

**RESIDENCY: SCHOOL AND PUPIL PERSONNEL WORKER PROCEDURES
FOR THE TRANSFER OF EDUCATIONAL RECORDS AND
ENROLLMENT OF CHILDREN IN STATE-SUPERVISED CARE**

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- Appeal to Residency Liaison Regarding the Transfer of a Student's Record
 - Baltimore County Public Schools: Transfer of Educational Records for Students in State-Supervised Care – Brochure
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BACKGROUND:

In 2005, the Maryland General Assembly passed into law Maryland Code, Education Article, Sections 8-501 to 8-506 to assure students in state-supervised care can promptly enroll in new schools and have the former schools provide their records in a timely fashion.

I. Definitions

- A. "Child in State-Supervised Care" means a child who is in the custody of, committed to, or otherwise placed by a placement agency.
- B. "Department" means the Maryland State Department of Education.
- C. "Non-collegiate educational institution" means a school or other institution that offers an educational program but is not an institution of postsecondary education, as defined in Education Article, §10-101, *Annotated Code of Maryland*.
- D. "Notice" means that written, verbal, or other communication regarding the identification of a child in state-supervised care has been accomplished.
- E. "Placement agency" means:
 - The Department of Health and Mental Hygiene.
 - The Department of Juvenile Services.
 - A local Department of Social Services.
 - A private agency that engages in the placement of children in homes or with individuals; and is licensed by the Social Services Administration under Family Law Article, §5-507, *Annotated Code of Maryland*.

- F. "Receiving school" means a public school or a non-collegiate educational institution affiliated with a residential child care program or treatment facility that has an education program approved by the department in which a child in state-supervised care is newly enrolled or seeks to enroll.
- G. "Sending school" means a public school or a non-collegiate educational institution affiliated with a residential child care program or treatment facility that has an educational program approved by the department in which a child in state-supervised care was enrolled prior to enrolling, or seeking to enroll, in a receiving school.

II. Enrollment Procedures

- A. Baltimore County Public Schools is subject to the requirements of the Federal McKinney Vento Homeless Education Assistance Improvement Act of 2001. Principals or their designees shall immediately refer homeless children and youth or those who appear to be homeless to the pupil personnel worker or school-based homeless liaison. Case management will be provided by the pupil personnel worker. For homeless students or students who appear to be homeless, please refer to Pupil Services 512, "Procedures for the Education of Homeless Children and Youth."
- B. The placement agency responsible for the child in state-supervised care or the placement agency's designee shall provide notice to a receiving school regarding the enrollment or imminent enrollment of the child in state-supervised care. The parent, education guardian, parent surrogate, foster parent, court-appointed attorney, or court-appointed special advocate acting on behalf of the child in state-supervised care may also provide notice to a receiving school regarding the enrollment.
- C. Within two (2) school days after receiving the notice a receiving school shall:
 - 1. Request in writing the educational record of the child in state-supervised care from the sending school and inform the sending school orally of enrollment.
 - 2. Provide a copy of the request to the responsible adult acting on behalf of the child in state-supervised care.
 - 3. Inform the child and responsible adult, acting on behalf of the child, of the rights set forth in this regulation, including the dispute resolution process.
- D. Unless otherwise noted in court documents, the receiving school will allow the birth parent of a student in state-supervised care to enroll the student.
- E. After receiving notice, the sending school shall:
 - 1. Immediately inform the receiving school orally of the grade level in which the child was last enrolled; and the status of the child under Section 504 of the Rehabilitation Act under the Individuals with Disabilities Education Act; if applicable.
 - 2. Within three (3) school days following receipt of notice the sending school shall mail, hand-deliver, or transmit electronically to the receiving school a copy of:

- A completed student withdrawal or transfer record of the child in state-supervised care.
- Academic records.
- Discipline records.
- Immunization records.
- If applicable, the most recent individualized education program or 504 plan and the most recent assessments.

F. Upon receipt of the documentation required in II. E. 2. of this procedure, the receiving school shall enroll the student immediately. If the student has not been withdrawn from the sending school, he/she will be considered withdrawn upon enrollment at the receiving school.

III. Appeal Process

If the child and/or responsible adult acting on the behalf of the child disputes requirements set forth above in part II, they may appeal through the dispute resolution process.

- A. To initiate an appeal, the child and/or adult must file a written notice of appeal to the residency liaison, Baltimore County Public Schools, within thirty (30) calendar days following the action which is being appealed. Appeals must be made in writing using the form, "Appeal to the Residency Liaison Regarding the Transfer of Student Records."
- B. Appeals must be hand delivered or mailed to the Office of the Residency Liaison, 9610 Pulaski Park Drive, Suite 219, Baltimore, Maryland 21220.
- C. During the dispute resolution process, the child in state-supervised care shall remain enrolled in the receiving school.
- D. The sending or receiving school shall provide educational services including the implementation of an existing individualized education program or 504 plan for a child in state-supervised care who is the subject of a dispute.
- E. All appeals will be determined within twenty school (20) days after the filing of the appeal form.