

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 Baltimore County Public Schools (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.
- C. A CHILD WILL NOT BE ENROLLED IN BCPS UNLESS AND UNTIL ALL DOCUMENTATION IS COMPLETE.

II. Definitions

- A. *BONA FIDE Domicile* – The place in which an individual has a settled connection for legal purposes and the place where a person has his/her true, fixed permanent home, habitation, and principle 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.
- B. [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.
- C. [B.] *Child* – Any child who meets all state requirements for enrollment and who is not currently enrolled in a Baltimore County public school.
- D. [C.] *Child of an Employee* – A dependent child of a BCPS employee. This includes:
 - 1. A biological child.
 - 2. A legally adopted child.
 - 3. A child for whom the employee has legal guardianship.
 - 4. A stepchild, when the employee’s spouse resides with the employee and the employee’s spouse is the child’s natural or adoptive parent.
- E. [D.] *Child of a Military Family* – A school-aged child, enrolled in kindergarten through Grade 12, 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 in which an individual has a settled connection for legal purposes and the place where a person has his/her true, fixed permanent home, habitation, and principle 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 at 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.
- I. *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.

[J. Any such change must be provided to the school principal within fifteen (15) business days of occurrence.]
- J. [K] *Informal Kinship Care* - A living arrangement in which AN ADULT RELATED TO A CHILD BY BLOOD OR MARRIAGE [a relative of a child], WITHIN THE FIFTH DEGREE OF CONSANGUINITY, 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. [L.] *Nonresident Student* – Any qualified school-aged child who does not have an established bona fide domicile in Baltimore County.
- L. [M.] *Parent* – The biological or adoptive parent, legal guardian, or person acting in the absence of the parent or guardian.
- M. [N.] *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 [O.] *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. [P.] *Terminal Grade* – The last grade before transitioning to [another] MIDDLE OR HIGH school [due to the change in grade level. Current terminal grades for comprehensive schools are: elementary, fifth; middle, eighth; and high twelfth.]

III. Resident [Student]

- A. A school-aged CHILD [student] meeting any one of the following conditions will be considered a resident student and will be admitted to Baltimore County Public Schools (BCPS) without payment of tuition except as noted elsewhere in this rule:[.]
 - 1. A school-aged CHILD [student] whose parent(s) has/have established A bona fide domicile in Baltimore County;
 - 2. A school-aged CHILD [student] whose parents live apart and:
 - a. The parent to whom legal custody is awarded by the court has established A bona fide domicile in Baltimore County.
 - b. The parent with whom the CHILD [student] lives regularly has established A 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 CHILD [student] with a court-appointed guardian who has established a bona fide domicile in Baltimore County.
- e. A school-aged CHILD [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 A BONA FIDE domicile is with the parent(s).
- 2. The following documents are required to verify domicile in Baltimore County:
 - a. Proof of Parent Identity
 - (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, PROOF OF PURCHASE [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 THE DOCUMENTS ARE SUBMITTED FOR [of] enrollment PURPOSES.
 - (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 parent(s) 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.
 - (11) 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.
 - (12) Change of address notification from the United States Postal Service.
 - (13) Court documents.
 - (14) Government-issued license and/or professional certificate.
 - (15) First-class mail from a business or agency.
 - (16) Health center mailing.
 - (17) Mailing from a BCPS school or office.
 - (18) Paycheck/paystub stating name and address.
 - (19) Other documentation acceptable to the Pupil Personnel Work (PPW) or residency assistant.
3. All documents used to verify domicile under this section must reflect the same address in Baltimore County.

C. Transition[ing] 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, IN A SHARED DOMICILE, OR IN STATE-SUPERVISED CARE.
- [2. School staff will notify parents of the transition year residency verification requirement and schedule appointments for parents to provide the supporting documentation.]
2. [3.] 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 arrangement 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 THE FOLLOWING to the student's home school **by no later than June 30 [of each the following]**:
 - (1) A completed *Shared Domicile Disclosure Renewal Form*.
 - (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 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 A nonresident CHILD [students] will be made only upon the written authorization 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 CHILD [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. A nonresident CHILD [students] who IS [are] placed in a 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. [N] A nonresident CHILD [students] who IS [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.
 - 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 age 18 or older.
 - i. Court-appointed special advocate.
 - j. Court-appointed attorney.
5. Enrollment of a CHILD [student] under this section will be approved for one school year only. Enrollment in any subsequent school year will only be reviewed by the PUPIL PERSONNEL WORKER (PPW) to determine whether the student is eligible to remain in his/her school of origin under the fostering connections as outlined in federal law.

C. Exchange Students

1. An international CHILD [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. A nonresident CHILD [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 BCPS.
 - a. The parent shall provide evidence of the relocation by presenting PROOF OF PURCHASE [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 CHILD [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 DUE TO A CHANGE IN DOMICILE BY [,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. IF A STUDENT HAS COMPLETED GRADE 11 IN A BCPS HIGH SCHOOL, THAT STUDENT MAY COMPLETE GRADE 12 IN HIS/HER CURRENT BCPS 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.]
 - b. [c.] The parent will be responsible for providing transportation.

E. Medical Placement

1. A nonresident CHILD [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 CHILD [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 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.
 - (2) If the employee's primary 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 conditional upon completing and signing the *STUDENT CONTRACT NONRESIDENT EMPLOYEE/SPECIAL PERMISSION TRANSFER* [*Contract for Nonresident Employee Students*] (Rule 5150, Form B).
 - a. Students who have failed to meet the conditions of the *STUDENT CONTRACT NONRESIDENT EMPLOYEE/SPECIAL PERMISSION TRANSFER* [*Contract for Special Permission Transfer 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 Adequate Yearly Progress (AYP) attendance rate, the attendance rate of the previous local school year, or the BCPS annual attendance rate, whichever is lower for any given marking period.

- (2) An absence rate or tardiness rate resulting in an attendance referral to the PPW or to Project Attend, where applicable.
 - (3) Accumulated tardiness in excess of the school's per-student average tardiness rate.
 - (4) Three (3) or more suspensions.
 - (5) Suspension to the Superintendent's designee resulting in disciplinary action.
 - (6) The student has received more failing FINAL grades than passing FINAL grades [on the final marking period].
 - (7) Change in reason for nonresident enrollment.
- b. TERMINAL YEAR STATUS WILL NOT APPLY TO STUDENTS WHO FAIL TO MEET THE CONDITIONS OF THE *STUDENT CONTRACT NONRESIDENT EMPLOYEE/SPECIAL PERMISSION TRANSFER*; STUDENTS WILL BE WITHDRAWN ON THE LAST DAY OF THE CURRENT SCHOOL YEAR. [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:
- 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.
 - (2) \$500 for a child enrolled after January 1 of the school year.
 - (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, *Tuition Fees*, on 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 HIS/HER [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. A nonresident CHILD [Students] whose parent(s) are residents of the state of Maryland and whose caregiver status satisfies[d] the conditions of the law MAY BE ENROLLED.
 - b. The educational costs associated with the STUDENT'S [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.
 - (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 CHILD [student] whose caregiver status does not satisfy the conditions of informal kinship 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 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 CHILD [student] live[s] 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 SHALL BE PAID, unless the PARENT [family] qualifies for a tuition waiver.
3. The caregiver must provide evidence of A 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 Baltimore County public 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

- 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] BASED homeless liaison IN ACCORDANCE WITH ESTABLISHED PROCEDURES.
- C. A CHILD [Students] who [are] IS determined to be homeless by the PPW or SCHOOL-BASED homeless liaison SHALL [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. A STUDENT OR CHILD [Resident homeless Students] who IS [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 students' best interests, the students may continue to attend their school of origin. The PPW shall assist with the arrangement of transportation.]

E [F.] If students who have been determined to be homeless become permanently housed during the same school year that the homeless determination[s were] WAS 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 condition[s] 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. RESIDENCY AND CUSTODY MATTERS [If non-residency or non-custody 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)] FIFTEEN (15) 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. A CHILD [Students] who IS [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

RULE 5150

- 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 A student[s] 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 STUDENT'S [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 STUDENT'S [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 CHILD [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 the 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 his/her 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 (Board).
 2. The appeal must be made in writing and filed with the Board **within thirty (30) calendar days** of the date of the Superintendent's decision.

3. The procedures for filing an appeal with the Board are outlined in Board of Education Policy 8340, *Appeal Before the Board of Education*.

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

- E. [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.
 - c. The current school year has ended.

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*

RULE 5150

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

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*
Board of Education Policy 6400, *Magnet Schools and Programs*
Board of Education Policy 8340, *Appeal Before the Board of Education*
Board of Education Policy 8341, *Appeal Before Hearing Examiner*

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, EFFECTIVE 7/1/04
Revised:	06/12/07
Revised:	08/14/07
Revised:	04/21/09
Revised:	08/09/11
REVISED:	_____

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: _____

BALTIMORE COUNTY PUBLIC SCHOOLS

Dr. Joe A. Hairston ♦ Superintendent ♦ 6901 Charles Street ♦ Towson, MD ♦ 21204

STUDENT CONTRACT NONRESIDENT EMPLOYEE/SPECIAL PERMISSION TRANSFER

I, _____, PARENT/GUARDIAN OF _____

AGREE TO THE FOLLOWING REQUIREMENTS WHILE MY CHILD IS ENROLLED IN _____:

1. ATTENDANCE/TARDINESS – THE STUDENT NAMED ABOVE WILL:
 - *MAINTAIN AN ATTENDANCE RATE IN COMPLIANCE WITH POLICIES AND RULES 5140 AND 5150.*
2. BEHAVIOR – THE STUDENT NAMED ABOVE WILL:
 - *NOT BE SUSPENDED THREE (3) OR MORE TIMES.*
 - *NOT BE SUSPENDED TO THE SUPERINTENDENT’S DESIGNEE RESULTING IN DISCIPLINARY ACTION.*
3. ACADEMICS – THE STUDENT NAMED ABOVE WILL:
 - *MAINTAIN PASSING FINAL GRADES IN MORE THAN ONE-HALF OF ALL SUBJECTS EACH SCHOOL YEAR.*
4. CHANGE IN REASONS FOR WHICH THE ENROLLMENT WAS APPROVED – 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 ENROLLMENT WAS APPROVED.*
5. MAGNET PROGRAM ENROLLMENT IN COMPREHENSIVE SCHOOLS – THE STUDENT NAMED ABOVE WILL:
 - *MAINTAIN ENROLLMENT IN A MAGNET PROGRAM IN THE REQUESTED SCHOOL WHEN PROGRAM OF STUDY IS THE REASON THE TRANSFER WAS GRANTED.*

I HAVE REVIEWED THIS STUDENT CONTRACT WITH MY CHILD AND UNDERSTAND THAT IF MY CHILD FAILS TO MEET ANY OF THE ABOVE CONDITIONS; HE/SHE MAY BE WITHDRAWN AT THE END OF THE SCHOOL YEAR.

DRAFT: 09/28/2011

1

Revised: _____

Student's Signature: _____ Date: _____

Parent's/Guardian's Signature: _____ Date: _____

Principal's Signature: _____ Date: _____