

# POLICY

## SOMERSET COUNTY BOARD OF EDUCATION

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<b>Subject:</b>  Enrollment/Attendance Eligibility/Student Assignment	<b>Date Approved:</b> August 21, 1990, April 20, 2004, November 16, 2004, September 20, 2005, December 11, 2007, May 26, 2009, January 17, 2012 September 18, 2018 <b>Revised:</b> July, 2001, August 21, 2001 April 20, 2004, September 21, 2004, October 19, 2004, August 16, 2005, November 13, 2007, March 17, 2009 July 19, 2011, September 01, 2011 December 13, 2011 August 16, 2018 <b>Date Effective:</b> August 21, 2001, April 20, 2004 November 16, 2004 September 20, 2005 December 11, 2007, May 26, 2009, January 17, 2012, September 18, 2018

### 1. Purpose

To establish guidelines for student enrollment, attendance eligibility, and student assignments in Somerset County Public Schools.

### 2. Eligibility for Enrollment

A child five (5) years of age or older, or under the age of twenty-one (21) shall be admitted to Somerset County Public Schools without payment of tuition under one of the following circumstances:

- (1) When the child is a bona fide resident of Somerset County
- (2) When the child is emancipated and is a bona fide resident of Somerset County;

- (3) When the child has been placed in a foster home or residential facility in the county school system by a State Agency, a child placement agency licensed under Section 5-507 of the Family Law Article, or a court. (The county where the child's parent(s) or legal guardian(s) resides shall be financially responsible for the child's education in accordance with 4-120.1 of the Education Article, Annotated Code of Maryland. If an out-of-state agency placed the child, the out-of-state agency is financially responsible for the child's education. Educ. 4-120.1e.)
- (4) When a child lives with a person (caretaker) other than a parent/legal guardian and has been determined to be a bona fide resident of Somerset County under the procedures set forth in the Delegation of Parental Authority. This document is valid for one (1) school year.
- (5) When a child, whose parent/legal guardian is a resident of the State of Maryland, and due to special circumstances described in the Informal Kinship Care Law is living with a relative, who is a resident of Somerset County. (See the Affidavit in 600-21AP)

### **3. Documentation of Eligibility for Admission**

#### **A. Residence**

- (1) To be eligible for admission into Somerset County Public Schools, a student must be a bona fide resident of Somerset County or have received written permission to attend schools in Somerset County from the Superintendent of Schools or designee. A student who is a bona fide resident is one who meets the criteria set forth in II A-E and who provides proof of residence in Somerset County.
- (2) Proof of residence may be established by providing any one of the following documents indicating the parent/guardian's name, address and date of document.
  - (a) lease or rental agreement that can be substantiated
  - (b) a utility bill other than a phone bill
  - (c) proof of mortgage agreement/payment
  - (d) IRS document of any kind with address and name
  - (e) property tax document
  - (f) notarized Affidavit of Disclosure provided by SCPS
  - (g) migrant certificate of eligibility
  - (h) documentation verified by the receiving principal
  - (i) Other documents as approved by the Superintendent or the Superintendent's designee.
- (3) Somerset County Public School System has the right to verify primary night time residence (parent and student).

- (4) School personnel who register the student must complete a Residence Verification Form signed by the building principal and file it (along with the proof of residence), in the student's cumulative record file.

**B. Proof of Immunization.**

Proof of age appropriate immunizations are required unless the student is exempted from immunization and/or is homeless. A student who is not in compliance with this requirement shall be temporarily admitted with proof of an appointment no later than 20 calendar days after the first date of attendance. Proof of immunization may be in the form of a DHMH document or a computer generated form signed by an appropriate official.

**C. Proof of Age**

- (1) Birth Certificate (preferred)
- (2) Hospital Certificate
- (3) Physician's Certificate
- (4) Baptismal or Church Certificate
- (5) Parent Affidavit

**D. Evidence of Grade Placement.**

A temporary copy of transcripts and/or report card which contains the address and phone number of the previously attended school, if any.

**E. Evidence of Custody**

The legal guardian of a student, for purposes of this procedure, is the person or persons who, by court order, or who having completed the Delegation of Parental Authority forms available from the school counselor, has been granted and exercises custody and control over the student, or who has obtained the right to make educational and medical decisions for a student. A copy of the Court Order or Delegation of Parental Authority form must be produced at the time of enrollment and is valid for the current school year only. A student who is over the age of 18 and who can provide proof of age, residence and immunization may enroll in Somerset County Public Schools. Determination of the natural parent of a student may be established through the Proof of Age. Parents listed on such proof of age, by default, will be considered the sole guardian's unless evidence to the contrary is presented.

**4. Other Procedures for Enrollment.**

**A. Educational Record**

At the time of enrollment, the education records of a student will be assessed. The enrolling school may take up to five (5) school days to determine that:

- (1) The student is not currently expelled or on a long term suspension by another school system;
- (2) The student's placement is appropriate and to determine any other services which were being provided to the student; and
- (3) In the event that a student who is not a bona fide resident of Somerset County is placed by a state agency or court into a Somerset County residence, the Superintendent or his/her designee will develop a transition plan with the sending agency, placement home, and the school.

**B. Suspended or Expelled Students Seeking Enrollment**

Notwithstanding the requirements above, and prior to attending a Somerset County Public School, parents, guardians, or other persons in control or charge of a child, upon registration must verify that the student has not been expelled or placed on a long term suspension from a public or private school in this state, or another state, for any offense that is in violation of school board policies relating to weapons, alcohol, or for the willful infliction of injury to another person. Expulsion or long term suspension means a student who has been expelled (withdrawn for disciplinary reasons) or suspended for more than thirty (30) days from either a public or private school.

- (1) A student who has been expelled from another school district will not be enrolled until such time as the expulsion period has expired, a hearing before the Superintendent or Superintendent's designee has taken place and a decision permitting enrollment has been rendered. A student who has been placed on long term suspension may be provided alternative educational services until the long term suspension period has been completed.
- (2) **Procedures for Exclusion**  
Upon determination that the student is currently on extended suspension or expulsion from another school district, the school will notify the student and the student's parent, in writing, that the student may be subject to exclusion/non-enrollment and the date, time and place of a hearing before the Superintendent or the Superintendent's designee. The letter must include the reason for the proposed exclusion and notice that the student or the student's parent will have the opportunity to participate in the hearing. If the Superintendent decides to exclude the student from attendance/enrollment, the decision will be final unless altered by the school board. The school Board will consider the matter only if the student or the student's parent has filed a written petition within fifteen (15) days after the Superintendent has made a decision.

(3) Procedures for Readmission after Exclusion

Upon the expiration of the exclusion period, the student may petition the Superintendent for admission. If the petition for admission is rejected, the Superintendent shall identify the length of the exclusion period and the subsequent date upon which the student may re-petition the School Board. The Superintendent may permit students who have been on a long term suspension, or expelled from Somerset County Public Schools or another school district to attend an alternative learning setting within or outside of the traditional school hours.

**5. Students with Special Needs**

At the time of enrollment, school personnel enrolling students should inquire if the student received special education and related services in the previous school.

**A. IEP Records**

The parent/guardian acknowledges the student receives special education services, then the IEP should be produced by the parent/guardian. If the parent does not have a copy of the IEP, a school staff person should call the previous school to obtain a verbal placement or have the sending school fax a copy of the IEP. Before enrolling, a record release form should be signed by the parent/guardian.

**B. Emergency IEP Meeting**

If the student receives special education services and has a current IEP, then an “Emergency IEP” meeting should be held to review and determine the student’s needs and develop a schedule. An “Emergency IEP” meeting Committee has the option to:

- (1) Place the IEP information on Somerset County Special Education Forms; information on the IEP must be current within one year of IEP meeting date.
- (2) Retest if evaluations are older than 6 months.

**6. Exceptions to these Requirements**

A. Homeless students as defined by 42 U.S.C. Section 11302 who:  
Refer to Policy 600-20

B. Students in State Supervised Care as outlined in Senate Bill 426.

- A child who is in the custody of, committed to, or otherwise placed by a placement agency (DHMH, DJS, DSS)
- Records must be requested the sending school within 2 days of notice of enrollment
- The sending school must immediately inform the receiving school orally of grade placement and whether the child has a 504 plan or an IEP

- The sending school has 3 days from the receipt of the request for records to submit by mail or electronically the required information according to Education Article 8-501 through 8-506.

C. Students described in (1), (2), or (3) above should be included in regular student enrollment reports.

**7. Payment of Tuition (Non-Residence)**

Parents/Guardians who are non-residents of Somerset County and who desire to enroll their child(ren) in Somerset County Public Schools may be permitted to enroll their child(ren) after written application to and approval by the Superintendent of Schools. This approval may be subject to the parent's agreement to pay tuition as indicated below and Board approval. Tuition fees are subject to change according to student enrollment.

- A. If the parent/guardian is a resident of the State of Maryland and the student enrolls prior to September 30<sup>th</sup> in a given school year, tuition in an amount equal to the County's actual share of the average cost per student during the last preceding school year must be paid prior to enrollment in 50% increments. 50% of the tuition payment must be paid prior to enrolling the student and the other 50% must be paid prior to second semester.
- B. If the Parent/Guardian is a resident of the State of Maryland and the student enrolls subsequent to September 30<sup>th</sup>, the parent/guardian agrees to pay tuition in an amount equal to the county's share and the State's share of the average cost per student during the last preceding school year. 50% of the tuition payment must be paid prior to enrolling the student and the other 50% must be paid prior to second semester. If student enrolls after September 30<sup>th</sup>, the parent/guardian will be subject to full tuition as indicated below.
- C. If the parent/guardian is not a resident of the State of Maryland, regardless of the date of entry, the parent/guardian agrees to pay tuition in an amount equal to the County's Share and the State's share of the average cost per student during the last preceding school year. 50% of the tuition payment must be paid prior to enrolling the student and the other 50% must be paid prior to second semester.
- D. Special Education students who are residents of other states and/or Maryland who enrolls will be subject to the same fees as indicated in item A and B in addition to the cost for special education services based on least restrictive environment (LRE). This will be evaluated on an individual student basis upon completion of the enrollment application.

**E. Grandfather Clause:** there will be no payment of tuition for non resident students entering SCPS prior to the 2012-2013 school year. Non resident students entering SCPS at the beginning of (and thereafter) the 2012-2013 school year shall be subject to the following fees. For example:

**F.** Somerset County Public School system employees are exempt from paying tuition.

## **8. Student Assignment**

### **A. School Attendance Areas**

All schools have designated attendance areas as determined by the Board of Education in order to make optimum use of all school facilities. To avoid crowding in some schools and under-utilized facilities in others, students are required to attend the school to which they have been assigned unless a special exception is made. The bona fide residence of the student shall be used to determine the appropriate attendance area.

### **B. Students Reassigned Due to Change of Residence**

When parents request transfer of students from one school to another within the county because of change of residence, application for registration should be made directly to the receiving school which will handle the request in accordance with established procedures.

### **C. Students Reassigned for Other Reasons**

A request for transfer or enrollment for a student to a school other than that serving the attendance area in which he/she resides may be given official consideration in relation to one or more of the following circumstances:

- (1) Availability of space in requested facility
- (2) Availability of specialized educational offerings or services
- (3) Presence of a physical or emotional condition resulting in a medical recommendation for transfer
- (4) Evidence of conditions that produce hardships on the family necessitating transfer.
- (5) County-wide factors such as “socio-economic level, building utilization, enrollment levels, and educational program needs for an individual student” deemed as legally permissible and proper subjects for consideration. <sup>1</sup>

**D. Procedures for Requesting a Transfer**

- (1) When a parent desires his/her child to attend a school other than the one to which he/she has been assigned, application in writing must be made to the Superintendent of Schools.
- (2) After investigation of the circumstances and consultation with appropriate personnel, a recommendation shall be made regarding the student's placement.
- (3) While the application is pending, the applicant must remain in attendance in the school of original assignment unless otherwise directed by the Superintendent of Schools.
- (4) Transfer of individual students for special cause may be initiated by the Supervisor of Student Services or the Supervisor of Special Education. In each case after conducting an investigation and securing the consent of the parents, a recommendation will be made to the Superintendent.
- (5) Public transportation for students attending schools outside their attendance area can be arranged only under special circumstances (i.e., if it is written in student's IEP, etc.). Parents, therefore, must assume this responsibility.

**9. Right of Appeal**

An appeal from the decision of the Superintendent of Schools must be made in writing and received by the Board of Education within 15 days of the date of the Superintendent's decision letter.