INSTRUCTION: SPECIAL PROGRAMS

MAGNET PROGRAMS [SCHOOLS ADMISSION]

I. PURPOSE

TO ESTABLISH CLEAR GUIDELINES GOVERNING THE APPLICATION, ADMISSION, AND ENROLLMENT PROCESS FOR MAGNET PROGRAMS IN BALTIMORE COUNTY PUBLIC SCHOOLS (BCPS).

II. DEFINITIONS

AS USED IN THIS RULE, THE FOLLOWING DEFINITIONS WILL APPLY.

A. **BONA FIDE DOMICILE** – THE PLACE IN WHICH AN INDIVIDUAL HAS A SETTLED CONNECTION FOR LEGAL PURPOSES AND THE PLACE WHERE A PERSON HAS HIS/HER TRUE, FIXED PERMANENT HOME, HABITATION, AND PRINCIPAL ESTABLISHMENT, WITHOUT ANY PRESENT INTENTION OF LEAVING. THIS DOES NOT INCLUDE A TEMPORARY RESIDENCE ESTABLISHED FOR THE PURPOSE OF FREE SCHOOL ATTENDANCE IN THE PUBLIC SCHOOLS.

B. **CHILD** – ANY INDIVIDUAL WHO MEETS ALL STATE REQUIREMENTS FOR ENROLLMENT AND WHO IS NOT CURRENTLY ENROLLED IN A BALTIMORE COUNTY PUBLIC SCHOOL.

C. **CHILD OF AN EMPLOYEE** – A DEPENDENT CHILD OF A BCPS EMPLOYEE. THIS INCLUDES:
   1. A BIOLOGICAL CHILD.
   2. A LEGALLY ADOPTED CHILD.
   3. A CHILD FOR WHOM THE EMPLOYEE HAS LEGAL GUARDIANSHIP.
   4. A STEPCHILD, WHEN THE EMPLOYEE’S SPOUSE RESIDES WITH THE EMPLOYEE AND THE EMPLOYEE’S SPOUSE IS THE CHILD’S NATURAL OR ADOPTIVE PARENT.

D. **ELIGIBLE APPLICANT** – ANY CHILD OR STUDENT:
   1. WHO MEETS REQUIREMENTS FOR ENROLLMENT IN BALTIMORE COUNTY PUBLIC SCHOOLS AT THE TIME OF
APPLICATION AND MEETS THE ENTRY GRADE-LEVEL RESTRICTIONS FOR THE PROGRAM(S) SELECTED, AND

2. IF APPLYING TO KINDERGARTEN, EITHER:
   A. MEETS THE AGE OF ENTRY REQUIREMENT UNDER MARYLAND LAW, OR
   B. APPLIES CONCURRENTLY FOR, AND IS GRANTED EARLY ADMISSION TO, KINDERGARTEN BY THE 31ST OF JANUARY FOLLOWING THE MAGNET APPLICATION DEADLINE PRECEEDING THE SCHOOL YEAR FOR WHICH ADMISSION IS SOUGHT.

E. EMPLOYEE – A CERTIFICATED OR NON-CERTIFICATED INDIVIDUAL WHO IS EMPLOYED BY BCPS FOR AT LEAST 9 MONTHS EACH YEAR AND AS DEFINED BY §6–404 AND §6–501 OF THE EDUCATION ARTICLE OF THE ANNOTATED CODE OF MARYLAND.

F. FILED – MEANS THE DELIVERY OF DOCUMENTS TO THE APPROPRIATE SCHOOL SYSTEM OFFICE ON OR BEFORE THE DOCUMENTS ARE DUE, OR DEPOSITING THE PAPERS IN THE UNITED STATES MAIL BEFORE THE DATE THE PAPERS ARE DUE.

G. PARENT – THE BIOLOGICAL OR ADOPTIVE PARENT, LEGAL GUARDIAN, OR PERSON ACTING IN THE ABSENCE OF THE PARENT OR GUARDIAN.

H. MAGNET PROGRAMS – THOSE PROGRAMS, ESTABLISHED AT THE RECOMMENDATION OF THE SUPERINTENDENT AND WITH THE APPROVAL OF THE BOARD, WITH A SPECIALIZED CURRICULUM OR THOSE WITH AN EMPHASIS ON INSTRUCTION THAT IS DIFFERENT FROM THAT GENERALLY OFFERED IN OTHER SCHOOLS IN THE SCHOOL SYSTEM.

I. QUALIFIED APPLICANT – ANY CHILD OR STUDENT FOR WHOM A COMPLETED APPLICATION WAS SUBMITTED TO THE OFFICE OF MAGNET PROGRAMS BY THE APPLICATION DEADLINE AND WHO MEETS THE ESTABLISHED CRITERIA FOR ADMISSION TO A SPECIFIC MAGNET PROGRAM.

J. RECRUITMENT – ACTIVITIES THAT ENCOURAGE PARENTS TO
APPLY TO MAGNET PROGRAMS ON BEHALF OF THEIR CHILD. RECRUITMENT EFFORTS MAY TARGET UNDERREPRESENTED GROUPS OF STUDENTS, BUT DO NOT CREATE ANY PRIORITY OR PREFERENCE FOR ADMISSION.

K. Sibling – A brother, sister, half-brother, half-sister, stepbrother, stepsister, or foster child living in the same household.

L. Student – A school-aged child who meets specified conditions for establishing domicile in Baltimore County and who is currently enrolled in a public school in Baltimore County.

M. Terminal Grade – The last grade before transitioning to middle or high school.

N. Zoned School – The school serving the attendance area where the child resides with his/her parent who has established a bona fide domicile in Baltimore County.

III. Accountability and Standards

A. The Office of Magnet Programs will:
1. Develop equitable recruitment strategies for Magnet Programs.
2. Assist in the recruitment of a pool of applicants which reflects the diversity of the school system.
3. Establish the Magnet application deadline for each school year.
4. Make Magnet applications and brochures available at all BCPS schools, at the Office of Magnet Programs, and on the School System’s web site.
5. Ensure that Magnet applications and brochures are distributed to those BCPS students enrolled in pre-kindergarten, grade 5, and grade 8.

B. Annually, the Executive Director of Special
PROGRAMS WILL:
1. REVIEW AND APPROVE THE ADMISSION CRITERIA FOR EACH SECONDARY MAGNET PROGRAM TO ENSURE THAT THEY ARE EDUCATIONALLY RELATED TO THE SPECIALIZED CURRICULUM OR INSTRUCTIONAL STRATEGY.
2. REVIEW AND APPROVE THE NUMBER OF AVAILABLE SEATS, BY GRADE, FOR EACH MAGNET PROGRAM FOR THE FOLLOWING YEAR.
3. ASSESS THE EXTENT TO WHICH EACH MAGNET PROGRAM’S ENROLLMENT REFLECTS THE DIVERSITY OF THE SCHOOL SYSTEM.
4. SET RECRUITMENT GOALS FOR GROUPS THAT ARE UNDERREPRESENTED IN MAGNET PROGRAMS.

IV. APPLICATION

A. THE FOLLOWING PROCEDURES SHALL BE FOLLOWED WHEN A STUDENT IS APPLYING TO A MAGNET PROGRAM.

B. APPLICATION
1. THE PARENT OF AN ELIGIBLE APPLICANT MUST SUBMIT A COMPLETED APPLICATION TO THE OFFICE OF MAGNET PROGRAMS BY THE APPLICATION DEADLINE.
   a. AN APPLICATION WILL BE DEEMED “COMPLETED” IF THE APPLICATION IS FILLED OUT IN ITS ENTIRETY, SIGNED BY THE PARENT OF THE APPLICANT, AND ACCOMPANIED BY ALL SUPPORTING DOCUMENTATION.
   b. INCOMPLETE APPLICATIONS WILL NOT BE PROCESSED, AND THE APPLICATION WILL NOT BE CONSIDERED.
2. APPLICANTS MAY ONLY APPLY TO 1 MAGNET PROGRAM PER SCHOOL IN UP TO 3 SCHOOLS.
3. ANY CHANGE IN A PROGRAM SELECTION MUST BE MADE BY SUBMITTING A NEW APPLICATION BY THE APPLICATION DEADLINE.

C. NEW RESIDENTS
1. ENROLLMENT IN ANY BCPS MAGNET PROGRAM IS LIMITED TO STUDENTS WHO ARE ELIGIBLE FOR
ENROLLMENT IN BCPS AS DEFINED IN BOARD OF EDUCATION POLICY AND SUPERINTENDENT’S RULE 5150, RESIDENTS AND NONRESIDENTS. A CHILD WHO ESTABLISHES A BONA FIDE DOMICILE IN BALTIMORE COUNTY AFTER THE APPLICATION DEADLINE, BUT BEFORE THE FIRST DAY OF THE SCHOOL YEAR FOR WHICH THE CHILD SEeks ENROLLMENT, MAY SUBMIT A LETTER OF INTEREST AS OUTLINED IN PROCEDURES ISSUED BY THE OFFICE OF MAGNET PROGRAMS.

a. THE PROCEDURES FOR THE NEW RESIDENT APPLICATION PROCESS, THE LETTER OF INTEREST, AND SUPPORTING DOCUMENTATION WILL BE MADE AVAILABLE TO INTERESTED PARENTS AT THE OFFICE OF MAGNET PROGRAMS AND ON THE SCHOOL SYSTEM’S WEB SITE.

3. IF THE MAGNET PROGRAM(S) SELECTED HAVE AVAILABLE SEATS REMAINING, ONLY THEN WILL NEW RESIDENT APPLICANTS, WHO MEET THE ELIGIBILITY AND QUALIFYING CRITERIA FOR THE PROGRAM(S) OF INTEREST, BE CONSIDERED FOR ADMISSION.

E. APPLICATION DEADLINES

1. THE APPLICATION DEADLINE IS MANDATORY, EXCEPT AS OUTLINED IN SECTION IV.C.

2. AN APPLICATION WILL BE ACCEPTED FOR CONSIDERATION IF THE APPLICATION IS POSTMARKED BY THE APPLICATION DEADLINE OR HAND-DELIVERED TO THE OFFICE OF MAGNET PROGRAMS BY THE CLOSE OF BUSINESS ON THE APPLICATION DEADLINE.

3. APPLICATIONS WILL BE DEEMED UNTIMELY FILED AND WILL NOT BE CONSIDERED WHEN THE APPLICATION IS POSTMARKED AFTER THE APPLICATION DEADLINE, OR THE APPLICATION IS RECEIVED AFTER THE APPLICATION DEADLINE WITHOUT A LEGIBLE POSTMARK EVIDENCING THE DATE MAILED.

F. APPLICATION REVIEW

1. ALL APPLICATIONS WILL BE REVIEWED BY THE OFFICE OF MAGNET PROGRAMS TO DETERMINE THE ELIGIBILITY OF EACH APPLICANT FOR EACH PROGRAM SELECTED.

2. THE OFFICE OF MAGNET PROGRAMS WILL NOTIFY
PARENTS IN WRITING IF THE APPLICATION IS INCOMPLETE OR IF THE APPLICANT IS INELIGIBLE FOR ANY OR ALL OF THE PROGRAMS SELECTED.

V. ASSESSMENTS AND ADMISSIONS

A. ELEMENTARY PROGRAMS
   1. ELIGIBILITY
      a. BCPS DOES NOT EMPLOY ANY ADMISSIONS CRITERIA FOR ELEMENTARY SCHOOL MAGNET PROGRAMS. ALL ELIGIBLE APPLICANTS QUALIFY FOR ADMISSION.
   2. ADMISSIONS
      a. IF THERE ARE FEWER QUALIFIED APPLICANTS THAN SEATS AVAILABLE FOR ANY ELEMENTARY PROGRAM, ALL QUALIFIED APPLICANTS WILL BE ADMITTED TO FILL THE AVAILABLE SEATS.
      b. IF THE NUMBER OF QUALIFIED APPLICANTS EXCEEDS THE NUMBER OF SEATS AVAILABLE, THE SELECTION OF STUDENTS WILL BE MADE IN THE FOLLOWING SEQUENCE:
         (1) AVAILABLE SEATS WILL FIRST BE FILLED WITH PRIORITY PLACEMENTS.
         (2) A RANDOM LOTTERY WILL BE CONDUCTED TO FILL ALL REMAINING AVAILABLE SEATS AND TO GENERATE A WAIT LIST.

B. SECONDARY PROGRAMS
   1. ACADEMIC ELIGIBILITY
      a. ACADEMIC GRADES AND OTHER PERFORMANCE FACTORS MAY BE EVALUATED AS PART OF THE ADMISSIONS CRITERIA FOR SECONDARY PROGRAMS.
   2. ASSESSMENTS
      a. ELIGIBLE APPLICANTS MUST ATTEND AND COMPLETE THE ASSESSMENT FOR EACH MAGNET PROGRAM SELECTED.
      b. FAILURE TO ATTEND AN ASSESSMENT WILL DISQUALIFY THE APPLICANT AND APPLICATION FOR ADMISSION INTO THE MAGNET PROGRAM WILL BE DENIED.
3. DOCUMENTED TESTING ACCOMMODATIONS
   a. ELIGIBLE APPLICANTS WITH INDIVIDUALIZED EDUCATIONAL PLANS AND/OR RECEIVING ESOL SERVICES THAT REQUIRE TESTING MODIFICATIONS OR ACCOMMODATIONS WILL BE ACCOMMODATED AS FOLLOWS:
      (1) FOR APPLICANTS WHO ARE CURRENTLY ENROLLED IN AND ATTENDING A PUBLIC SCHOOL IN BALTIMORE COUNTY, THE OFFICE OF MAGNET PROGRAMS WILL ASSIST SCHOOL-BASED MAGNET PROGRAM STAFF IN OBTAINING THE EDUCATIONAL PLANS. SCHOOL-BASED STAFF WILL REVIEW THE EDUCATIONAL PLANS AND PROVIDE THE APPROPRIATE REQUIRED ACCOMMODATIONS.
      (2) APPLICANTS NOT CURRENTLY ATTENDING A PUBLIC SCHOOL IN BALTIMORE COUNTY SHALL SUBMIT DOCUMENTED TESTING ACCOMMODATION REQUIREMENTS WITH THE MAGNET SCHOOL APPLICATION. UPON RECEIPT OF THE MAGNET SCHOOL APPLICATION AND TESTING ACCOMMODATION DOCUMENTATION, THE OFFICE OF MAGNET PROGRAMS WILL COORDINATE WITH SCHOOL-BASED STAFF TO REVIEW THE EDUCATIONAL PLANS AND PROVIDE THE APPROPRIATE REQUIRED ACCOMMODATIONS.

4. ADMISSIONS
   a. THE OFFICE OF MAGNET PROGRAMS, USING THE APPROVED CRITERIA, WILL DETERMINE WHICH APPLICANTS QUALIFY FOR ADMISSION.
   b. IF THERE ARE FEWER QUALIFIED APPLICANTS THAN SEATS AVAILABLE FOR ANY MAGNET PROGRAM, ALL QUALIFIED APPLICANTS WILL BE ADMITTED TO FILL THE AVAILABLE SEATS.
   c. IF THE NUMBER OF QUALIFIED APPLICANTS EXCEEDS THE NUMBER OF AVAILABLE SEATS, SEATS WILL BE FILLED IN THE FOLLOWING SEQUENCE:
(1) Up to 20% of the available seats will first be filled by qualified applicants who show exceptional commitment and promise in the specialized program as evidenced by performance on the Magnet Assessment(s).

(2) A random lottery will be conducted to fill all remaining available seats and to generate a wait list.

VI. Priority Placements

A. Kindergarten Sibling Priority Placements

1. Kindergarten sibling priority placements are subject to repeal. As such, kindergarten priority placements will no longer be granted beginning with the 2015-2016 school year.

2. For the 2012-2013, 2013-2014, and 2014-2015 school years, kindergarten sibling priority placements will only be considered for kindergarten applicants who have an older sibling who is:
   a. Currently enrolled in the same elementary Magnet program; and
   b. Continuing in the Magnet program during the year for which the kindergarten applicant is seeking placement.

B. Child of an Employee

1. If an employee’s primary work site is a school with a Magnet program and the employee’s child applies to, and qualifies for, a Magnet program in that school, the child will be given priority placement in the Magnet program.

VII. Notification

A. The Office of Magnet Programs will provide each applicant written notice of the admission status.

1. Offer of Admission
   a. If the applicant is offered admission into a Magnet program, the applicant will be
REQUIRED TO ACCEPT OR DECLINE THE OFFER BY A DESIGNATED DEADLINE.

b. FAILURE BY THE APPLICANT TO RESPOND BY THE ACCEPTANCE DEADLINE WILL RESULT IN FORFEITURE OF THE SEAT.

2. WAIT LIST
   a. A WAIT LIST WILL BE GENERATED AS A RESULT OF THE RANDOM LOTTERY SELECTION PROCESS FOR EACH OVERSUBSCRIBED MAGNET PROGRAM. THE WAIT LIST WILL BE MAINTAINED BY THE OFFICE OF MAGNET PROGRAMS UNTIL THE CLOSE OF BUSINESS ON THE LAST DAY OF THE FIRST MARKING PERIOD; NO STUDENTS WILL BE ACCEPTED INTO A MAGNET PROGRAM AFTER THIS DATE.
   b. IF A SEAT BECOMES AVAILABLE, APPLICANTS ON THE WAIT LIST WILL BE NOTIFIED BY THE OFFICE OF MAGNET PROGRAMS AND OFFERED ADMISSION TO THE MAGNET PROGRAM.
   c. APPLICANTS MUST ACCEPT OR DECLINE THE OFFER OF ADMISSION WITHIN 3 CALENDAR DAYS OF THE DATE OF THE OFFER.
      (1) IF THE LAST DAY TO ACCEPT THE OFFER FALLS ON A SATURDAY, SUNDAY, OR A SCHOOL SYSTEM HOLIDAY, THE PERIOD ENDS ON THE NEXT DAY WHICH IS NOT A SATURDAY, SUNDAY, OR SCHOOL SYSTEM HOLIDAY.
      (2) FAILURE TO RESPOND BY THE DEADLINE WILL RESULT IN FORFEITURE OF THE SEAT, AND THE OFFER WILL BE EXTENDED TO THE NEXT APPLICANT ON THE WAIT LIST.

3. DENIAL
   a. THE OFFICE OF MAGNET PROGRAMS WILL PROVIDE WRITTEN NOTICE TO AN APPLICANT IF ADMISSION TO A MAGNET PROGRAM IS DENIED. ADMISSION WILL BE DENIED WHEN THE APPLICANT:
      (1) DOES NOT MEET THE MINIMUM-STATED ADMISSION CRITERIA FOR THE PROGRAM; OR
      (2) IS DISQUALIFIED FOR FAILURE TO COMPLETE THE APPLICATION PROCESS.
VIII. SPECIAL PERMISSION TRANSFER

A. THE PARENT OF AN APPLICANT WHO HAS ACCEPTED AN OFFER OF ADMISSION INTO A MAGNET PROGRAM THAT IS NOT IN THE APPLICANT’S ZONED SCHOOL MUST COMPLETE AN APPLICATION FOR SPECIAL PERMISSION TRANSFER.

B. THE GUIDELINES FOR APPLYING FOR A SPECIAL PERMISSION TRANSFER ARE OUTLINED IN BOARD OF EDUCATION POLICY AND SUPERINTENDENT’S RULE 5140, SPECIAL PERMISSION TRANSFER.

C. THE PARENT MUST SUBMIT THE COMPLETED SPECIAL PERMISSION TRANSFER FORMS TO THE PRINCIPAL OF THE STUDENT’S ZONED SCHOOL. THE PRINCIPAL WILL APPROVE THE SPECIAL TRANSFER REQUEST FOR ALL STUDENTS WHO HAVE BEEN ACCEPTED TO A MAGNET PROGRAM.

IX TRANSPORTATION

A. BCPS PROVIDES TRANSPORTATION SERVICES DURING THE REGULAR SCHOOL DAY TO STUDENTS WHO RESIDE IN THE ESTABLISHED TRANSPORTATION ZONE OF THE MAGNET PROGRAM.

1. TRANSPORTATION TO MAGNET PROGRAMS IS PROVIDED FROM A LIMITED NUMBER OF PICK-UP POINTS LOCATED AT DESIGNATED SCHOOL SITES.

2. PARENTS ARE RESPONSIBLE FOR PROVIDING TRANSPORTATION FOR THEIR CHILD TO AND FROM THEIR DESIGNATED PICK-UP POINT.

B. FOR THOSE STUDENTS WHO DO NOT RESIDE WITHIN THE ESTABLISHED TRANSPORTATION ZONE OF THE MAGNET PROGRAM, PARENTS ARE RESPONSIBLE FOR PROVIDING TRANSPORTATION TO AND FROM THE MAGNET PROGRAM, UNLESS:

1. THE STUDENT CAN BE ACCOMMODATED BY THE EXISTING BUS ROUTES AND DESIGNATED PICK-UP POINTS; AND

2. THE PARENT PROVIDES TRANSPORTATION FOR THEIR
CHILD TO AND FROM THE EXISTING PICK-UP POINT.

C. THE PROVISIONS OF THIS SECTION WILL NOT ACT TO LIMIT THE ENTITLEMENT OF ANY STUDENT WHO RECEIVES TRANSPORTATION SERVICES AS A RESULT OF IEP ACCOMMODATIONS, HOMELESSNESS, OR ANY OTHER PROGRAM THAT PROVIDES TRANSPORTATION SERVICES.

X. CONTINUED ENROLLMENT

A. ONCE A STUDENT IS ADMITTED TO A MAGNET PROGRAM, THE STUDENT MAY REMAIN ENROLLED IN THAT PROGRAM UNTIL THE STUDENT REACHES THE TERMINAL GRADE LEVEL OFFERED BY THAT SCHOOL, EXCEPT WHEN THE STUDENT:

1. MOVES OUT OF BALTIMORE COUNTY OR FAILS TO MEET THE REQUIREMENTS FOR ENROLLMENT IN ACCORDANCE WITH BOARD OF EDUCATION POLICIES AND SUPERINTENDENT’S RULES.
2. WITHDRAWS FROM BCPS TO ATTEND ANOTHER SCHOOL, PUBLIC OR PRIVATE.
3. WITHDRAWS FROM THE MAGNET PROGRAM UNDER WHICH THE APPLICATION WAS GRANTED.

B. A PARENT MAY WITHDRAW A STUDENT FROM A MAGNET PROGRAM AND RETURN THAT STUDENT TO HIS/HER ZONED SCHOOL AT ANY TIME. PRINCIPALS OF THE STUDENTS’ ZONED SCHOOL WILL NOT DENY THE ENROLLMENT OF SUCH STUDENTS.

D. A PARENT MAY REQUEST THAT A STUDENT BE GRANTED A TEMPORARY LEAVE FROM A MAGNET PROGRAM.

1. A REQUEST FOR TEMPORARY LEAVE FROM A MAGNET PROGRAM MUST BE APPROVED, IN WRITING AND IN ADVANCE OF SUCH LEAVE OF ABSENCE, BY THE PRINCIPAL OF THE MAGNET PROGRAM.
2. A LEAVE OF ABSENCE FROM THE MAGNET PROGRAM MAY BE CONSIDERED ONLY UNDER THE FOLLOWING CONDITIONS:
   a. IF A STUDENT MOVES OUT OF BALTIMORE COUNTY TEMPORARILY, THAT STUDENT MAY BE GRANTED A LEAVE OF ABSENCE FOR A MAXIMUM OF 1 CALENDAR YEAR FROM THE DATE OF
WITHDRAWAL. FAILURE OF THE STUDENT TO RE-ENROLL IN THE MAGNET PROGRAM AFTER THE 1-YEAR PERIOD WILL RESULT IN AUTOMATIC WITHDRAWAL FROM THE MAGNET PROGRAM.

b. A STUDENT MAY BE GRANTED A LEAVE OF ABSENCE FROM THE MAGNET PROGRAM FOR MEDICAL REASONS FOR THE PERIOD OF TIME NECESSARY TO COMPLETE TREATMENT AND/OR RECOVERY FROM TREATMENT FOR ANY OF THE FOLLOWING REASONS:

(1) A STAY AS A PATIENT IN A HOSPITAL OR MEDICAL FACILITY FOR AN EXTENDED PERIOD OF TIME; OR

(2) ENROLLMENT IN A LICENSED FULL-TIME SUBSTANCE ABUSE TREATMENT PROGRAM.

3. REQUESTS WHICH ARE BASED ON MEDICAL, PHYSICAL, OR MENTAL HEALTH REASONS MUST BE ACCOMPANIED BY DOCUMENTATION FROM A PHYSICIAN OR MENTAL HEALTH PROVIDER.

E. DISCIPLINE

1. STUDENTS ARE EXPECTED TO FOLLOW THE STUDENT CODE OF CONDUCT. ANY STUDENT WHO VIOLATES THE CODE OF CONDUCT IS SUBJECT TO SUSPENSION, ASSIGNMENT TO AN ALTERNATIVE PROGRAM, OR EXPULSION AS PROVIDED IN BOARD OF EDUCATION POLICY 5550, DISRUPTIVE BEHAVIOR.

2. AT THE END OF THE EXPULSION PERIOD, THE SUPERINTENDENT’S DESIGNEE, IN CONSULTATION WITH THE GRADE-LEVEL ASSISTANT SUPERINTENDENT, MAY EITHER RETURN THE STUDENT TO THE MAGNET PROGRAM FROM WHICH HE/SHE WAS EXPELLED, OR PLACE THE STUDENT IN HIS/HER ZONED SCHOOL OR OTHER APPROPRIATE PLACEMENT.

XI. WITHDRAWAL FROM PROGRAM

A. A STUDENT MAY BE WITHDRAWN FROM THE MAGNET PROGRAM AT THE END OF THE SCHOOL YEAR FOR ANY ONE OF THE FOLLOWING REASONS:

1. ABSENCES RESULTING IN AN ATTENDANCE RATE THAT
IS EQUAL TO OR BELOW THE STATE MANDATED ADEQUATE YEARLY PROGRESS (AYP) ATTENDANCE RATE, THE ATTENDANCE RATE OF THE PREVIOUS LOCAL SCHOOL YEAR, OR THE BCPS ANNUAL ATTENDANCE RATE, WHICHEVER IS LOWER FOR ANY GIVEN MARKING PERIOD.

2. AN ABSENCE RATE OR TARDINESS RATE RESULTING IN AN ATTENDANCE REFERRAL TO THE PUPIL PERSONNEL WORKER (PPW) OR TO PROJECT ATTEND, WHERE APPLICABLE.

3. ACCUMULATED TARDINESS IN EXCESS OF THE SCHOOL’S PER STUDENT AVERAGE TARDINESS RATE.

4. THREE (3) OR MORE SUSPENSIONS.

5. SUSPENSION TO THE SUPERINTENDENT’S DESIGNEE RESULTING IN DISCIPLINARY ACTION.

6. THE STUDENT HAS RECEIVED MORE FAILING FINAL GRADES THAN PASSING FINAL GRADES.

7. THE STUDENT FAILS ONE OR MORE REQUIRED COURSES IN A MAGNET PROGRAM.

B. COUNSELING REGARDING THE PROPRIETY OF A STUDENT’S CONTINUATION IN MAGNET SCHOOLS AND PROGRAMS WILL TAKE PLACE AT THE END OF THE SCHOOL YEAR.

C. ANY DECISION BY THE PRINCIPAL TO WITHDRAW A STUDENT FROM A MAGNET PROGRAM BECAUSE OF ACADEMIC FAILURE IN A REQUIRED COURSE SHALL BE APPROVED IN ADVANCE BY THE OFFICE OF MAGNET PROGRAMS.

D. THE PRINCIPAL WILL PROVIDE THE STUDENT’S PARENT WITH A WRITTEN EXPLANATION OF THE BASIS FOR THE WITHDRAWAL THAT INCLUDES THE PROCESS FOR APPEALING THE DECISION.

E. A STUDENT WHO IS WITHDRAWN FROM A MAGNET PROGRAM SHALL BE ENROLLED IN THE STUDENT’S ZONED SCHOOL, UNLESS THE PARENT HAS ARRANGED FOR ADMISSION TO ANOTHER SCHOOL.

XII. APPEAL PROCESS
A. THE PARENT MAY APPEAL ADMISSION AND WITHDRAWAL DECISIONS MADE UNDER THIS RULE IN ACCORDANCE WITH THIS SECTION.

B. ALL APPEALS FILED UNDER THIS SECTION MUST BE MADE IN WRITING; NO ELECTRONIC TRANSMITTALS WILL BE ACCEPTED.

C. APPEAL TO THE EXECUTIVE DIRECTOR OF SPECIAL PROGRAMS (HEREINAFTER, “EXECUTIVE DIRECTOR”)
   1. ADMISSION OR WITHDRAW DECISIONS MADE UNDER THIS RULE MAY BE APPEALED TO THE EXECUTIVE DIRECTOR
   2. THE APPEAL MUST BE MADE IN WRITING AND FILED WITH THE EXECUTIVE DIRECTOR WITHIN TEN (10) CALENDAR DAYS OF:
      a. THE OFFICE OF MAGNET PROGRAMS’ ADMISSION DECISION; OR
      b. THE PRINCIPAL’S DECISION TO WITHDRAW THE STUDENT FROM THE MAGNET PROGRAM.
   3. THE APPEAL MUST INCLUDE THE FOLLOWING:
      a. THE FULL NAME, MAILING ADDRESS, AND TELEPHONE NUMBER FOR THE PERSON FILING THE APPEAL, OR THAT THE PERSON’S DESIGNATED REPRESENTATIVE.
      b. A COPY OF THE DECISION FROM WHICH THE APPEAL IS BEING TAKEN.
      c. A CONCISE STATEMENT OF THE ISSUES PRESENTED AND THE FACTS ABOUT WHICH THE PERSON IS APPEALING.
   4. THE EXECUTIVE DIRECTOR, OR HIS/HER DESIGNEE, WILL REVIEW THE FACTS OF THE CASE AND ISSUE A FINAL DECISION IN WRITING.
      a. THE EXECUTIVE DIRECTOR, OR HIS/HER DESIGNEE, WILL MAKE EVERY EFFORT TO ISSUE A WRITTEN DECISION WITHIN THIRTY (30) CALENDAR DAYS OF THE RECEIPT OF THE WRITTEN APPEAL.

D. APPEAL TO THE SUPERINTENDENT
   1. IF THE APPEAL IS DENIED OR THE PARTY IS NOT SATISFIED WITH THE DECISION RENDERED BY THE
EXECUTIVE DIRECTOR, HE/SHE MAY FURTHER APPEAL THAT DECISION BY FILING AN APPEAL WITH THE SUPERINTENDENT.

2. THE APPEAL MUST BE MADE IN WRITING AND FILED WITH THE SUPERINTENDENT WITHIN TEN (10) CALENDAR DAYS OF THE DATE OF THE EXECUTIVE DIRECTOR’S DECISION.

3. THE SUPERINTENDENT, OR HIS/HER DESIGNEE, WILL REVIEW THE FACTS OF THE CASE AND ISSUE A FINAL DECISION IN WRITING.
   a. THE SUPERINTENDENT OR DESIGNEE WILL MAKE EVERY EFFORT TO ISSUE A WRITTEN DECISION WITHIN THIRTY (30) CALENDAR DAYS OF THE RECEIPT OF THE APPEAL.

E. APPEAL TO THE BOARD OF EDUCATION
   1. A DECISION OF THE SUPERINTENDENT, OR HIS/HER DESIGNEE, REGARDING ENROLLMENT OR WITHDRAWAL UNDER THIS RULE MAY BE APPEALED TO THE BOARD OF EDUCATION OF BALTIMORE COUNTY.
   2. THE APPEAL MUST BE MADE IN WRITING AND FILED WITH THE BOARD OF EDUCATION WITHIN THIRTY (30) CALENDAR DAYS OF THE DATE OF THE SUPERINTENDENT’S DECISION.
   3. THE PROCEDURES FOR FILING AN APPEAL WITH THE BOARD OF EDUCATION ARE OUTLINED IN BOARD OF EDUCATION POLICY 8340, APPEAL BEFORE THE BOARD OF EDUCATION.

F. ENROLLMENT DURING APPEAL PROCESS
   1. IF THE STUDENT IS CURRENTLY ENROLLED IN A MAGNET PROGRAM, AND THE APPEAL HAS BEEN TIMELY FILED, THE STUDENT MAY REMAIN IN THAT MAGNET PROGRAM UNTIL THE EARLIER OF ONE OF THE FOLLOWING:
      a. THE BOARD HAS ISSUED ITS OPINION AND ORDER
      b. ALL APPEALS HAVE BEEN EXHAUSTED.
      c. THE CURRENT SCHOOL YEAR HAS ENDED.

[1. Definitions]
a. “Child” - an individual not currently enrolled in Baltimore County Public Schools.

b. “Eligible Applicant” – Any child or student who meets residency requirements for enrollment in the Baltimore County Public Schools and who either:
   1. Meets the age of entry requirement under Maryland law, or
   2. Applies concurrently for early admission to kindergarten and is granted early admission, in accordance with Policy 5110, by the 31st of January following the Magnet application deadline.

c. “Guardian” - a court appointed guardian of a child or of a student.

d. “Magnet Programs” – Those programs, established at the recommendation of the Superintendent and with the approval of the Board, with a specialized curriculum or those with an emphasis on instruction that is different from that generally offered in other schools throughout the school system. Magnet programs can be total-school or school-within-a-school programs.

e. “New Residents” – A child domiciled with the parent/guardian in Baltimore County after the application deadline and documented in accordance with Rule 5150.

f. “Qualified Applicant” – Any child or student who applies to and meets the established criteria for admission to a specific magnet program.

g. “Sibling” – A brother, sister, half-brother, half-sister, stepbrother, stepsister, or foster child living in the same household.

h. “Student” – An individual currently enrolled in the Baltimore County Public Schools.

2. Access to Magnet Schools and Programs

   a. To promote equal educational opportunities for all students, it is the goal of the school system to provide all interested students with a fair opportunity for access to magnet schools and programs. To carry out this goal, the Superintendent directs central office staff to assist each magnet program in developing equitable recruitment strategies and to recruit a pool of applicants which reflects the diversity of the school system as a whole.
b. At the elementary level, the school system will not employ any academic or other admissions criteria for determining whether a child or student is eligible for a magnet program. For secondary magnet programs that have academic or other admissions criteria, each year the Superintendent or the Executive Director of Special Programs, PreK-12, will review and approve those criteria to determine that they are educationally related to the specialized curriculum or instructional strategy.

c. Where school-within-a-school magnet programs exist, the principal will promote interaction, for as much of the school day as possible, between those students participating in the magnet program and those students who do not. The parent/guardian of a child or student residing in the attendance area of a school housing a magnet program also may apply on behalf of the child or student for admission to the program under the procedures set forth in Section 4e or 4f of this rule.

3. Transportation

a. The school system will provide transportation to students who reside in the attendance area of a magnet program in accordance with the standards established by the Department of Transportation, as set forth in Policy 3410.

b. Transportation to secondary school magnet programs will be provided from pick-up points located at designated school sites in each of the five geographic areas.

4. Admissions

a. The Superintendent or the Executive Director of Special Programs, PreK-12, together with a representative of each magnet program, annually will designate the number of available seats by grade for each magnet program for the following school year.

b. Each year, the Superintendent or Executive Director of Special Programs, PreK-12, will assess the extent to which each magnet program’s enrollment reflects the diversity of the school system as a whole. Based on this analysis, the Superintendent or Executive Director of Special Programs, PreK-12, may set recruitment goals for groups that are underrepresented in magnet programs. “Recruitment” may include efforts such as targeted mailings, but will not create any priority or preference for admission.
c. The Superintendent or Executive Director of Special Programs, PreK-12, will make magnet applications and brochures available at all schools, at the central office, and on the Baltimore County Public School’s Web site. Magnet applications and brochures will be distributed to the parents/guardians of students currently attending pre-kindergarten and the fifth and eighth grades in the Baltimore County Public Schools.

d. The parent/guardian of a child or student who received and has accepted an offer of admission into a magnet program outside of the zoned attendance area must apply for a special permission transfer in accordance with the provisions of Section III.B.2 or Section III.B.8 of Rule 5140 entitled STUDENTS: Enrollment and Attendance. A parent/guardian must complete the “Application for Special Transfer” and “Contract for Special Transfer Students” forms and submit the forms in accordance with directions provided when admission is offered. The school principal will consider the special permission transfer in accordance with the procedures set forth in Rule 5140. Students approved for a special transfer under the provisions of Section III.B.2. or Section III.B.8 of Rule 5140 are required to qualify for magnet programs according to the approved program criteria and will be selected according to the procedures set forth in Sections 4e and 4f of this rule. Parents/guardians of special permission transfer students are responsible for providing transportation to and from the magnet program unless the student can be accommodated by the existing bus routes and existing bus stops of that magnet program. In such instances, the parents/guardians are responsible for providing transportation to and from the existing bus stop.

When the special permission transfer student completes the terminal grade of an elementary or middle school magnet program, the student will attend the respective subsequent middle or high school serving his/her area of residence, unless the student is accepted into a magnet program.

e. Elementary Programs

(1) The parent/guardian of any eligible applicant may apply to up to three (3) magnet programs.

(2) Kindergarten Sibling Priority Placement: A parent/guardian applying to an elementary magnet program on behalf of a kindergarten applicant who has a sibling who is currently attending that magnet
program and when such sibling will continue to attend that magnet program the subsequent school year will be offered kindergarten placement in the magnet program prior to any lottery process. The application for kindergarten must be received within the regular application period in order to receive sibling priority placement.

3) In order to receive consideration, the applicant’s parent/guardian will submit, by the application deadline, a complete application for the upcoming school year, postmarked or hand delivered to the designated central office. Parents/guardians wishing to change school/program selections must, by the application deadline, submit a new application, postmarked or hand delivered to the designated central office. No program selection changes are accepted after the established application deadline.

4) If there are fewer eligible applicants than seats available for any elementary magnet program, the designated central office will admit all eligible applicants to fill the available seats. If there are more eligible applicants than seats available for an elementary magnet program, the designated central office will first apply the kindergarten sibling priority placement process followed by a random lottery selection process to fill the available seats.

5) After the lottery selection process, the designated central office will inform the schools’ administration of the students selected and will notify the parent/guardian of all students in writing of the admission status. The parent/guardian of a child or student offered admission will inform the designated central office of acceptance by the designated response deadline. Failure to meet the response deadline will result in forfeiture of the seat.

f. Secondary Programs

1) The parent/guardian of any eligible applicant may apply to one (1) program per school in up to three (3) schools. In order to receive consideration, the applicant’s parent/guardian will submit, by the designated application deadline, a complete application for the upcoming school year, postmarked or hand delivered to the designated central office. Parents/guardians of applicants wishing to change program selections must, by the application deadline, submit a new application, postmarked or hand delivered to the designated

DRAFT: 1/12/12 19
central office. No program selection changes are accepted after the established application deadline. For Baltimore County Public School students, the designated central office will obtain a copy of current individualized education plans (IEP), Section 504 Plans, or English Language Learner (ELL) plans, to determine whether modifications and accommodations should be provided during any audition/assessment. For eligible applicants not attending the Baltimore County Public Schools at the time of application, the parent/guardian will submit appropriate documentation of educational modifications and accommodations with the application.

(2) All applications for secondary magnet programs will be reviewed at the designated central office to determine the eligibility of each applicant using the criteria approved by the Superintendent or Executive Director of Special Programs, PreK-12, in accordance with Section 2b of this rule. The designated central office will notify the parents/guardians of ineligible applicants in writing of the application status.

(3) The designated central office, using criteria appropriate to the specific magnet program, in accordance with Section 2b of this rule, will screen applicants to determine the number of qualified applicants. If there are fewer qualified applicants than seats available for any secondary magnet program, the designated central office will admit all qualified applicants. If there are more qualified applicants than seats available for a secondary magnet program a random lottery selection process will be conducted to fill the available seats.

(4) At the middle school level where the number of qualified applicants exceeds the number of available seats for any magnet program, up to 10% of the seats may be filled first with qualified applicants who show exceptional commitment and promise in the specialized program as evidenced by their performance on the approved magnet assessment. The remaining seats will be filled using the centralized random lottery selection process from the remaining pool of qualified applicants.

(5) At the high school level where the number of qualified applicants exceeds the number of available seats for any magnet program, up to 20% of the seats may be filled first with qualified applicants who
show exceptional commitment and promise in the specialized program as evidenced by their performance on the approved magnet assessment. The remaining seats will be filled using the centralized random lottery selection process from the remaining pool of qualified applicants.

(6) After the random lottery selection process, the designated central office will inform the school’s administration of the students selected and will inform the parent/guardian in writing of the admission status. The parent/guardian of a child or student offered admission will inform the designated central office by the designated response deadline of acceptance. Failure to meet the response deadline will result in forfeiture of the seat.

5. **Waiting Lists**

   a. A waiting list will be generated as a result of the random lottery selection process for each oversubscribed magnet program. The waiting list will be maintained by the designated central office until the first day of the second semester of the school year for which admission is being sought.

   b. The parent/guardian of elementary and secondary students on waiting lists who are offered assignments to a magnet program must accept the assignment within five (5) business days of the date of the offer of assignment. Failure to meet the response deadline will result in forfeiture of that seat.

6. **New Residents**

   Parents/Guardians of students who are new residents of Baltimore County after the application deadline and before the start of the school year for which admission is being sought may submit to the designated central office a letter of interest for one (1) magnet program per school in up to three (3) schools. If space permits, new residents meeting the eligibility criteria for the program(s) in which they are interested will be selected in accordance with the procedures set forth in Sections 4.E and 4.F of this rule.

7. **Withdrawals**

   a. A student admitted to a magnet program, according to the procedures set forth in Section 4, items a-f of this rule, may remain in the program as long
as the parent/guardian is a resident of Baltimore County, and the student has not been withdrawn to attend another school, public or private. If a family or student moves within Baltimore County but out of the magnet zoned attendance area, transportation will not be provided.

b. Any request for temporary leave from a magnet program must be approved, in writing and in advance of such leave of absence, by the principal of the school. A leave of absence from the magnet program will be considered under the following conditions:

(1) A student may be granted a leave of absence for a maximum of one (1) year if the family and/or student moves out of Baltimore County temporarily.

(2) A student may be granted a leave of absence from the magnet program for the period of time necessary to complete any of the following: a stay as a patient in a hospital for an extended period of time; acceptance into a Board approved alternative education program or another exceptional education program; or enrollment in a licensed full-time substance abuse treatment program.

(3) A student may be granted a leave of absence from the magnet program for medical reasons for the period of time necessary to complete treatment and/or recovery from treatment. Requests which are based on medical, physical, or mental health reasons must be accompanied by documentation from a physician or mental health provider.

c. Students who violate the provisions of Policy 5550, *Disruptive Behavior*, or Policy 5540, *Alcoholic Beverages and Drugs*, will be suspended and expelled in accordance with applicable policies and rules. At the end of the expulsion period, the superintendent’s designee, in consultation with the area office, may either return the students to the magnet program from which they were expelled or to another appropriate, non-magnet school or program.

d. Students in danger of failing any magnet course will receive written notification of their status in accordance with Section 6 of Rule 5220 entitled STUDENTS: Reporting to Parents. Counseling regarding the propriety of a student’s continuation in magnet schools and programs will take place at the end of the school year.
Any decision by the principal to withdraw a student from a magnet program because of academic failure in a magnet course must be approved in advance by the Coordinator of Gifted & Talented Education and Magnet Programs or a designee. The principal will provide the student’s parent(s)/guardian(s) with a written explanation of the basis for the withdrawal that includes the process for appealing the decision.

A student who is withdrawn from a magnet program housed in a comprehensive school will be required to attend the student’s home school unless an application for Special Permission Transfer to another comprehensive school is filed by the parent/guardian and approved in accordance with Policy and Rule 5140.

e. Parents/guardians may remove students from magnet schools and programs and return them to their home schools. Principals of the students’ home schools will not deny the enrollment of such students.

8. **Appeals**

a. Denials of admission to magnet program may be appealed by the parent/guardian and must be made in writing to the Executive Director of Special Programs, PreK-12, within ten (10) calendar days from the date of the notification letter or the postmarked date, whichever is later. An appeal will be considered timely filed, if, within the allotted time period, it has been delivered to the Executive Director of Special Programs, PreK-12, postmarked, or deposited in the U.S. mail as registered or certified mail. Electronic submissions will not be accepted. The Executive Director of Special Programs, PreK-12, or a designee will evaluate the appeal and issue a written decision.

b. If the appeal is denied by the Executive Director of Special Programs, PreK-12, or a designee, the written decision will inform the parent(s)/guardian(s) of the right to appeal.

Appeals of magnet admissions denials by the Executive Director of Special Programs, PreK-12, or a designee must be made in writing to the Superintendent within fifteen (15) calendar days of the date of the denial letter from the Executive Director of Special Programs, PreK-12, or a designee, or the postmarked date, whichever is later. An appeal will be considered timely filed, if, within the allotted time period, it has been
delivered to the Superintendent, or postmarked, or deposited in the U.S. mail as registered or certified mail. Electronic submissions will not be accepted. The Superintendent or his/her designee will research and evaluate the appeal and issue a written decision.

c. If the appeal is denied by the Superintendent or a designee, the written decision will inform the parent(s)/guardian(s) of the right to appeal in writing to the Board within thirty (30) calendar days of the date of the denial letter in accordance with §4-205 of the Education Article of the *Annotated Code of Maryland* and Policy 8339 – Internal Board Policies: Operations, Appeal Before Hearing Examiner. An appeal will be considered timely filed, if, within the allotted time period, it has been delivered to the Board, postmarked, or deposited in the U.S. Mail as registered or certified mail. ]

**Legal References:** *Annotated Code of Maryland*, Education Article §4-205, *POWERS AND DUTIES OF COUNTY SUPERINTENDENT* [§4-205 and 7-301]

*ANNOTATED CODE OF MARYLAND, EDUCATION ARTICLE §6-404, DESIGNATION OF EXCLUSIVE REPRESENTATIVE FOR EMPLOYEES; SPECIFIC UNITS*

*ANNOTATED CODE OF MARYLAND, EDUCATION ARTICLE §6-501, DEFINITIONS*

*ANNOTATED CODE OF MARYLAND, EDUCATION ARTICLE §7-101, ADMISSION OF STUDENTS; LOCATION; KINDERGARTEN PROGRAMS*  
[COMAR 13A.08.01.02, Age for School Attendance]  

**Related Policies:**  
Board of Education Policy 5110, *Admission*

Board of Education Policy 5140, *School Attendance Areas*

Board of Education Policy 5150, *RESIDENTS AND NONRESIDENTS [Enrollment and Attendance]*  
[Board of Education Policy 5220, Reporting to Parents]

BOARD OF EDUCATION POLICY 5500, *CONDUCT*  
BOARD OF EDUCATION POLICY 5550, *DISRUPTIVE BEHAVIOR*

Board of Education Policy 6400, *Magnet [Schools and] Programs*

BOARD OF EDUCATION POLICY 8340, *APPEAL BEFORE THE BOARD OF EDUCATION*
RULE 6400

BOARD OF EDUCATION POLICY 8341, APPEAL BEFORE A HEARING EXAMINER

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Superintendent of Schools