATION POLICIES AND SUPERINTENDENT’S RULES.

[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.]

II. IMPLEMENTATION

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 IS DIRECTED TO DEVELOP PROCEDURES AND GUIDELINES FOR THE ENROLLMENT OF STUDENTS IN SCHOOLS OUTSIDE OF THEIR ASSIGNED ATTENDANCE AREAS.

[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 ReferenceS:     *ANNOTATED CODE OF MARYLAND*, EDUCATION ARTICLE §4-101, *CONTROL AND PROMOTION OF EDUCATION*  
                              *ANNOTATED CODE OF MARYLAND*, EDUCATION ARTICLE §4-109, *ESTABLISHMENT OIF PUBLIC SCHOOLS*

[Annotated Code of Maryland, Education Article Section 4-109  
Establishment of public schools]

RELATED POLICIES: BOARD OF EDUCATION POLICY 5110, *ADMISSION*  
                              BOARD OF EDUCATION POLICY 5150, *RESIDENTS AND NONRESIDENTS*  
                              BOARD OF EDUCATION POLICY 6400, *MAGNET SCHOOL SCHOOLS AND PROGRAMS*

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

Policy  
Adopted: 12/13/73  
Revised: 03/12/80  
Revised: 07/12/84  
Revised: 10/12/93  
Revised: 04/11/00  
Revised: 06/12/07  
REVISED: \_\_\_\_\_

Board of Education of Baltimore County