

STUDENTS: Enrollment and Attendance

RESIDENT AND NONRESIDENT STUDENTS

I. PURPOSE

- A. TO SET FORTH THE PROCEDURES VERIFYING BONA FIDE DOMICILE FOR ENROLLMENT PURPOSES AND ASSESSING TUITION UNDER CERTAIN CIRCUMSTANCES.
- B. A CHILD WHO IS DEEMED TO BE DOMICILED IN BALTIMORE COUNTY WITH HIS/HER PARENT AS OUTLINED BELOW SHALL BE ADMITTED TO BCPS WITHOUT THE PAYMENT OF TUITION AND SHALL ATTEND HIS/HER ASSIGNED HOME SCHOOL UNLESS ATTENDANCE IN ANOTHER SCHOOL IS AUTHORIZED IN ACCORDANCE WITH SCHOOL SYSTEM POLICY AND/OR PROCEDURES.

II. DEFINITIONS

- A. *BUSINESS DAY* – ANY DAY THAT THE CENTRAL OFFICES OF THE SCHOOL SYSTEM ARE OPEN FOR BUSINESS OR AS PROVIDED ON THE OFFICIAL SCHOOL SYSTEM CALENDAR.
- B. *CHILD* - ANY CHILD WHO MEETS ALL STATE REQUIREMENTS FOR ENROLLMENT AND WHO IS NOT CURRENTLY ENROLLED IN A BCPS 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, AND
  - 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. *CHILD OF A MILITARY FAMILY* – A SCHOOL-AGED CHILD, ENROLLED IN KINDERGARTEN THROUGH TWELFTH GRADE, IN THE HOUSEHOLD OF AN ACTIVE DUTY MEMBER.

1. ACTIVE DUTY MEANS FULL-TIME DUTY STATUS IN THE ACTIVE UNIFORMED SERVICE OF THE UNITED STATES, INCLUDING MEMBERS OF THE NATIONAL GUARD AND RESERVE ON ACTIVE DUTY ORDERS PURSUANT TO 10 U.S.C. 1209 AND 1211.

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

F. *EMPLOYEE* – A CERTIFICATED OR NON-CERTIFICATED INDIVIDUAL WHO IS EMPLOYED FOR A LEAST 9 MONTHS A YEAR ON A FULL-TIME BASIS BY BCPS AND AS DEFINED BY §6–404 AND §6–501 OF THE EDUCATION ARTICLE OF THE *ANNOTATED CODE OF MARYLAND*.

G. *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.

H. *FOSTER HOME* – A FAMILY HOME IN WHICH THE CHILD IS PLACED BY A LICENSED PUBLIC OR PRIVATE AGENCY OR BY A COURT OF COMPETENT JURISDICTION.

*FRAUDULENT ENROLLMENT* – REFERS TO THE INTENTIONAL MISREPRESENTATION OF DOCUMENTATION OR MATERIAL FACT REGARDING DOMICILE, PROVIDING FALSE INFORMATION ON DOCUMENTATION OR APPLICATIONS, AND/OR THE FAILURE TO NOTIFY BCPS OF A CHANGE IN DOMICILE OR CHANGE IN HARDSHIP CONDITIONS FOR WHICH ENROLLMENT WAS APPROVED. ANY CHANGE IN HARDSHIP CONDITIONS OR DOMICILE MUST BE PROVIDED TO THE SCHOOL PRINCIPAL WITHIN FIFTEEN (15) BUSINESS DAYS OF OCCURRENCE.

- I. ANY SUCH CHANGE MUST BE PROVIDED TO THE SCHOOL PRINCIPAL WITHIN FIFTEEN (15) BUSINESS DAYS OF OCCURRENCE.
  - J. *INFORMAL KINSHIP CARE* - A LIVING ARRANGEMENT IN WHICH A RELATIVE OF A CHILD WHO IS A RESIDENT OF THE STATE OF MARYLAND, AND WHO IS NOT IN THE CARE, CUSTODY, OR GUARDIANSHIP OF THE LOCAL DEPARTMENT OF SOCIAL SERVICES, PROVIDES FOR THE CARE AND CUSTODY OF A CHILD DUE TO A SERIOUS FAMILY HARDSHIP.
    - 1. RELATIVE MEANS AN ADULT RELATED TO THE CHILD BY BLOOD OR MARRIAGE WITHIN THE FIFTH DEGREE OF CONSANGUINITY.
  - K. *NONRESIDENT STUDENT* – ANY QUALIFIED SCHOOL-AGED CHILD WHO DOES NOT HAVE AN ESTABLISHED BONA FIDE DOMICILE IN BALTIMORE COUNTY.
  - L. *PARENT* – THE BIOLOGICAL OR ADOPTIVE PARENT, LEGAL GUARDIAN, OR PERSON ACTING IN THE ABSENCE OF THE PARENT OR GUARDIAN.
  - M. *RESIDENTIAL DWELLING UNIT* - ONE OR MORE ROOMS IN A RESIDENTIAL BUILDING OR STRUCTURE, SUCH AS A HOUSE, APARTMENT, CONDOMINIUM, OR TRAILER THAT IS USED FOR LIVING PURPOSES.
  - N. *STUDENT* – A SCHOOL-AGED CHILD WHO MEETS SPECIFIED CONDITIONS FOR ESTABLISHING DOMICILE IN BALTIMORE COUNTY AND WHO IS CURRENTLY ENROLLED IN A BCPS SCHOOL.
  - O. *TERMINAL GRADE* - THE LAST GRADE BEFORE TRANSITIONING TO ANOTHER SCHOOL DUE TO THE CHANGE IN GRADE LEVEL. CURRENT TERMINAL GRADES FOR COMPREHENSIVE SCHOOLS ARE: ELEMENTARY, 5<sup>TH</sup>; MIDDLE, 8<sup>TH</sup>; AND HIGH, 12<sup>TH</sup>.
- III. RESIDENT STUDENT
- A. A SCHOOL-AGED STUDENT MEETING ANY ONE OF THE FOLLOWING CONDITIONS WILL BE CONSIDERED A RESIDENT STUDENT AND WILL BE ADMITTED TO BALTIMORE COUNTY

PUBLIC SCHOOLS WITHOUT PAYMENT OF TUITION EXCEPT AS NOTED ELSEWHERE IN THIS RULE.

1. A SCHOOL-AGED STUDENT WHOSE PARENT(S) HAS/HAVE ESTABLISHED BONA FIDE DOMICILE IN BALTIMORE COUNTY;
2. A SCHOOL-AGED STUDENT WHOSE PARENTS LIVE APART AND:
  - a. THE PARENT TO WHOM LEGAL CUSTODY IS AWARDED BY THE COURT HAS ESTABLISHED BONA FIDE DOMICILE IN BALTIMORE COUNTY; OR
  - b. THE PARENT WITH WHOM THE STUDENT LIVES REGULARLY HAS ESTABLISHED BONA FIDE DOMICILE IN BALTIMORE COUNTY, AND JOINT CUSTODY IS AWARDED BY THE COURT OR A DETERMINATION OF LEGAL CUSTODY HAS NOT BEEN MADE.
  - c. A SCHOOL-AGED EMANCIPATED OR ADULT STUDENT WHO HAS ESTABLISHED AN INDEPENDENT BONA FIDE DOMICILE IN BALTIMORE COUNTY;
  - d. A SCHOOL-AGED STUDENT WITH A COURT-APPOINTED GUARDIAN WHO HAS ESTABLISHED A BONA FIDE DOMICILE IN BALTIMORE COUNTY;
  - e. A SCHOOL-AGED STUDENT WHOSE PARENT HAS ESTABLISHED A BONA FIDE DOMICILE IN BALTIMORE COUNTY, AND WHO HAS BEEN PLACED IN A FOSTER OR GROUP HOME IN BALTIMORE COUNTY BY A LICENSED PRIVATE, COUNTY, OR STATE CHILD PLACEMENT AGENCY. DOMICILE FOR PURPOSES OF ADMISSION AND ASSIGNMENT IS THE ADDRESS OF THE FOSTER OR GROUP HOME.

B. VERIFICATION OF DOMICILE

1. PROOF THAT A CHILD IS DOMICILED IN BALTIMORE COUNTY WITH THE CHILD'S PARENT IS REQUIRED. THE BURDEN OF ESTABLISHING DOMICILE IS WITH THE PARENT(S).
2. THE FOLLOWING DOCUMENTS ARE REQUIRED TO VERIFY DOMICILE IN BALTIMORE COUNTY:
  - a. PROOF OF PARENT IDENTITY

RULE 5150

- (1) A VALID DRIVER'S LICENSE WITH PHOTOGRAPH, PASSPORT, MOTOR VEHICLE ADMINISTRATION IDENTIFICATION, OR OTHER LEGAL FORM OF PHOTOGRAPHIC IDENTIFICATION.
  - (2) A DOCUMENT USED FOR PHOTO IDENTIFICATION ONLY MAY NOT BE USED TO VERIFY DOMICILE.
- b. PROOF OF DOMICILE FOR HOMEOWNER -- ACCEPTABLE DOCUMENTS ARE:
- (1) DEED OR DEED OF TRUST THAT HAS ALL REQUIRED SIGNATURES.
  - (2) TITLE;
  - (3) MORTGAGE COUPON BOOK;
  - (4) REAL ESTATE TAX BILL OR RECEIPT;
  - (5) IF A HOME HAS JUST BEEN PURCHASED AND NO DEED IS AVAILABLE, SIGNED SETTLEMENT PAPERS MAY BE SUBMITTED. WITHIN 30 DAYS OF ENROLLMENT, THE PARENT MUST SUBMIT A DEED OR A DEED OF TRUST WITH ALL REQUIRED SIGNATURES.
- c. PROOF OF DOMICILE FOR RENTER – ACCEPTABLE DOCUMENTS ARE:
- (1) ORIGINAL, CURRENT LEASE OR RENTAL AGREEMENT FROM A REAL ESTATE MANAGEMENT COMPANY OR COMMERCIAL LESSOR FOR A RESIDENTIAL DWELLING LOCATED IN BALTIMORE COUNTY, ALONG WITH ALL REQUIRED SIGNATURES.
  - (2) LEASE OR RENTAL AGREEMENT FROM A PRIVATE PARTY OWNER. THE PRIVATE PARTY OWNER MUST ESTABLISH OWNERSHIP AS OUTLINED IN PARAGRAPH III.B.2.b. ABOVE.
- d. THREE DOCUMENTS FROM THE FOLLOWING LIST MUST BE SUBMITTED TO VERIFY PARENT NAME AND ADDRESS. IF MAIL, AN INVOICE, OR A STATEMENT IS USED, THE DOCUMENT MUST BE DATED WITHIN 60 CALENDAR DAYS OF THE DATE OF ENROLLMENT.
- (1) FEDERAL OR STATE INCOME TAX RETURN FOR THE TAX YEAR IMMEDIATELY

- PRECEDING ENROLLMENT;
- (2) W-2 FORM FOR THE CURRENT YEAR;
  - (3) A STATEMENT WRITTEN ON COMPANY LETTERHEAD FROM THE PARENT'S EMPLOYER WHICH VERIFIES THE PARENT'S CURRENT ADDRESS;
  - (4) CORRESPONDENCE ADDRESSED TO THE PARENTS FROM AN OFFICE OF A FEDERAL, STATE, OR LOCAL COUNTY GOVERNMENTAL AGENCY;
  - (5) CHARGE ACCOUNT/CREDIT CARD BILLING STATEMENT;
  - (6) BANK ACCOUNT STATEMENT;
  - (7) GAS AND ELECTRIC BILL;
  - (8) CABLE BILL;
  - (9) VOTER'S REGISTRATION CARD;
  - (10) MOTOR VEHICLE ADMINISTRATION VEHICLE REGISTRATION;
  - (12) DRIVER'S LICENSE, MARYLAND IDENTIFICATION CARD OR AGE OF MAJORITY CARD ISSUED BY THE MARYLAND MOTOR VEHICLE ADMINISTRATION ONLY WHEN DOCUMENT HAS NOT BEEN USED TO VERIFY PROOF OF PARENT IDENTITY IN SECTION III.B.2.a. ABOVE.
  - (11) CHANGE OF ADDRESS NOTIFICATION FROM THE UNITED STATES POSTAL SERVICE;
  - (12) COURT DOCUMENTS;
  - (13) GOVERNMENT-ISSUED LICENSE AND/OR PROFESSIONAL CERTIFICATE;
  - (14) FIRST-CLASS MAIL FROM A BUSINESS OR AGENCY;
  - (15) HEALTH CENTER MAILING;
  - (16) MAILING FROM A BCPS SCHOOL OR OFFICE;
  - (17) PAYCHECK/PAYSTUB STATING NAME AND ADDRESS;
  - (18) OTHER DOCUMENTATION ACCEPTABLE TO THE PUPIL PERSONNEL WORKER (PPW) OR RESIDENCY ASSISTANT.
3. ALL DOCUMENTS USED TO VERIFY DOMICILE UNDER THIS SECTION MUST REFLECT THE SAME ADDRESS IN

BALTIMORE COUNTY.

C. TRANSITIONING YEAR VERIFICATION

1. ALL RESIDENT STUDENTS TRANSITIONING FROM GRADE 5 TO GRADE 6 AND FROM GRADE 8 TO GRADE 9 WILL BE REQUIRED TO VERIFY DOMICILE PRIOR TO THE BEGINNING OF THE SCHOOL YEAR.
  - a. THIS REQUIREMENT DOES NOT APPLY TO STUDENTS IDENTIFIED AS HOMELESS.
2. SCHOOL STAFF WILL NOTIFY PARENTS OF THE TRANSITION YEAR RESIDENCY VERIFICATION REQUIREMENT AND SCHEDULE APPOINTMENTS FOR PARENTS TO PROVIDE THE SUPPORTING DOCUMENTATION.
2. FAILURE TO VERIFY DOMICILE IN THE SCHOOL ATTENDANCE AREA PRIOR TO THE START OF THE SCHOOL YEAR SHALL RESULT IN THE STUDENT'S WITHDRAWAL FROM SCHOOL.

D. SHARED DOMICILE

1. THE FOLLOWING PROCEDURES SHALL BE FOLLOWED WHEN A CHILD IS DOMICILED WITH A PARENT IN A RESIDENTIAL DWELLING LOCATED IN BALTIMORE COUNTY WITH ANOTHER PERSON OR PERSONS.
2. THE PARENT MUST CONTACT THE PPW OR RESIDENCY ASSISTANT FOR THE SCHOOL ATTENDANCE AREA FOR THE ADDRESS OF THE SHARED DOMICILE RESIDENCE.
3. THE PARENT MUST COMPLETE THE OFFICE OF PUPIL PERSONNEL SERVICES *SHARED DOMICILE DISCLOSURE FORM* (SEE RULE 5150, FORM A).
  - a. THE FORM MUST BE SIGNED AND NOTARIZED BY THE OWNER OR LEASEHOLDER OF THE SHARED PROPERTY.
  - b. THE FORM MUST BE SIGNED AND NOTARIZED BY THE PARENT OF THE STUDENT.
4. THE OWNER OR LEASEHOLDER OF THE SHARED PROPERTY MUST PROVIDE PROOF OF OWNERSHIP OR LEASEHOLDER INTEREST AS OUTLINED IN PARAGRAPH III.A.2. ABOVE.
  - a. THE PPW AND/OR RESIDENCY ASSISTANT MAY REQUIRE THE OWNER OR LEASEHOLDER OF THE

- SHARED PROPERTY, WHOSE NAME AND SIGNATURE APPEAR ON THE SHARED DOMICILE APPLICATION, TO BE PRESENT FOR THE REVIEW OF THE APPLICATION AND DOCUMENTATION.
- b. FAILURE OF THE OWNER/LEASEHOLDER TO BE PRESENT AT THE APPLICATION REVIEW, AS DIRECTED, MAY RESULT IN DENIAL OF THE SHARED DOMICILE APPLICATION OR WITHDRAWAL OF THE STUDENT FROM SCHOOL.
- 5. THE PARENT MUST PROVIDE PROOF OF IDENTITY AS OUTLINED IN PARAGRAPH III.B.2.a. ABOVE.
  - 6. THE PARENT MUST PROVIDE THREE DOCUMENTS TO VERIFY NAME AND ADDRESS AT THE SHARED DOMICILE RESIDENCE AS OUTLINED IN PARAGRAPH III.B.2.d. ABOVE.
  - 7. THE PPW OR RESIDENCY ASSISTANT WILL MEET WITH THE PARENT, REVIEW ALL DOCUMENTATION SUBMITTED, VERIFY THAT THE DOCUMENTATION COMPLIES WITH THE REQUIREMENTS OUTLINED IN THIS RULE, AND APPROVE OR DENY ENROLLMENT.
  - 8. ENROLLMENT IN A SHARED DOMICILE ARRANGEMENT WILL BE APPROVED FOR ONE SCHOOL YEAR ONLY.
    - a. EACH SCHOOL WILL PROVIDE THE PARENT(S) OF A CHILD ENROLLED AT THE SCHOOL UNDER A SHARED DOMICILE LIVING ARRANGMENT NOTICE OF THE ANNUAL RENEWAL REQUIREMENT, ALONG WITH A COPY OF THE *SHARED DOMICILE DISCLOSURE RENEWAL FORM*.
    - b. TO BE CONSIDERED FOR ENROLLMENT IN ANY SUBSEQUENT SCHOOL YEAR, THE PARENT MUST SUBMIT TO THE STUDENT'S HOME SCHOOL **BY NO LATER THAN JUNE 30 OF EACH YEAR** THE FOLLOWING:
      - (1) A COMPLETED *SHARED DOMICILE DISCLOSURE RENEWAL FORM*; AND
      - (2) THREE DOCUMENTS TO VERIFY NAME AND ADDRESS AT THE SHARED DOMICILE RESIDENCE AS OUTLINED IN PARAGRAPH III.B.2.d. ABOVE. IF MAIL, AN INVOICE, OR A STATEMENT IS USED, THE DOCUMENT MUST



BE DATED WITHIN 60 CALENDAR DAYS OF THE DATE OF THE RENEWAL.

- (3) IF THE *SHARED DOMICILE RENEWAL FORM* IS NOT RECEIVED BY THE SCHOOL BY THE JUNE 30 DEADLINE, THE STUDENT WILL BE WITHDRAWN AND THE PARENT WILL BE REQUIRED TO COMPLETE THE APPLICATION PROCESS AS OUTLINED IN PARAGRAPH III.D. ABOVE BEFORE THE STUDENT MAY BE RE-ENROLLED IN THE SCHOOL.

9. NOTICE OF SHARED DOMICILE DECISION

- a. IF ENROLLMENT IS APPROVED, THE PPW OR RESIDENCY ASSISTANT WILL PROVIDE A COPY OF THE *SHARED DOMICILE DISCLOSURE FORM*, MARKED APPROVED, TO THE PARENT. THE PARENT WILL TAKE THE APPROVED FORM AND ALL REQUIRED DOCUMENTS TO THE CHILD'S SCHOOL TO COMPLETE ENROLLMENT.
- b. IF ENROLLMENT IS DENIED, THE PPW OR RESIDENCY ASSISTANT WILL PROVIDE A COPY OF THE *SHARED DOMICILE DISCLOSURE FORM*, MARKED DENIED AND ADVISE THE PARENT OF THE REASON(S) FOR THE DENIAL.

- (1) THE PARENT MAY APPEAL THE DENIAL OF ENROLLMENT AS OUTLINED IN PARAGRAPH IX OF THIS RULE.

IV. NONRESIDENT STUDENTS

- A. SCHOOL-AGED STUDENTS WHO DO NOT QUALIFY AS RESIDENT STUDENTS UNDER THE PROVISIONS OF PARAGRAPH III ABOVE ARE CONSIDERED NONRESIDENT STUDENTS. NONRESIDENT STUDENTS WILL BE ADMITTED TO BCPS UNDER THE FOLLOWING CIRCUMSTANCES. IN SOME CASES, PAYMENT OF TUITION MAY BE REQUIRED.

- 1. ENROLLMENT OF NONRESIDENT STUDENTS WILL BE MADE ONLY UPON THE WRITTEN AUTHORITY FROM THE SUPERINTENDENT AND/OR THE PUPIL PERSONNEL WORKER. PRINCIPALS ARE NOT AUTHORIZED TO ENROLL A NONRESIDENT STUDENT WITHOUT SUCH AUTHORIZATION.

2. ENROLLMENT OF A NONRESIDENT STUDENT WILL BE APPROVED FOR ONE SCHOOL YEAR ONLY. ENROLLMENT IN ANY SUBSEQUENT SCHOOL YEAR, WILL ONLY BE APPROVED BY THE SUPERINTENDENT OR PPW UPON SUBMISSION OF APPROPRIATE DOCUMENTATION.

B. OUT-OF-COUNTY FOSTER PLACEMENT

1. NONRESIDENT STUDENTS WHO ARE PLACED IN AN FOSTER HOME OR GROUP HOME IN BALTIMORE COUNTY BY A LICENSED PRIVATE, COUNTY, OR STATE CHILD PLACEMENT AGENCY MAY BE ADMITTED TO BCPS AS PROVIDED BELOW:
  - a. THE EDUCATIONAL COSTS ASSOCIATED WITH THE CHILD'S EDUCATION WILL BE ASSESSED AGAINST THE MARYLAND SCHOOL SYSTEM DETERMINED TO BE FINANCIALLY RESPONSIBLE.
  - b. OUT-OF-STATE AGENCIES THAT PLACE A CHILD IN A FOSTER CARE HOME OR RESIDENTIAL FACILITY IN BALTIMORE COUNTY SHALL BE LIABLE FOR THE COSTS OF THE CHILD'S EDUCATION, INCLUDING TRANSPORTATION.
  - c. NONRESIDENT STUDENTS WHO ARE PLACED FOR ADOPTION IN BALTIMORE COUNTY BY AN AGENCY WITH THE REQUISITE COURT ORDER OR DOCUMENTATION DEEMED ACCEPTABLE BY BCPS MAY BE ADMITTED TO BCPS WITHOUT PAYMENT OF TUITION.
2. THE PPW WILL BE RESPONSIBLE FOR AUTHORIZING ENROLLMENT UNDER THIS SECTION.
3. THE FOLLOWING DOCUMENTATION WILL BE REQUIRED IN ORDER TO ESTABLISH RESIDENCY IN BALTIMORE COUNTY:
  - a. A COURT ORDER OR A LETTER FROM THE PLACING AGENCY THAT VERIFIES THE CURRENT ADDRESS OF THE STUDENT; AND
  - b. ONE DOCUMENT FROM THE FOLLOWING LIST:
    - (1) DEED ESTABLISHING OWNERSHIP;
    - (2) LEASE OR RENTAL AGREEMENT FROM A REAL ESTATE MANAGEMENT COMPANY,

COMMERCIAL LESSOR, OR A PRIVATE PARTY OWNER;

- (3) RENT RECEIPTS;
- (4) REAL ESTATE TAX BILL OR RECEIPT;
- (5) GAS AND ELECTRIC BILL;
- (6) WATER BILL;
- (7) CABLE BILL;
- (8) ONLINE COMPUTER SERVICES BILL;
- (9) NON-CELLULAR PHONE BILL
- (10) RESIDENCY DOCUMENTATION REQUIRED BY THE SCHOOL SYSTEM.

- 4. WHEN ENROLLMENT HAS BEEN APPROVED, THE CHILD MAY BE ENROLLED BY ONE OF THE FOLLOWING:
  - a. PARENT;
  - b. PLACEMENT AGENCY CASEWORKER;
  - c. FOSTER PARENT;
  - d. FORMAL KINSHIP CARE PROVIDER;
  - e. PARENT SURROGATE;
  - f. EDUCATIONAL GUARDIAN;
  - g. RESIDENTIAL CHILD CARE PROGRAM REPRESENTATIVE;
  - h. THE STUDENT, IF THE STUDENT IS AGED 18 OR OLDER;
  - i. COURT APPOINTED SPECIAL ADVOCATE;
  - j. COURT APPOINTED ATTORNEY.
- 5. ENROLLMENT OF A STUDENT UNDER THIS SECTION WILL BE APPROVED FOR ONE SCHOOL YEAR ONLY. ENROLLMENT IN ANY SUBSEQUENT SCHOOL YEAR WILL ONLY BE REVIEWED BY THE PPW TO DETERMINE WHETHER THE STUDENT IS ELIGIBLE TO REMAIN IN HIS/HER SCHOOL OF ORIGIN UNDER FOSTERING CONNECTIONS AS OUTLINED IN FEDERAL LAW.

C. EXCHANGE STUDENTS

- 1. AN INTERNATIONAL STUDENT HOLDING A J-1 VISA WHO COMES FOR ONE YEAR OF STUDY THROUGH A SCHOOL EXCHANGE PROGRAM APPROVED BY BCPS AND WHO RESIDES WITH A HOST FAMILY WITH AN ESTABLISHED BONA FIDE DOMICILE IN BALTIMORE COUNTY MAY BE ADMITTED WITHOUT THE PAYMENT OF TUITION.

D. STUDENT RELOCATION

1. NONRESIDENT STUDENTS WHOSE PARENT(S) ARE IN THE PROCESS OF ESTABLISHING A BONA FIDE DOMICILE IN BALTIMORE COUNTY PRIOR TO NOVEMBER 1 OF THE CURRENT SCHOOL YEAR AND WHO HAVE ENTERED INTO A CONTRACT TO BUILD, BUY, OR LEASE A HOME MAY BE ADMITTED TO THE BCPS.
  - a. THE PARENT SHALL PROVIDE EVIDENCE OF THE RELOCATION BY PRESENTING SIGNED SETTLEMENT PAPERS OR AN ORIGINAL, CURRENT LEASE OR RENTAL AGREEMENT FROM A REAL ESTATE MANAGEMENT COMPANY OR COMMERCIAL LESSOR FOR A RESIDENTIAL DWELLING LOCATED IN BALTIMORE COUNTY, ALONG WITH ALL REQUIRED SIGNATURES.
  - b. UPON APPROVAL OF THE PPW, THE CHILD WILL BE ADMITTED TO BCPS AT THE BEGINNING OF THE SCHOOL YEAR WITHOUT THE PAYMENT OF TUITION.
  - c. IF THE STUDENT IS NOT IN HIS/HER PROJECTED HOME BY NOVEMBER 1 OF THE CURRENT SCHOOL YEAR:
    - (1) TUITION SHALL BE CHARGED FROM THE BEGINNING OF THE SCHOOL YEAR UNTIL THE END OF THE FIRST MARKING PERIOD;
    - (2) THE STUDENT WILL BE WITHDRAWN AT THE END OF THE FIRST MARKING PERIOD OF THE SCHOOL YEAR.
2. STUDENTS WHO BECOME NONRESIDENTS, BECAUSE THE PARENT(S) WITH WHOM THE STUDENT RESIDES MOVE OUT OF BALTIMORE COUNTY DURING THE SCHOOL YEAR, EXCEPT AS NOTED BELOW, MAY COMPLETE THE CURRENT MARKING PERIOD IN HIS/HER CURRENT SCHOOL.
  - a. TUITION WILL BE ASSESSED AND SHALL BE PAID IN FULL WITHIN 30 CALENDAR DAYS.
  - b. IF A STUDENT HAS COMPLETED GRADE 11 IN A BCPS HIGH SCHOOL THAT STUDENT MAY COMPLETE GRADE 12 IN HIS/HER CURRENT BCPS SCHOOL UPON PAYMENT OF TUITION.

- c. THE PARENT WILL BE RESPONSIBLE FOR PROVIDING TRANSPORTATION.

E. MEDICAL PLACEMENT

- 1. A NONRESIDENT STUDENT WHO IS A PATIENT AT A HOSPITAL, SANITARIUM, OR CONVALESCENT HOME LOCATED IN BALTIMORE COUNTY WILL BE ENROLLED UPON PAYMENT OF TUITION.

F. CHILDREN OF EMPLOYEES

- 1. A NONRESIDENT STUDENT WHOSE PARENT IS A BCPS EMPLOYEE MAY BE ADMITTED TO BCPS, UPON PAYMENT OF TUITION, ANY ENROLLMENT UNDER THIS SECTION SHALL BE APPROVED BY THE PPW, AS FOLLOWS:
  - a. THE PARENT WILL BE RESPONSIBLE FOR TRANSPORTATION;
  - b. THE CHILD MAY ATTEND A SCHOOL WITHIN THE ATTENDANCE AREA OF THE PRIMARY WORK SITE OF THE EMPLOYEE, WITH THE FOLLOWING EXCEPTIONS:
    - (1) IF THE SCHOOL SERVING THE ATTENDANCE AREA IS OVERCROWDED OR THE SUPERINTENDENT HAS DETERMINED THAT NO ADDITIONAL STUDENTS WILL BE ADMITTED, THE EMPLOYEE SHALL BE GIVEN AN OPTION OF ENROLLING HIS/HER CHILD AT ANOTHER SCHOOL ADJACENT TO THE EMPLOYEE'S WORK SITE.
    - IF THE EMPLOYEE'S PRIMARY WORK SITE OR THE SCHOOL ADJACENT TO THE EMPLOYEE'S WORK SITE IS A MAGNET SCHOOL, THE EMPLOYEE'S CHILD MUST QUALIFY FOR ADMISSION IN ACCORDANCE WITH BOARD OF EDUCATION POLICY AND SUPERINTENDENT'S RULE 6400, *MAGNET SCHOOLS AND PROGRAMS*, AND SUPERINTENDENT'S RULE 5140, *SPECIAL PERMISSION TRANSFER*.

2. THE CHILD'S ENROLLMENT SHALL BE CONDITIONED ON COMPLETING AND SIGNING THE *CONTRACT FOR NONRESIDENT EMPLOYEE STUDENTS* (RULE 5150, FORM B).
  - a. STUDENTS WHO HAVE FAILED TO MEET THE CONDITIONS OF THE *CONTRACT FOR NONRESIDENT EMPLOYEE STUDENTS* MAY BE WITHDRAWN AT THE END OF THE SCHOOL YEAR FOR THE FOLLOWING REASONS, EXCEPT AS PROVIDED IN 2.b. BELOW:
    - (1) ABSENCES RESULTING IN AN ATTENDANCE RATE THAT IS EQUAL TO OR BELOW THE STATE MANDATED 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 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; OR
    - (6) THE STUDENT HAS RECEIVED MORE FAILING GRADES THAN PASSING GRADES ON THE FINAL MARKING PERIOD.
    - (7) CHANGE IN REASON FOR NONRESIDENT ENROLLMENT.
  - b. STUDENTS WHO FAIL TO MEET THE CONDITIONS OF THE *CONTRACT FOR SPECIAL PERMISSION TRANSFER STUDENTS* AND WHO ARE APPROACHING TERMINAL YEAR STATUS, WILL BE WITHDRAWN BY NO LATER THAN JUNE 15 AND TERMINAL YEAR STATUS WILL NOT APPLY.
3. TUITION WILL BE ASSESSED AS FOLLOWS:

RULE 5150

- a. IF THE EMPLOYEE IS DOMICILED IN THE STATE OF MARYLAND, TUITION SHALL BE ASSESSED AS FOLLOWS:
  - (1) \$1,000 FOR A CHILD ENROLLED PRIOR TO JANUARY 1 OF THE SCHOOL YEAR; OR
  - (2) \$500 FOR A CHILD ENROLLED AFTER JANUARY 1 OF THE SCHOOL YEAR; OR
  - (3) \$500 FOR A CHILD ENROLLED IN A HALF-DAY PROGRAM
  - (4) TUITION ASSESSED UNDER THIS SECTION SHALL BE PAYABLE IN FULL AND WILL NOT BE PRORATED EXCEPT AS OUTLINED IN SECTION IV.F.3(c) BELOW.
- b. IF THE EMPLOYEE IS DOMICILED OUTSIDE OF MARYLAND TUITION WILL BE ESTABLISHED IN ACCORDANCE WITH SUPERINTENDENT'S RULE 3610 AT THE COUNTY'S PORTION OF THE COST OF EDUCATING A STUDENT.
- c. IF EMPLOYMENT OF THE PARENT ENDS DURING THAT SCHOOL YEAR, THE STUDENT MAY COMPLETE THE CURRENT SEMESTER IN HIS/HER APPROVED SCHOOL; TUITION WILL BE PRORATED AT THE NONEMPLOYEE RATE FOR STUDENTS ENROLLED LESS THAN A FULL SCHOOL YEAR.

G. SCHOOLS NEAR BOUNDARY OF TWO COUNTIES

- 1. A CHILD DOMICILED WITH A PARENT(S) IN A MARYLAND COUNTY THAT IS IN AN UNUSUALLY ISOLATED GEOGRAPHIC LOCATION AND NEAR OR ADJOINING BALTIMORE COUNTY MAY BE ENROLLED ONLY AS FOLLOWS:
  - a. THE SUPERINTENDENT OF SCHOOLS OF THE LOCAL SCHOOL SYSTEM WHERE THE CHILD IS DOMICILED REQUESTS THAT THE CHILD BE ENROLLED IN BALTIMORE COUNTY; AND
  - b. THE SUPERINTENDENT OF BCPS APPROVES THE REQUEST.
- 2. ANY ENROLLMENT UNDER THIS SECTION SHALL BE REFERRED TO THE PPW FOR PROCESSING.

3. THE PARENT WILL BE RESPONSIBLE FOR PROVIDING TRANSPORTATION.
4. IN ACCORDANCE WITH THE *ANNOTATED CODE OF MARYLAND*, EDUCATION ARTICLE §4-121, ALL FUNDING WILL BE PROVIDED BY THE SCHOOL SYSTEM IN WHICH THE CHILD IS DOMICILED.

H. HARDSHIP

1. INFORMAL KINSHIP CARE
  - a. NONRESIDENT STUDENTS WHOSE PARENT(S) ARE RESIDENTS OF THE STATE OF MARYLAND AND WHOSE CAREGIVER STATUS SATISFIED THE CONDITIONS OF THE LAW.
  - b. THE EDUCATIONAL COSTS ASSOCIATED WITH THE CHILD'S EDUCATION WILL BE ASSESSED AGAINST THE MARYLAND SCHOOL SYSTEM DETERMINED TO BE FINANCIALLY RESPONSIBLE.
  - c. THE CRITERIA FOR HARDSHIP UNDER THIS PROVISION ARE:
    - (1) DEATH OF A FATHER/MOTHER/LEGAL GUARDIAN OF A CHILD;
    - (2) SERIOUS ILLNESS OF A FATHER/MOTHER/LEGAL GUARDIAN OF A CHILD;
    - (3) DRUG ADDICTION OF A FATHER/MOTHER/LEGAL GUARDIAN OF A CHILD;
    - (4) INCARCERATION OF A FATHER/MOTHER/LEGAL GUARDIAN OF A CHILD;
    - (5) ABANDONMENT BY A FATHER/MOTHER/LEGAL GUARDIAN OF THE CHILD; OR
    - (6) ASSIGNMENT OF A FATHER/MOTHER/LEGAL GUARDIAN OF A CHILD TO ACTIVE MILITARY DUTY.
  - d. ENROLLMENT UNDER THIS SECTION SHALL BE REFERRED TO AND APPROVED BY THE PPW.
  - e. THE CAREGIVER WILL BE REQUIRED TO COMPLETE THE *AFFIDAVIT OF INFORMAL KINSHIP CARE* AND PROVIDE SUPPORTING DOCUMENTATION OF ONE OR MORE SERIOUS FAMILY HARDSHIPS.
2. SERIOUS FAMILY HARDSHIP



- a. A NONRESIDENT STUDENT WHOSE CAREGIVER STATUS DOES NOT SATISFY THE CONDITIONS OF INFORMAL KINSHIP CARE, OR WHOSE PARENT(S) RESIDE OUTSIDE OF THE STATE OF MARYLAND, MAY BE ENROLLED WITH THE PAYMENT OF TUITION. THE CRITERIA FOR SERIOUS FAMILY HARDSHIP UNDER THIS SECTION INCLUDE:
  - (1) DEATH OF FATHER/MOTHER/LEGAL GUARDIAN;
  - (2) SERIOUS ILLNESS OF FATHER/MOTHER/LEGAL GUARDIAN;
  - (3) DRUG ADDICTION OF THE FATHER/MOTHER/LEGAL GUARDIAN;
  - (4) INCARCERATION OF FATHER/MOTHER/LEGAL GUARDIAN;
  - (5) ABANDONMENT BY FATHER/MOTHER/LEGAL GUARDIAN;
  - (6) ASSIGNMENT OF FATHER/MOTHER/LEGAL GUARDIAN TO ACTIVE MILITARY DUTY;
  - (7) CHILD ABUSE OR NEGLECT;
  - (8) PHYSICAL OR MENTAL CONDITION OF FATHER/MOTHER/LEGAL GUARDIAN SUCH THAT HE/SHE CANNOT PROVIDE ADEQUATELY FOR THE CHILD'S CARE AND SUPERVISION;
  - (9) FINANCIAL CIRCUMSTANCES OF FATHER/MOTHER/LEGAL GUARDIAN MAKING IT A HARDSHIP FOR HIM/HER TO PROVIDE FOR THE CHILD'S CARE AND SUPERVISION;
  - (10) MEDICAL OR OTHER CONDITIONS NECESSITATE THAT A STUDENT LIVES IN A HOME WITHIN BALTIMORE COUNTY.
- b. ENROLLMENTS UNDER THIS SECTION SHALL BE REFERRED TO AND APPROVED BY THE PPW.
- c. THE CAREGIVER WILL BE REQUIRED TO COMPLETE AN APPLICATION TO ENROLL A CHILD UNDER THIS SECTION AND PROVIDE SUPPORTING DOCUMENTATION OF ONE OR MORE SERIOUS FAMILY HARDSHIPS.
- d. THE PARENT SHALL PAY TUITION, UNLESS THE FAMILY QUALIFIES FOR A TUITION WAIVER.

3. THE CAREGIVER MUST PROVIDE EVIDENCE OF BONA FIDE DOMICILE IN BALTIMORE COUNTY AS OUTLINED IN PARAGRAPH IV.
4. THE CAREGIVER MUST NOTIFY THE PPW, IN WRITING, WITHIN FIFTEEN (15) BUSINESS DAYS, IF ANY CHANGE OCCURS IN THE CARE OF THE STUDENT OR IN THE SERIOUS FAMILY HARDSHIP OF THE STUDENT'S PARENT.
5. A STUDENT ENROLLED UNDER THE HARDSHIP PROVISION WILL BE ENROLLED FOR ONE SCHOOL YEAR ONLY.
  - a. TO BE CONSIDERED FOR ENROLLMENT UNDER THE HARDSHIP PROVISION IN SUBSEQUENT SCHOOL YEARS, THE CAREGIVER MUST SUBMIT A NEW APPLICATION TO THE PPW AT LEAST TWO WEEKS PRIOR TO THE BEGINNING OF EACH SCHOOL YEAR.
6. THE OFFICE OF PUPIL PERSONNEL SERVICES MAY VERIFY THE FACTS GIVEN BY THE CAREGIVER. IF FRAUD OR MISREPRESENTATION IS DISCOVERED DURING A REVIEW, THE STUDENT SHALL BE WITHDRAWN FROM BCPS.
7. ANY PERSON WHO MAKES A MATERIAL MISREPRESENTATION IN THE CAREGIVER AGREEMENT SHALL BE SUBJECT TO A PENALTY PAYABLE TO BCPS FOR THE PRO RATA SHARE OF TUITION FOR THE TIME THE STUDENT WAS FRAUDULENTLY ENROLLED IN A BCPS SCHOOL.
8. THE FOLLOWING WILL NOT BE CONSIDERED A HARDSHIP FOR THE PURPOSE OF ENROLLMENT IN BCPS:
  - a. PRESENCE IN BALTIMORE COUNTY PRIMARILY FOR IMPROVED QUALITY OF EDUCATION.
  - b. PRESENCE IN BALTIMORE COUNTY PRIMARILY BECAUSE OF ADVERSE CONDITIONS IN OR DISSATISFACTION WITH THE CHILD'S PRIOR SCHOOL SYSTEM.
  - c. PLACEMENT OF THE CHILD WITH THE CARETAKER FOR CHILD CARE PURPOSES.

V. HOMELESS STUDENTS

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- A. BCPS IS SUBJECT TO THE REQUIREMENTS OF THE MCKINNEY-VENTO ACT CONCERNING THE EDUCATION OF HOMELESS CHILDREN AND YOUTH.
- B. SCHOOLS SHALL IMMEDIATELY REFER FOR ENROLLMENT ALL HOMELESS CHILDREN AND UNACCOMPANIED YOUTH OR ALL CHILDREN THAT APPEAR TO BE HOMELESS TO THE PPW OR TO THE SCHOOL'S HOMELESS LIAISON.
- C. STUDENTS WHO ARE DETERMINED TO BE HOMELESS BY THE PPW OR HOMELESS LIAISON MAY BE ENROLLED IMMEDIATELY IN BCPS, WITH OR WITHOUT PROOF OF RESIDENCY, SCHOOL IMMUNIZATION RECORDS, ACADEMIC RECORDS, OR OTHER DOCUMENTS NORMALLY REQUIRED FOR ENROLLMENT.
- D. RESIDENT HOMELESS STUDENTS WHO ARE DETERMINED TO BE HOMELESS MAY ATTEND THEIR SCHOOL OF ORIGIN, WITH TRANSPORTATION PROVIDED, EVEN IF THEY MOVE OUTSIDE OF THEIR ATTENDANCE AREA, OR THE SCHOOL IN THE ATTENDANCE AREA SERVING THEIR TEMPORARY RESIDENCE.
- E. WHEN RESIDENT HOMELESS STUDENTS HAVE TO MOVE OUTSIDE OF BALTIMORE COUNTY, IF IT IS DETERMINED TO BE IN THE STUDENT'S BEST INTERESTS, THE STUDENTS MAY CONTINUE TO ATTEND THEIR SCHOOLS OF ORIGIN. THE PPW SHALL ASSIST WITH THE ARRANGEMENT OF TRANSPORTATION.
- F. IF STUDENTS WHO HAVE BEEN DETERMINED TO BE HOMELESS BECOME PERMANENTLY HOUSED DURING THE SAME SCHOOL YEAR THAT THE HOMELESS DETERMINATIONS WERE MADE, THE PROVISIONS OF MCKINNEY-VENTO STILL APPLY FOR THE REMAINDER OF THAT SCHOOL YEAR.

VI. FRAUDULENT ENROLLMENT

- A. A PARENT SHALL NOTIFY HIS/HER CHILD'S SCHOOL OF ANY CHANGE IN DOMICILE OR HARDSHIP CONDITIONS AS SOON AS THE CHANGE OCCURS. FAILURE TO NOTIFY THE SCHOOL WITHIN FIFTEEN (15) BUSINESS DAYS OF OCCURRENCE, MAY RESULT IN THE STUDENT BEING WITHDRAWN FROM SCHOOL.

- B. IF NONRESIDENCY OR NONCUSTODY OF AN ENROLLED STUDENT IS SUSPECTED, THE MATTER WILL BE REFERRED TO THE OFFICE OF PUPIL PERSONNEL SERVICES FOR INVESTIGATION.
- C. IF A STUDENT IS FOUND TO BE FRAUDULENTLY ENROLLED IN A BCPS SCHOOL, THE SCHOOL WILL ISSUE A LETTER NOTIFYING THE PARENT THAT THE STUDENT WILL BE WITHDRAWN IN TEN (10) BUSINESS DAYS; THE LETTER WILL ADVISE THE PARENT OF HIS/HER RIGHT TO APPEAL THE FINDING.
- D. THE PARENT SHALL BE FINANCIALLY LIABLE FOR TUITION FOR THE ENTIRE TIME OF FRAUDULENT ENROLLMENT OR ATTENDANCE; NO TUITION WAIVER SHALL BE GRANTED.

VII. STUDENTS WHO MAY BE DENIED ADMISSION

- A. STUDENTS WHO ARE CURRENTLY EXPELLED OR SUSPENDED FROM ANOTHER SCHOOL SYSTEM MAY BE DENIED ENROLLMENT IN ACCORDANCE WITH THE *ANNOTATED CODE OF MARYLAND*, SECTION 7-305(d)(5) OR ASSIGNED TO ALTERNATIVE PROGRAMS.

VIII. TUITION AND COLLECTION OF EDUCATIONAL COSTS

- A. THE DEPARTMENT OF FISCAL SERVICES WILL IMPLEMENT PROCEDURES FOR INVOICING AND COLLECTING TUITION PAYMENTS AND EDUCATIONAL COSTS ASSOCIATED WITH THIS RULE.
- B. TUITION RATES WILL BE DETERMINED ANNUALLY IN ACCORDANCE WITH BOARD OF EDUCATION POLICY AND SUPERINTENDENT'S RULE 3610, *TUITION FEES*.
- C. REQUESTS FOR TUITION WAIVERS, EXCEPT AS PROVIDED ELSEWHERE IN THIS RULE, MAY BE SUBMITTED TO THE OFFICE OF PUPIL PERSONNEL SERVICES, ALONG WITH DOCUMENTATION THAT THE CHILD MEETS THE CRITERIA FOR

A FREE LUNCH, REDUCED PRICED LUNCH, OR MEDICAL ASSISTANCE.

D. A NONRESIDENT STUDENT WHOSE TUITION PAYMENTS ARE IN ARREARS WILL BE WITHDRAWN AT THE END OF THE CURRENT SEMESTER AND WILL NOT BE APPROVED FOR RE-ENROLLMENT AS A NONRESIDENT STUDENT IN SUBSEQUENT YEARS.

E. EDUCATIONAL COSTS BY SENDING AGENCIES

1. FUNDING FOR THE EDUCATION OF STUDENTS IN OUT-OF-COUNTY LIVING ARRANGEMENTS WILL BE ASSESSED AGAINST THE LOCAL EDUCATION AGENCY FOR THE COUNTY WHERE THE PARENT OR LEGAL GUARDIAN OF A CHILD RESIDES IN ACCORDANCE WITH SECTION 4-122 OF THE EDUCATION ARTICLE.
2. FUNDING FOR THE EDUCATION OF STUDENTS IN AN INFORMAL KINSHIP CARE RELATIONSHIP WILL BE ASSESSED AGAINST THE LOCAL EDUCATION AGENCY FOR THE COUNTY WHERE THE PARENT OR LEGAL GUARDIAN OF A CHILD RESIDES IN ACCORDANCE WITH SECTION 4-122.1 OF THE EDUCATION ARTICLE.
3. AN OUT-OF-STATE AGENCY THAT PLACES A CHILD IN A FOSTER CARE HOME OR RESIDENTIAL FACILITY IN MARYLAND SHALL BE LIABLE FOR THE COSTS OF THE CHILD'S EDUCATION, INCLUDING TRANSPORTATION IN ACCORDANCE WITH SECTION 4-122 OF THE EDUCATION ARTICLE.
4. AN OUT-OF-STATE AGENCY THAT PLACES A CHILD FOR ADOPTION IN MARYLAND IS NOT RESPONSIBLE FOR PAYING THE EDUCATIONAL COSTS ASSOCIATED WITH THE CHILD'S EDUCATION.

## IX. APPEAL PROCESS

A. APPEAL TO THE EXECUTIVE DIRECTOR

1. A DECISION OF THE PPW OR RESIDENCY ASSISTANT TO DENY THE ENROLLMENT OF A STUDENT OR TO WITHDRAW A STUDENT UNDER THIS RULE MAY BE APPEALED TO THE EXECUTIVE DIRECTOR OF STUDENT

SUPPORT SERVICES (HEREINAFTER, EXECUTIVE DIRECTOR).

2. THE APPEAL MUST BE MADE IN WRITING AND FILED WITH THE EXECUTIVE DIRECTOR **WITHIN FIFTEEN (15) BUSINESS DAYS** OF THE DATE OF THE NOTICE OF ENROLLMENT DENIAL OR STUDENT WITHDRAWAL. ELECTRONIC TRANSMITTALS WILL NOT BE ACCEPTED.
3. THE APPEAL MUST INCLUDE THE FOLLOWING:
  - (a) THE FULL NAME, MAILING ADDRESS, AND TELEPHONE NUMBER FOR THE PERSON FILING THE APPEAL, OR THAT OF YOUR DESIGNATED REPRESENTATIVE.
  - (b) A COPY OF THE DECISION RENDERED BY THE PPW.
  - (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) BUSINESS DAYS OF THE RECEIPT OF THE WRITTEN APPEAL.

B. 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) BUSINESS 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 FORTY FIVE (45) BUSINESS DAYS OF THE RECEIPT OF THE APPEAL.

C. 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*.

D. ENROLLMENT DURING APPEAL PROCESS

1. IF THE STUDENT IS CURRENTLY ENROLLED IN A BCPS SCHOOL AT THE TIME THE APPEAL IS FILED, AND THE APPEAL HAS BEEN TIMELY FILED, THE STUDENT MAY REMAIN IN THAT SCHOOL UNTIL EARLIER OF ONE OF THE FOLLOWING:
  - a. THE BOARD OF EDUCATION OF BALTIMORE COUNTY HAS ISSUED ITS OPINION AND ORDER;
  - b. ALL APPEALS HAVE BEEN EXHAUSTED; OR
  - c. THE CURRENT SCHOOL YEAR HAS ENDED.

[ In accordance with §7-101 of the Education Article of the *Annotated Code of Maryland*, any child five (5) years old or older and under twenty-one (21) years of age and who is domiciled with the child's parent/legal guardian in Baltimore County, shall be admitted to Baltimore County Public Schools ("school") without the payment of tuition and shall attend his or her assigned home school unless a special transfer has been approved in accordance with Board of Education Policy and Superintendent's Rule 5140.

I. DEFINITIONS

- A. "Baltimore County Public Schools Employee" means "Public School Employee," "Confidential Employee," "Supervisory Employee" or

“Management Employee,” as defined by §6–404 and §6–501 of the Education Article of the *Annotated Code of Maryland*.

- B. “Child” means an individual not currently enrolled in Baltimore County Public Schools.
- C. “Child of Employee” means a natural, adopted, or foster child, a child under the legal guardianship of an employee, or a stepchild, when the employee’s spouse resides with the employee and is the child’s natural or adoptive parent.
- D. “Fraudulent Enrollment” means intentional misrepresentation of material fact regarding domicile or the failure to notify Baltimore County Public Schools of a change in domicile within ten (10) school days.
- E. “Parents/guardians” mean a natural or adoptive 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, or individual acting as a parent in the absence of a parent.
- F. “Residential Dwelling Unit” means one or more rooms in a residential building or structure, such as a house, apartment, condominium or trailer that is used for living purposes.
- G. “Student” means an individual currently enrolled in Baltimore County Public Schools.
- H. “Informal Kinship Care” means a living arrangement in which a relative of a child, who is not in the care, custody, or guardianship of the local department of social services, provides for the care and custody of a child due to a serious family hardship as defined by §7-101 of the Education Article of the *Annotated Code of Maryland* and if the parents/guardians are domiciled in the state of Maryland.
- I. “Serious Family Hardship” means a living arrangement in which the caretaker of a child, who is not in State-supervised care, provides for the care and custody of a child due to a serious family hardship as defined in this rule, (See Section V.b.9). The caretaker is not a relative or is a relative beyond the 5<sup>th</sup> degree of consanguinity where the parents/guardians are unable to provide care and custody due to the identified hardship.



- J. "Relative," for the purpose of determining informal kinship care, means an adult related to the child by blood or marriage within the 5<sup>th</sup> degree of consanguinity.
- K. "Timely Filed" means an appeal has, within the allotted time period, been delivered to the appropriate Board of Education office for each level of appeal, postmarked, or deposited in the U. S. Mail as registered or certified mail.
- L. "School day" means any day that central offices of Baltimore County Public Schools are open for business, including summer weekdays.

## II. Resident Student

### A. Verification of Domicile

When registering for enrollment into school, proof that the child is domiciled in Baltimore County with the child's parents/guardians is required. Domicile is determined on a case-by-case basis, and the burden of establishing the child's domicile with the parents/guardians is on the child and the parents/guardians. Verification of domicile requires at least five (5) documents from the parents/guardians, including a photo identification (with or without address), deed/lease (or other acceptable document listed below), and three pieces of mail or documentation as listed below and dated within sixty (60) days of the date submitted. All documents must reflect the same address in Baltimore County. If an address appears on the document used for photo identification, it also must reflect the same address as all other submitted documents. Students will not be enrolled unless and until all documentation is complete.

- 3. Photo identification examples include driver's license, Maryland identification card, or age of majority card from the motor vehicle administration. If used for photo identification, the document may not be used to verify address.
- 2. Prior to enrollment, the principal or his/her designee will require as proof of the child's domicile with the parents/guardians, one of the following documents, subject to verification:

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- a. Deed establishing ownership of a residential dwelling unit in Baltimore County in which the child is domiciled with the child's parents/guardians.
  - b. Signed settlement sheet establishing ownership of a residential dwelling unit in Baltimore County in which the child is domiciled with the child's parents/guardians.
  - c. Title establishing ownership of a residential dwelling unit in Baltimore County in which the child is domiciled with the child's parents/guardians.
  - d. Mortgage coupon book establishing ownership of a residential dwelling unit in Baltimore County in which the child is domiciled with the child's parents/guardians.
  - e. Real estate tax bill or receipt for residential dwelling unit in Baltimore County in which the child and parents/guardians are domiciled. If any portion of the residential dwelling unit, either owned or rented, lies within Baltimore County, as determined by the real estate bill, the student may attend the designated Baltimore County Public School.
  - f. Lease or rental agreement from a real estate management company or commercial lessor to the parents/guardians for a residential dwelling unit located in Baltimore County in which the child and parents/guardians are domiciled.
  - g. Lease or rental agreement from a private party owner to the parents/guardians for a residential dwelling unit located in Baltimore County. Documents that establish ownership by the private party of the property in Baltimore County, such as a deed to the property, real estate tax bill for the current year, or a mortgage coupon book/statement dated within sixty (60) days of the date submitted must also be submitted to provide proof of ownership by the private party lessor/owner.
3. In addition to the requirements set forth in this rule, parents/guardians must present a photo identification and three of the following documents to establish name and address. The documents used must be from different sources. If mail is used, it must be

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postmarked within 60 days of the date submitted. The acceptability of all documentation is subject to review and approval by the school principal or his/her designee. Additional documentation may be required when discrepancies exist within documents submitted regarding the domicile of the parents/guardians.

- a. Federal or state income tax return for the immediate previous year
- b. W-2 form for the current year
- c. Notarized statement on company letterhead from an employer
- d. Mailing to the parents/guardians from a government agency
- e. Charge account/credit card billing statement
- f. Bank account statement
- g. Utility bill
- h. Cable bill
- i. Voter's registration card
- j. Motor Vehicle Administration vehicle registration
- k. Driver's license, Maryland identification card, or age of majority card from the Motor Vehicle Administration that was not previously used as photo identification
- l. Change of address notification from The United States Postal Service
- m. Court documents
- n. Government-issued license and/or professional certificate
- o. First class mail from a business or agency
- p. Health center mailing

- q. Mailing from a Baltimore County public school or office
  - r. Paycheck/paystub stating name and address
  - s. Other documentation acceptable to the 6 or residency assistant
- 4. If the domicile of the student and/or parents/guardians changes at any time, the parents/guardians are responsible for notifying the student's school immediately. The parents/guardians must verify the new domicile in accordance with this rule and Policy 5150 *STUDENTS: Enrollment and Attendance*. Failure to notify the school of change in domicile within ten (10) school days may result in the student being withdrawn. Continued enrollment in the current school is subject to the provisions of Board of Education Policy and Superintendent's Rule 5140 *STUDENTS: Enrollment and Attendance*.
  - 5. Resident Informal Kinship Care: In accordance with §7-101 of the Education Article of the *Annotated Code of Maryland*, procedures in Rule 5150, may be applied to resident students.
  - 6. Resident Hardship: Procedures in Rule 5150 may be applied to resident students.

B. Shared Domicile Arrangement

The parents/guardians may prove residency through a shared domicile arrangement. If the parents/guardians state that the child is domiciled with the parents/guardians in a residential dwelling unit located in Baltimore County with another person or persons, the parents/guardians are required to complete the shared domicile arrangement process with the residency assistant or pupil personnel worker.

- 1. Process for establishing shared domicile arrangement is as follows:
  - a. The parents/guardians must contact the residency assistant serving the school attendance area in which the child and parents/guardians will be domiciled.

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- b. The residency assistant will forward to the parents/guardians the Baltimore County Public Schools *Shared Domicile Disclosure Form*, which the parents/guardians must complete, sign, and have notarized. This form can also be obtained at the student's school or at :  
[http://www.bcps.org/SYSTEM/POLICIES\\_RULES/forms\\_exhibits/5000Series/FORM5150.pdf](http://www.bcps.org/SYSTEM/POLICIES_RULES/forms_exhibits/5000Series/FORM5150.pdf).
- c. The owner or leaseholder of the residential dwelling unit in which the child and parents/guardians are domiciled must produce the documentation set forth in Section II of this rule to establish the ownership or leaseholder interest.
- d. The owner or leaseholder of the residential dwelling unit must sign and have the *Shared Domicile Disclosure Form* notarized.
- e. The parents/guardians must submit to the residency assistant a photo identification and three (3) items of proper documentation of residency listed in Section II to establish name and address.
- f. The residency assistant will meet with the parents/guardians, review all documentation presented, verify that the documentation complies with this rule and Policy 5150 *STUDENTS: Enrollment and Attendance*, and approve or deny enrollment.
- g. If approved, enrollment by shared domicile arrangement is for the current school year only. To be considered for enrollment in any subsequent year, the parents/guardians must complete and submit to the school by June 30, the *Shared Domicile Disclosure Renewal Form*. Three current proofs of domicile as outlined in this rule must accompany the renewal form. If mail is used, it must be postmarked within 60 days of the date of the renewal. A new *Shared Domicile Disclosure Form* must be submitted to the residency assistant if the renewal process is not completed by June 30.

III. All resident students, excluding homeless, shared domicile, and students in State-supervised care (done annually through a separate process) transitioning from

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Grade 5 to 6 and Grade 8 to 9 will be required to verify residency prior to the start of the school year with the sending school as described in Pupil Services 515 (PS 515).

- A. School staff will send the transition year residency verification letter by May 1.
  - B. School staff will schedule dates for parents to provide residency documentation.
  - C. When student records have been forwarded to the receiving school, residency verification becomes the responsibility of the receiving school.
  - D. Failure to verify residency in the school attendance area shall result in withdrawal.
- IV. 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 that appear to be homeless to the pupil personnel worker or school-based homeless liaison. Such students shall be immediately enrolled pursuant to federal law and Pupil Services 512 (PS 512), "Procedures for the Education of Homeless Children and Youth." Case management will be provided by the pupil personnel worker. For homeless students or students who appear to be homeless, please refer to PS 512, "Procedures for the Education of Homeless Children and Youth."
- V. Nonresident Student

- A. A child may attend Baltimore County Public Schools as a nonresident student if the child is not domiciled in Baltimore County with his/her parents/guardians only upon the specific, written authority from the Superintendent and/or the pupil personnel worker. Principals are not authorized to approve enrollment of nonresident students without such written authorization.

If approved, nonresident enrollment will be for the current school year only. To be considered for enrollment in any subsequent year, the parents/guardians must complete and submit to the pupil personnel worker by June 30, the nonresident application form and required proof of residency.

- B. In accordance with §7-101(b)(2) of the Education Article of the *Annotated Code of Maryland*, the Superintendent may allow a child to attend Baltimore County Public Schools even if the child is not domiciled in Baltimore County with the child's parents/guardians if:
1. A child is placed in a Baltimore County adoptive home, foster home, and/or residential institution as a child in an out-of-county or out-of-state living arrangement as defined in §4-122 of the Education Article of the *Annotated Code of Maryland*. Financial responsibility for children in out-of-county or out-of-state living arrangements will be assessed in accordance with §4-122 of the Education Article of the *Annotated Code of Maryland*. In accordance with §4-122 of the Education Article of the *Annotated Code of Maryland*, an out-of-state agency that arranges for a child's placement for adoption in Maryland is not responsible for paying the educational costs associated with the child.
    - a. When a child in State-supervised care is approved for enrollment by the pupil personnel worker, the child may be enrolled by one of the following authorized representatives:
      - (1) A parent
      - (2) Placement agency caseworker
      - (3) Foster parent, even if the foster parent has not been granted limited guardianship for educational decision making
      - (4) Formal kinship care provider
      - (5) Parent surrogate
      - (6) Educational guardian
      - (7) Residential child care program representative
      - (8) The student, if the student is aged 18 or older
      - (9) Court appointed special advocate
      - (10) Court appointed attorney
    - b. In order to establish residency a letter from the placing agency verifying a Baltimore County address and one additional document from below must be presented.
      - (11) Deed establishing ownership

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- (12) Lease or rental agreement from a real estate management company, commercial lessor, or a private party owner
  - (13) Rent receipts
  - (14) Real estate tax bill or receipt
  - (15) Gas and electric bill
  - (16) Water bill
  - (17) Cable bill
  - (18) Online computer services bill
  - (19) Non-cellular phone bill
  - (20) Residency documentation required by the school system
- 2. The student is a foreign student on a J-1 visa and is sponsored by a school exchange program approved by Baltimore County Public Schools.
- 3. The child's parents/guardians provide appropriate documentation, such as a settlement sheet or lease agreement, that the child will be domiciled with his or her parents/guardians in Baltimore County prior to November 1 of the school year. Upon approval by the pupil personnel worker, the child shall be admitted at the beginning of the school year without payment of tuition. After November 1, if the child is not domiciled with his or her parents/guardians in Baltimore County, tuition shall be charged from the beginning of the school year until the end of the first marking period/quarter and the student will be withdrawn at the end of the first marking period/quarter of the school year. (See Section V.D. Tuition).
- 4. A student's family moves from Baltimore County during the school year, the student may complete that marking period in his/her current Baltimore County Public School as a nonresident student. Tuition shall be paid in full within thirty (30) calendar days by the student's parents/guardians for the remainder of that marking period/quarter. (See Section V. D. Tuition)
- 5. A student has completed Grade 11 in a Baltimore County high school and the parents/guardians moves from Baltimore County, that student may complete Grade 12 in his/her current Baltimore County Public School. Tuition shall be paid by the student's parents/guardians. (See Section V.D. Tuition) Failure to pay annual



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tuition in full by the end of the first semester will result in withdrawal at the end of the first semester.

6. A child is a patient at a hospital, sanitarium or convalescent home located in Baltimore County. Tuition shall be paid by the child's parents/guardians. (See Section V.D. Tuition)
7. The child of a Baltimore County Public Schools employee may be enrolled as follows:
  - a. A child of an employee may attend the school that is within the attendance area of the primary work site of the employee regardless of the school's overcrowded conditions as defined in Superintendent's Rule 5140.
    - (1) Tuition shall be assessed at \$1,000 if the child is enrolled prior to January 1 and the employee is domiciled within the state of Maryland. Tuition shall be assessed at \$500 if the child is enrolled after January 1, or if the child is enrolled in a half-day program, and the employee is domiciled within the state of Maryland. If employment of the parents/guardians ends during that school year, the student may complete that marking period/quarter in his/her Baltimore County public school.
    - (2) If the employee is domiciled outside of the state of Maryland, tuition fees shall also include the state per pupil basic cost for the school year of enrollment in accordance with §5-201 of the Education Article of the *Annotated Code of Maryland*. (See Section V.D. Tuition) If employment of parents/guardians ends during that school year, the student may complete that marking period/quarter in his/her Baltimore County public school.
  - b. If the requested school is a magnet school, the child of an employee must qualify for admission in accordance with Board of Education Policy and Superintendent's Rule 6400, *Instruction: Magnet Schools and Programs*, and Board of

Education Policy and Superintendent's Rule 5140  
*STUDENTS: Enrollment and Attendance.*

- c. A student of an employee whom the principal determines has not benefited from enrollment at the school and who fails to meet the conditions of the *Contract for Nonresident Employee Students* requires the principal to follow the procedures in PS 516 with documentation of all interventions. The conditions for which a nonresident employee student's enrollment may be revoked at the end of the school year are:
  - (1) Attendance/tardiness – the student has:
    - (i) Absences resulting in an attendance rate that is equal to or below the state mandated AYP attendance rate, or the previous local school year's, or BCPS annual attendance rate, whichever is lower for any given quarter during the school year for which the special transfer was granted.
    - (j) An absence rate resulting in an attendance referral to the pupil personnel worker or to project attend where applicable.
    - (c) Accumulated tardiness in excess of the school's per student average tardiness rate.
    - (d) Tardiness rate resulting in a referral to the pupil personnel worker.
  - (2) Discipline –
    - (a) Discipline resulting in three (3) or more suspensions.
    - (b) A suspension to the superintendent's designee resulting in disciplinary action.

- (3) Academics – the student has received failing final grades in more subjects than he/she has received passing final grades.
  - (4) Change in reason for nonresident enrollment.
- 4. The child is domiciled with the parents/guardians in an adjoining Maryland school system that is in an unusually isolated geographic location adjoining Baltimore County, upon request of the Superintendent of Schools of that school system and approval of the Superintendent of Baltimore County Public Schools. The case will be referred to the pupil personnel worker for processing. Tuition shall be paid by the sending school system in accordance with §4-12 of the Education Article of the *Annotated Code of Maryland*.
- 5. There are two instances of serious family hardship, which are identified as informal kinship care or serious family hardship.
  - a. Informal Kinship Care: If the applicant is an adult related to the child by blood or marriage within the 5<sup>th</sup> degree of consanguinity and, on behalf of the child and/or parents/guardians, can establish through documentation in accordance with §7-101 of the Education Article of the *Annotated Code of Maryland* that the child is residing with the applicant as a result of the serious family hardship, and if the parents/guardians are domiciled within the state of Maryland, the pupil personnel worker shall permit the child to be enrolled upon receipt of a completed *Affidavit of Informal Kinship Care* and required supporting documentation of the serious family hardship. The appropriate Baltimore County Public Schools' offices within Student Support Services, Accounting, and Third Party Billing will submit billing documents for reimbursement to other Maryland counties for nonresident students enrolled in Baltimore County Public Schools under informal kinship care.
    - (1) One or more of the following shall be considered as serious family hardship, for purpose of enrollment under the informal kinship care provision:
      - (a) Death of father/mother/legal guardian

- (b) Serious illness of father/mother/legal guardian
    - (c) Drug addiction of father/mother/legal guardian
    - (d) Incarceration of father/mother/legal guardian
    - (e) Abandonment by father/mother/legal guardian
    - (f) Assignment of father/mother/legal guardian to active military duty
  - (2) The following are not to be considered serious family hardships:
    - (a) Presence in Baltimore County primarily for improved quality of education.
    - (b) Presence in Baltimore County primarily because of adverse conditions in or dissatisfaction with the child's prior school system.
    - (c) Placement of the child with the caretaker for child care purposes. Students sharing the housing of other persons due to loss of housing, economic hardship, or similar reason, refer to Section III and to PS 512.
- b. Serious Family Hardship: If the applicant, on behalf of the child and/or parents/guardians, can establish through documentation that the child is residing with the applicant as a result of serious family hardship but does not qualify for enrollment under the provision of the informal kinship care arrangement then the pupil personnel worker may approve the child for enrollment. Tuition shall be paid by the child's parents/guardians unless the family qualifies for a tuition waiver.
- A. One or more of the following shall be considered as serious family hardship, if applicable to either

## RULE 5150

parent/guardian, after exploring the availability of the second parent for purpose of enrollment under this provision:

- (a) Death of father /mother/legal guardian
  - (b) Serious illness of father/mother/legal guardian
  - (c) Drug addiction of father/mother/legal guardian
  - (d) Incarceration of father/mother/legal guardian
  - (e) Abandonment by father/mother/legal guardian
  - (f) Assignment of father/mother/legal guardian to active military duty
  - (g) Child abuse or neglect
  - (h) Physical or mental condition of father/mother/legal guardian such that he/she/they cannot provide adequately for the child's care and supervision
  - (i) Financial circumstances of father/mother/legal guardian making it a hardship for him/her/them to provide for the child's care and supervision
  - (j) Medical or other conditions necessitate that a student lives in a home within Baltimore County.
- (2) The following are not to be considered serious family hardships:
- (a) Presence in Baltimore County primarily for improved quality of education.
  - (b) Presence in Baltimore County primarily because of adverse conditions in or dissatisfaction with the child's prior school system.

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- (c) Parents/guardians placing the child with the caretaker for child care purposes. Students sharing the housing of other persons due to loss of housing, economic hardship, or similar reason, refer to Section III and to PS 512.
- C. A child may be enrolled as an informal kinship or serious family hardship for the current school year only upon express written authorization of the Superintendent and/or pupil personnel worker. Any request for enrollment in Baltimore County Public Schools for a child who is not domiciled with the child's parents/guardians in Baltimore County must be referred to the pupil personnel worker for investigation and processing.

A child will not be enrolled as a nonresident student unless and until approved by the pupil personnel worker. The affidavit to enroll a child in informal kinship care or the application to enroll a serious family hardship must be completed and submitted by the applicant to the pupil personnel worker, on behalf of the child.

  - 1. The applicant, on behalf of the child, must complete verification of Baltimore County domicile as outlined in Section II of this rule. In cases of students in State-supervised care, the foster parent or authorized agency representative of a residential facility must complete verification of domicile as outlined in Section II of this rule.
  - 2. For applications based on serious family hardship, after collecting all documentation of serious family hardship, the pupil personnel worker will make a decision. If the application is denied, the parents/guardians or applicant should be advised of the necessity to enroll the child in the school system serving the area of the domicile of the child and parents/guardians.
  - 3. For applications based on informal kinship care, after receiving an affidavit verifying an informal kinship care relationship and required documentation in accordance with §7-101 of the Education Article of the *Annotated Code of Maryland*, the pupil personnel worker will approve enrollment of the child and will forward the affidavit and supporting documentation to the residency liaison for further processing.

4. Enrollment as a nonresident student or a child in informal kinship care is approved for the current school year only. A new affidavit or new application with updated supporting documentation must be submitted to the pupil personnel worker at least two weeks prior to the beginning of each school year for consideration of enrollment in the subsequent school year.

D. Tuition

In accordance with Board of Education Policy 3610 and Superintendent's Rule 3611, Non-Instructional Services; Fees, Gifts and Property Disposition, tuition for nonresident students shall be established annually by the Board of Education. Requests for waiver of tuition shall be granted if the child's parents/guardians provide documentation that the child meets the criteria for a free lunch, reduced priced lunch, or medical assistance. A nonresident student whose tuition payments are in arrears will be withdrawn at the end of the semester. A nonresident student having an unpaid tuition balance will not be approved for re-enrollment as a nonresident student in subsequent years. Unpaid tuition balances will bar a student from enrollment.

An out-of-state agency that arranges for a child's placement for adoption in Maryland is not responsible for paying the educational costs associated with the child.

VI. Fraudulent Enrollment

- A. If it is determined that a student fraudulently enrolls in Baltimore County Public Schools, the student will be withdrawn from the school within ten (10) school days upon written notice from the principal. The parents/guardians shall be financially liable for tuition for the entire time of fraudulent enrollment or attendance. (See above) In the case of a child in informal kinship care, any person who willfully makes a material misrepresentation shall be subject to a penalty payable to the Baltimore County Public Schools for three times the pro rated share of tuition for the time the child fraudulently attends any Baltimore County Public School.
- B. In the case of a fraudulent shared domicile, the pupil personnel worker and/or residency assistant may require the homeowner/leaseholder whose name and signature appear on the shared domicile application to be present for the review of the parent's/guardian's application and documentation.

Failure of the homeowner/leaseholder whose name and signature appear on the shared domicile application to be present at the application review upon request of the pupil personnel worker and/or residency assistant may result in the withdrawal of the student from school.

- C. No waiver of tuition will be granted for the past or continued enrollment of a student determined to be fraudulently enrolled in a Baltimore County Public School.

VII. Appeal Process

If the child, parents/guardians, applicant, or relative disputes whether the child meets Baltimore County Public Schools' enrollment requirements, the parents/guardians may appeal the decision not to enroll or the decision to withdraw.

- B. The residency liaison of the Office of Pupil Personnel Services will act as the designee for the executive director of Student Support Services. The parents/guardians, applicant, or relative must file a written notice of appeal to the residency liaison within ten (10) school days of the date of the withdrawal notice or within ten (10) school days of the notice of denial of a request of enrollment. The residency liaison will make every effort to issue a written decision within thirty (30) school days of the receipt of the written appeal.
- C. If the appeal is denied, the matter may be further appealed by filing a written notice of appeal to the Superintendent within ten (10) school days of the date of the decision of the residency liaison. The Superintendent or designee will make every effort to issue a written decision within ninety (90) school days of the receipt of the appeal.
- D. If the Superintendent or superintendent's designee denies the appeal, a further appeal may be taken to the Board of Education (Board) in accordance with Board of Education Policy 8339, Appeal Before Hearing Examiner, by filing a written notice of appeal with the Board within thirty (30) calendar days of the date of the decision of the Superintendent/superintendent's designee.
- E. If the student is enrolled in and currently is attending a public school in Baltimore County at the time that the parents/guardians timely file at each level of appeal, the student may remain in that school until the earlier of (a)



a decision by the Board of Education of Baltimore County, (b) the exhaustion of all appeals, or (c) the end of the current school year.

# VIII. Accounting Procedure

Each school with one or more nonresident tuition paying students shall file, on forms provided by Baltimore County Public Schools, a Cash Receipt Report and funds collected at the end of each month which will be submitted to the Office of Accounting indicating the collection of tuition for each student. Thirty (30) calendar days prior to the end of the semester, the principal will provide written notice to parents/guardians whose tuition payment is in arrears. If tuition is not paid within ten (10) school days of the written notice, the principal will immediately notify parents/guardians in writing of the student's withdrawal at the end of the semester. ]

Legal References: 10. U.S.C. §1209, *ACTIVE DUTY*  
 10. U.S.C. §1211, *NATIONAL GUARD MEMBERS IN FEDERAL SERVICE*  
 42 U.S.C. §11431, *Et seq.*, McKinney-Vento Homeless Education Assistance Improvement Act  
 Public Law 110-351, Fostering Connections to Success and Increasing Adoptions Act of 2008  
*ANNOTATED CODE OF MARYLAND*, EDUCATION ARTICLE §4-109, *ESTABLISHMENT OF PUBLIC SCHOOLS*  
*ANNOTATED CODE OF MARYLAND*, EDUCATION ARTICLE §4-121, *SCHOOLS NEAR BOUNDARY OF TWO COUNTIES*  
*Annotated Code of Maryland*, Education Article §4-122, *FUNDING FOR EDUCATION OF CHILDREN IN OUT-OF-COUNTY LIVING ARRANGEMENTS*  
*ANNOTATED CODE OF MARYLAND*, EDUCATION ARTICLE §4-122.1, *EDUCATION OF CHILD IN INFORMAL KINSHIP CARE RELATIONSHIP*  
*ANNOTATED CODE OF MARYLAND*, EDUCATION ARTICLE §4-205, *POWERS AND DUTIES OF COUNTY SUPERINTENDENT*  
*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*

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*Annotated Code of Maryland, Education Article §7-101,  
ADMISSION OF STUDENTS; LOCATION; KINDERGARTEN  
PROGRAMS*

*ANNOTATED CODE OF MARYLAND, EDUCATION ARTICLE  
§7-305, SUSPENSION AND EXPULSION*

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

*COMAR 13A.08.05, INFORMAL KINSHIP CARE*

Related Policies: BOARD OF EDUCATION POLICY 3610, *TUITION FEES*  
BOARD OF EDUCATION POLICY 5100, *COMPULSORY  
ATTENDANCE*  
BOARD OF EDUCATION POLICY 5110, *ADMISSION*  
Board of Education Policy 5140, *SCHOOL ATTENDANCE AREAS*  
[STUDENTS: *Enrollment and Attendance*]  
[Superintendent's Rule 5140, STUDENTS: Enrollment and  
Attendance]  
Board of Education Policy 6400, *Magnet Schools and Programs*  
[Superintendent's Rule 6400, Instruction: Magnet Schools and  
Programs]  
Board of Education Policy 8339, *Appeal Before Hearing Examiner*  
Board of Education Policy 8340, *Appeal Before the Board of  
Education*  
[Pupil Services Manual 512, "Procedures for the Education of  
Homeless Children and Youth"]

Rule	Superintendent of Schools
Approved: 02/26/87	
Revised: 11/23/93	
Revised: 12/06/94	
Revised: 03/24/98	
Revised: 05/02/00	
Revised: 02/25/04, <b>EFFECTIVE 7/1/04</b>	
Revised: 06/12/07	
Revised: 08/14/07	
Revised: 04/21/09	
REVISED: _____	

BALTIMORE COUNTY PUBLIC SCHOOLS

OFFICE OF PUPIL PERSONNEL SERVICES
SHARED DOMICILE DISCLOSURE FORM

The undersigned do hereby attest that the parents/guardians of the child(ren) listed below are residing at the following address:

Street Address City, State, Zip Code Home Phone Number

and request that the following school-aged child(ren) residing at the same address be permitted to enroll in the Baltimore County Public Schools for the school year 20\_\_-20\_\_ (Do not list children of homeowner/leaseholder):

Table with 4 columns: Name of Student, Date of Birth, School, Grade

It is understood that the information provided by the undersigned is accurate. Any attempt to falsify the above information shall result in withdrawal of the student(s), and the appropriate tuition charge shall be assessed for each student falsely enrolled in the Baltimore County Public Schools. Tuition fees are subject to revision by the Baltimore County Board of Education.

The above-named student(s) will be permitted to enroll in the Baltimore County Public Schools as long as the student(s) and parents/guardians are domiciled at the above-stated address. If a change in domicile occurs, the resident property homeowner/leaseholder and parents/guardians must notify the school(s) immediately, but no later than fifteen (15) business days of the occurrence. If it is determined that false information has been provided or a change in domicile occurs and the school(s) is/are not notified, the parents/guardians whose signatures appear below shall be liable for the assessed tuition, in accordance with Board of Education Policy and Superintendent's Rule 5150, Resident and Nonresident Students.

It is further understood that in accordance with Superintendent's Rule 5150, the resident property homeowner/leaseholder will provide proof of property ownership or current lease, and the parents/guardians will provide photo identification and three (3) current documents proving domicile at the above-stated address. Residency verification must be renewed each year that the student(s) and parents/guardians live in a shared domicile living arrangement.

I solemnly affirm under the penalties of perjury that the contents of the foregoing are true to the best of my knowledge, information, and belief. Furthermore, I have received and read copies of Board of Education Policy and Superintendent's Rule 5150.

Signature of Resident Property Homeowner/ Leaseholder

Signature of Parent/Guardian of Student(s)

Print Name

Print Name

I hereby certify that on this \_\_\_ day of \_\_\_, 20\_\_, Before me, the subscriber, a notary public of the State of Maryland, in and for the county of \_\_\_, personally appeared, \_\_\_, and made oath in due form of the law that the foregoing matters and facts set forth in the Shared Domicile Disclosure Form are true and correct to the best of his/her knowledge, information, and belief, under penalty of perjury. [Notary Seal] Notary Public\_\_\_\_\_

I hereby certify on this \_\_\_ day of \_\_\_, 20\_\_, Before me, the subscriber, a notary public of the State of Maryland, in and for the county of \_\_\_, personally appeared, \_\_\_, And made oath in due form of the law that the foregoing matters and facts set forth in the Shared Domicile Disclosure Form are true and correct to the best of his/her knowledge, information, and belief, under penalty of perjury. [Notary Seal] Notary Public\_\_\_\_\_

Print Name \_\_\_\_\_
My Commission Expires \_\_\_\_\_

Print Name \_\_\_\_\_ - \_\_\_\_\_
My Commission Expires \_\_\_\_\_

\*\*\*\*\*

DECISION: [ ] Approved [ ] Denied Date: \_\_\_\_\_

Signature of Pupil Personnel Worker/Residency Assistant

If approved, enrollment is for the 20\_\_-20\_\_ school year only, and only if the parents/guardians and child(ren) named herein reside at the address provided on this Disclosure Form. A new Disclosure Form must be filed each school year.

APPEALS: Must be made in writing and filed within fifteen (15) business days of the date of the denial with the executive director, Student Support Services, Baltimore County Public Schools, 9610 Pulaski Park Drive, Suite 219, Baltimore, Maryland 21220. A copy of this Disclosure Form, signed by the Pupil Personnel Worker/Residency Assistant, must accompany your appeal.

# BALTIMORE COUNTY PUBLIC SCHOOLS

Joe A. Hairston, Superintendent

6901 Charles Street

Towson, MD • 21204-3711

## Contract for Nonresident Employee Students

I, \_\_\_\_\_, parent/guardian of \_\_\_\_\_ agree to the following conditions/requirements listed below while my child is enrolled in \_\_\_\_\_ as a nonresident employee student:

1. Attendance/Tardiness – The student named above will:
  - *Attend school daily on time and will not be referred to the pupil personnel worker for attendance purposes.*
2. Behavior – The student named above will:
  - *Behave him/herself in positive ways that contribution to a safe and orderly learning environment for all students.*
  - *Behave appropriately and will not be suspended to the Superintendent's Designee and placed in an alternative program.*
3. Academics – The student named above will:
  - *Maintain passing grades in more than one-half of all his/her subjects each school year.*
4. Change in reasons for which the transfer was granted – The parent/guardian of the student named above will:
  - *Report to the school, within fifteen (15) business days of occurrence, any change in the reason(s) for which the special permission transfer was granted.*

Failure to comply with any of the above requirements may result in your child's withdrawal at the end of the school year.

Student's Signature: \_\_\_\_\_ Date: \_\_\_\_\_

Parent's/Guardian's Signature: \_\_\_\_\_ Date: \_\_\_\_\_

Principal's Signature: \_\_\_\_\_ Date: \_\_\_\_\_