INSTRUCTION

Special Programs

Divisionwide and School-Based Lottery Programs

This regulation supersedes Regulation 3312.1.

I. PURPOSE

To provide application and student selection procedures for divisionwide and school-based lottery programs.

II. SUMMARY OF CHANGES

A. Section V.C.8., V.C.9., and V.C.10. provides clarity on school placement.

B. Section V.D.3. was removed and the Section has been renumbered.

C. Section V.D.2b., 3., and 4. provide clarity on magnet lottery process, including waitlist management and considerations for magnet school status.

D. Section VI, A.4. clarifies out-of-boundary elementary magnet school placement guidelines.

III. DEFINITION

Divisionwide lottery special programs provide the opportunity for out-of-boundary students to participate in a program not offered at their base school. FCPS currently offers three divisionwide lottery programs: Magnet, World Languages Immersion, and Two-Way Immersion.

School-based lottery special programs provide the opportunity for base school students to participate in a special program offered at their school.

A magnet school program offers unique schoolwide instructional initiatives to benefit the school’s students and community. A magnet school program can emphasize a particular discipline, provide additional instructional strategies, and require additional resources. In-boundary students automatically participate in a magnet school program. Out-of-boundary students have the opportunity to apply and participate in a magnet school program via a lottery process facilitated by Instructional Services (IS).
Language immersion programs offer an approach to early language learning that utilizes the target language as a medium for instruction. FCPS students spend half of the day learning the target language using two program types depending on the target population:

A. World Languages Immersion Program

This program is designed for learners of the target language and

B. Two-Way Immersion Program

The Two-Way Immersion Program is designed for a 50/50 balance of speakers of the target language and speakers of English to mutually benefit each group’s language acquisition process.

In both programs, students have the opportunity to develop academic content while building academic target language competence. Immersion programs are available as divisionwide and school-based lottery programs. The lottery process is facilitated by IS for students entering kindergarten or first grade, depending on the program.

IV. STUDENT APPLICATION PROCESS

A. General Lottery Application Requirements

1. Students must be eligible for registration within FCPS to submit an application.

a. For rising kindergarten, a child must be 5 years old by September 30 in the upcoming school year.

b. For rising first grade, a child must be 6 years old by September 30 in the upcoming school year.

c. As required by Section 22.1-254 of the Code of Virginia and FCPS Regulation 2202, Required Admission Credentials for Students, which state that a child's fifth birthday must fall on or before September 30 of the school year for the child to be eligible to attend a Virginia public school. If a parent elects to place a child in a private kindergarten program because the child did not meet the public school age requirements, the child will be considered eligible for kindergarten the following year. However, the principal has the option of promoting the child to first grade upon review of the child's academic records and staff assessment of performance. If a child attends private school kindergarten and first grade, the child would be eligible for second grade, but the principal maintains the option to place the child in first grade if concerns arise. The Virginia Council for Private Education (VCPE), has been granted authority through the Code of Virginia, Section 22.1-19, to accredit private schools. If a student was enrolled, successfully completed, and promoted to the first grade from a Virginia private school accredited by one of the VCPE schools, the student shall be enrolled in the first grade without an assessment regardless of age. Parent must provide a final report card that indicates that the child has successfully completed the kindergarten program at
the accredited private school. For information on accredited private schools in Virginia, please visit the VCPE website.

2. Students must be registered in FCPS prior to submitting a divisionwide lottery application.
   
   a. A parent or guardian of an unregistered student must complete the countywide registration process at the base school.

   b. Exceptions may be made for military families moving to Fairfax County who are ineligible to register at a base school. Lottery applications will be accepted for military families who can provide official documentation that they will reside within Fairfax County during the school year for the current lottery. Official documentation will be provided to IS. IS will facilitate the submission of the lottery application for military families once the documentation is received.

3. Lottery applications are accepted for the next rising grade level for applying students. The lottery application for any other grade level requires agreement from both the base school and the special programs school that the lottery application is valid for the adjusted grade level prior to the lottery application deadline.

4. A one-time pupil placement application fee applies for students accessing special programs outside of their base school for Immersion or magnet school programs as outlined in Notice 5922, Student Fees.

B. In-Boundary Student Lottery Application Requirements

   1. Magnet Program: In-boundary students automatically participate; therefore, do not need to submit an application to be included.

   2. Divisionwide World Languages Immersion Program: In-boundary students submit an application through the FCPS online application process.

   3. Divisionwide Two-way Immersion Program: In-boundary students submit an application through the FCPS online application process.

   4. School-based Two-way Immersion Program: Only in-boundary students are accepted. In-boundary students submit an application directly to the immersion school. A lottery is held if there are more applicants than seats available in the selected language.

C. Out-of-Boundary Student Application Requirements

   1. Applicants for admission to a divisionwide lottery special program must reside with a parent and/or legal guardian who is a full-time resident of, and meets all of the residency requirements of, FCPS at the time of application.

   2. Exceptions may be made for military families moving to Fairfax County. Lottery applications will be accepted for military families who can provide official
documentation that they will reside in Fairfax County during the school year for the current lottery.

3. Student eligibility for special programs will not be based on academic achievement, social and interpersonal school behaviors, and/or preschool experience.

4. Siblings of currently enrolled special program students who were selected by the lottery in a previous year are considered legacies; however, an application is still required and must be submitted by the established deadline.

V. LOTTERY PROCESS

A. School-Based Lottery

1. The principal, in consultation with the regional assistant superintendent (RAS), will determine the number of spaces available in the special program.

2. If there are more applicants than seats available in the special program, the principal with facilitation from IS, will run a lottery in accordance with special program requirements to fill seats in the program and determine the wait list.

3. The principal will inform the parents regarding acceptance or waitlist status for the special program.

B. Divisionwide Lottery

1. Communication to families who are interested in applying for a special program will include a face-to-face parent informational night at each magnet school location. Families who are invited to the special program will have the opportunity to attend an open house at the special program site.

2. The principal, along with consultation with the RAS, IS, and the Office of Facilities Planning Services, will determine the number of special program spaces available.

3. Siblings of currently enrolled special program students are considered legacies and have preference over other students in the lottery. Within the Magnet Program, siblings of students who were admitted to the K-6 Magnet Program through the lottery and are currently attend a magnet school are considered legacies. Within the immersion programs, students are considered a legacy as long as the sibling is currently an FCPS enrolled student.

4. Separate lottery applications are required for siblings.

5. Lottery applicants are placed in a database for random selection through a lottery process implemented by IS.

   Siblings are given priority in the lottery process and receive a prioritized lottery number. The lottery number is generated randomly through a database with the identified
sibling status for sibling applications. If there are fewer seats than sibling applicants, siblings are invited based on their lottery number up to the number of seats available.

6. A separate lottery is held for each school site and special program identified on the student application. Acceptance is not transferrable to other school sites.

   The immersion programs maintain separate lottery processes for out-of-boundary and in-boundary applications.

7. All accepted students must enroll in the special program by the deadline dates communicated in the final acceptance letter. Parents may decline acceptance into the special program. Relinquished seats will be offered to the next student on the waitlist.

8. Staff members whose child is eligible to a special program school must submit an application and be accepted via the lottery process during the lottery timeline in order for the student to remain at the school if the staff member relocates.

C. Immersion Lottery Process

1. Immersion lottery balances are determined based on the program type of the immersion school. Schools that implemented an immersion program from 1989-1990 accept in-boundary students first and all remaining seats are filled with out-of-boundary students. Schools that implemented an immersion program in 1994-1995 accept 50 percent in-boundary students and 50 percent out-of-boundary students.

2. World languages immersion programs admit up to 10 percent of fluent speakers to the program. FCPS uses the following definition of fluent speaker: If the child’s first and innate response to a question in the target language is in the target language, and language production is developmentally appropriate for the age group, the child is considered a fluent speaker. If the child demonstrates understanding but the response is in English or another preferred language, the child does not qualify as a fluent speaker.

3. Two-Way Immersion programs balance up to 50 percent of fluent speakers of the target language and fluent speakers of English.

4. The RAS, with consultation from the Offices of Facilities Planning and IS, may temporarily change lottery balances in extreme overcrowding circumstances after sufficient notice and communication to the community.

5. Waitlisted students will be admitted to the immersion programs in the order and category of their wait listing. If an accepted student declines their seat, the seat will be given to the next student on the waitlist. Offered seats must be accepted within the communicated time window stated in the invite letter.

   a. Kindergarten immersion waitlists are closed out at the end of each school year. All students who wish to seek grade 1 placement need to reapply to the lottery for grade 1.
b. Grade 1 immersion waitlists remain active beyond grade 1. Students are invited from the waitlist to the immersion program based on availability at the school site. After the first semester of grade 2, students are invited pending successful completion of a target language assessment, to ensure student’s oral target language skills are consistent with grade level expectations.

6. Late entry into language immersion programs (entry past the initial lottery process in kindergarten and first grade) is possible by contacting the school directly. Late applicants will be added to the bottom of the generated waitlist. Late entry into an immersion program past the second semester of second grade is left to the discretion of the principal and will depend on space available in the immersion program, overall programmatic space at the school, and a target language assessment to ensure a student’s oral target language skills are consistent with grade level expectations.

7. Immersion programs are offered as a supplement to a regular academic program and are not an academic requirement. Any student admitted into an immersion program must maintain appropriate behavior, attend school regularly, and demonstrate academic progress. If the conditions of the immersion program are not maintained, the principal may revoke approval. The principal will notify the parent, and the student will be reassigned to a non-immersion classroom at their base school.

8. A parent has the right to remove a student from an immersion program. Upon removal from the program, the student will return to a non-immersion classroom at their base school. On a case-by-case basis and at the discretion of the principal, the school may allow a student to remain for the current school year.

9. If an immersion student does not start school within the first seven days and becomes unenrolled, the student will lose placement in the immersion program and must reapply for future placement.

10. A list of elementary and middle schools based on program type is at the following website http://www.fcps.edu/is/worldlanguages/immersionschools.shtml.

D. Magnet Lottery Process

1. Due to school capacity and opportunity for admittance through the divisionwide magnet lottery, elementary magnet schools are closed for student transfers by reason of childcare hardship, medical/emotional/social adjustment, or sibling status, as stated in Regulation 2230, Student Transfer Process. Out-of-boundary students who wish to attend an elementary magnet school can utilize the lottery process to pursue a transfer to the magnet school.

2. Lotteries are held by grade level. Each student receives a lottery number. When filling lottery spaces, the highest grade levels are filled first. Siblings of children placed at the highest grade levels from the lottery will have preference as efforts are made as much as possible to keep children in families together at the same school.

   a. Students who are not placed through the initial lottery process will be placed on a waitlist and will receive a waitlist number. If a space becomes available within a
school and/or grade level, it will be offered to the first student on the waitlist. No sibling preference is provided for students who are placed through the waitlist process.

b. The magnet lottery waitlist closes on the last day of school. The magnet lottery waitlist does not carry over into the following school year’s magnet lottery process.

3. An out-of-boundary student admitted through the lottery process who moves outside of FCPS will lose current magnet program school placement; and upon return must reapply through the lottery process for future placement.

4. If out-of-boundary student does not start school within the first seven days and becomes unenrolled, the student will lose current magnet placement and must reapply through the lottery process for the future placement.

VI. OUT-OF-BOUNDARY PLACEMENT GUIDELINES

A. General Guidelines

1. A student who is accepted to participate in a special program must at all times continue to reside with a parent and/or guardian who is a full-time Fairfax County resident, and meets the residency requirements.

2. All changes of address from the time of application through sixth grade must be reported to the principal of the school immediately upon change of address. If there is a change of address, a parent and/or legal guardian must complete the countywide registration process, General Registration Requirements.

3. An out-of-boundary student admitted through the lottery who moves to another location within FCPS maintains placement in the special school program.

4. A student who lives in a magnet school boundary (and therefore does not have lottery status) and then moves, loses the possibility of placement at the school beyond that current school year unless the student participates in an immersion program housed at that school site. An out-of-boundary student who wishes to return to the elementary magnet school must be invited through the next lottery in order to attend the magnet school the following school year. Regulation 2230 may not be utilized to request a transfer to the magnet school.

5. Any student who is granted a transfer must maintain appropriate behavior, attend school regularly, and demonstrate academic progress. If the conditions of the special program are not maintained, the principal may revoke approval. The principal will notify the parent and the Office of Student Registration (OSR) of the revocation, and the student will be reassigned to the base school.

6. Transportation may be provided for out-of-boundary students who attend the magnet program from designated depot stops, predetermined by the Office of Transportation. Opportunity for transportation is based on the fiscal budget each year and is not guaranteed. Transportation is not offered for immersion programs, unless the program
is based at a school site that offers the magnet program; in this case, the immersion student may access the depot transportation provided to the magnet school.

B. Guidelines for Middle School Placement

1. Out-of-boundary immersion students continue the immersion program at the middle school level. Placement into the middle school immersion program is only guaranteed at the feeder middle school of the current immersion elementary school. Immersion students who are eligible for Level IV Advanced Academic Program (AAP) services may receive both AAP Level IV and immersion services at the feeder middle school, if the feeder middle school offers Level IV services. Office of Facilities Planning will be notified of students who continue to the immersion program at the middle school level.

2. Magnet programs are elementary specific programs and are not continued at the middle school level. All out-of-boundary magnet students return to their base middle school for their continued education.

C. Guidelines for Magnet Program Schools That Also Offer an Advanced Academic Program (AAP) Center

1. If an elementary out-of-boundary magnet student qualifies for and accepts Level IV AAP center services, the student must attend the designated AAP center based on current residence. The student does not have rights to attend the Level IV AAP center at the magnet school.

2. Deadline dates for acceptances and declines for the lottery invitations should be after the AAP center notifications are sent out to parents in early May.

D. Guidelines for Magnet Schools That Also Offer a World Languages Immersion Program

1. Out-of-boundary students: Students may apply to both the magnet and immersion programs and complete separate applications for each program. Both lottery programs will hold separate lotteries and determine separate wait lists.

   a. Students selected through the lottery application process for more than one program (immersion and magnet) must choose to accept the invitation from one program. Lottery invitations are not transferable across programs.

   b. Out-of-boundary immersion students who attend a school with a magnet program will be provided available transportation.

2. Out-of-boundary students: Students who are interested in an immersion program will submit an application through the countywide online World Languages application process.

3. Out-of-boundary students: Students who are interested in the magnet program only will submit an application through the countywide magnet school lottery process. Available spaces within a special program school that offers both magnet and immersion programs will first determine the number of seats to fill the immersion
program. Additional seats may be determined for the magnet program after immersion seats have been identified.

4. In-boundary students: Students who wish to participate in the World Languages Immersion Program may apply through the countywide online World Languages application process. The World Languages office will notify parents regarding acceptance or waitlisting of their student for the immersion program.

5. Students who participate in the immersion lottery process will first be selected and identified to fill immersion seats in kindergarten and first grade. Once students have been invited in an immersion program, the magnet lottery process will select and invite additional students based on available number of seats.

6. In order to qualify for sibling status for an immersion program, the sibling must be and/or have been enrolled in the immersion program.

7. Immersion seats at the kindergarten level are filled in the following order:
   a. Siblings
   b. In-boundary students
   c. Out-of-boundary students

8. Immersion seats at the first grade level are filled in the following order:
   a. Students continuing from the kindergarten immersion program
   b. Siblings
   c. Out-of-boundary students
   d. In-boundary students

9. An out-of-boundary student may exit a lottery program mid-year and return to their base school.

Lottery invitations are not transferable across programs. When a school has two lottery programs, an immersion student who would like to exit the immersion program is not granted magnet status at the school. The two lotteries and programs are separate; lottery status within one program does not transfer to lottery status within the other program. The decision to keep the student for the remainder of the school year is a school-based decision made on a case by case basis. Once the school year is over, the student will:
   a. Return to the base school; and
   b. Enroll in the magnet lottery (continued enrollment pending on invitation through the lottery).
VII. SPECIAL SCHOOL PROGRAM APPLICATION AND LOTTERY TIMELINE

<table>
<thead>
<tr>
<th>ACTION</th>
<th>Magnet</th>
<th>World Languages Immersion and Two-way Immersion</th>
</tr>
</thead>
<tbody>
<tr>
<td>Info Gram released to provide special program school information to schools and the community</td>
<td>January</td>
<td>December</td>
</tr>
<tr>
<td>Special program application process opens</td>
<td>Beginning of March</td>
<td>Mid-January</td>
</tr>
<tr>
<td>Parent information nights held at each school</td>
<td>January-February</td>
<td>January-February</td>
</tr>
<tr>
<td>Special program application deadline</td>
<td>Beginning of April</td>
<td>End of February (first grade) End of April (kindergarten)</td>
</tr>
<tr>
<td>Lottery process for special program</td>
<td>April</td>
<td>March (first grade) April (kindergarten)</td>
</tr>
<tr>
<td>Invited and waitlisted families are notified</td>
<td>April</td>
<td>March (first grade) April (kindergarten)</td>
</tr>
<tr>
<td>School holds multiple open houses for invited families</td>
<td>April-May</td>
<td>N/A</td>
</tr>
<tr>
<td>Parent intent forms due</td>
<td>Mid-May</td>
<td>End of March (first grade) April (kindergarten)</td>
</tr>
<tr>
<td>Magnet waitlists will be closed</td>
<td>Last day of school</td>
<td>N/A</td>
</tr>
<tr>
<td>Principals invite waitlisted students to participate in immersion program as space becomes available in the current school year</td>
<td>N/A</td>
<td>No deadline</td>
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</table>

Legal Reference:
Code of Virginia, Section 22.1-19 and Section 22.1-254

See also the current versions of:
Notice 5922, Student Fees
Regulation 2202, Required Admission Credentials for Students
Regulation 2230, Student Transfer Process