

FREDERICK COUNTY PUBLIC SCHOOLS	Reg. No. 400-07
Subject: ENROLLMENT RESIDENCY REQUIREMENTS	Issued: 10/1/82
Preparing Office: Office of the Superintendent	Amended: 1/6/21

I. Policy 430

II. Procedures

Students age 5 through 21 who have not already earned a high school diploma, satisfied graduation requirements for a diploma, or completed high school educational requirements in a foreign country, are eligible to attend Frederick County Public Schools (FCPS) if the student meets residency requirements in Frederick County. ¹

A. Residency Requirements

1. Students who are in residence with a parent, legal guardian, or kinship care:

- a. Kinship care is defined as 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 the child due to a serious family hardship.
(See FCPS Regulation 400-81 *Kinship Care*)
- b. Residence is defined as a person's true, fixed and principal place of living; a fixed and regular nighttime residence maintained in good faith within the boundaries of Frederick County. School staff reserves the right to investigate and verify legal residency.
- c. Legal guardian is defined as one who is appointed by the court.

2. Bona Fide Resident

a. **"Bona fide resident of Maryland" means a student who:**

- (i) Is living with a parent or guardian who resides in Maryland;
- (ii) Has been determined to be a bona fide resident of Maryland in accordance with local school system policies and procedures;
- (iii) Is from another country and attending school in Maryland under a program approved by the Maryland State Department of Education which provides for a tuition waiver; or
- (iv) Is homeless as defined by 42 U.S.C. §1302. (Note: Refer to FCPS Regulation 400-55 *Homeless Students – Enrollment Procedures*)

b. **"Bona fide resident of Maryland" does not include a student who:**

- (i) Lives in another state, but attends a public school in Maryland under a cooperative agreement with the local school system;

¹ COMAR 13A.02.06.02.B(4) "Age 21" means that the student has not received a high school diploma and is not 21 years old on the first day of the school year.

(ii) Does not have a parent or legal guardian residing in Maryland, but is temporarily living in Maryland for the primary purpose of attending a public school, with such determination being made on a case-by-case basis by the local school superintendent; or

(iii) Is a resident of another state, but is placed in a foster care home or residential facility in Maryland by an out-of-state agency, which is financially responsible for the student's education under Education Article, §4-122(e), *Annotated Code of Maryland*.

3. Exceptions Based on Military Relocation

FCPS will allow a dependent child of a service member who is relocating to Maryland on military orders to enroll in FCPS at the same time as individuals domiciled in Frederick County, under the following procedures.

a. Within 10 days of the published arrival date on the service member's military orders, the service member shall provide the school with:

- (i) satisfactory evidence of the dependent child's status as a dependent child of the service member;
- (ii) a copy of the service member's military orders to relocate; and
- (iii) proof of residence in Frederick County.

b. The service member may use the address of any of the following as proof of residence:

- (i) a temporary lodging facility;
- (ii) a purchased or leased home or apartment; or
- (iii) any federal government housing unit or off-installation military housing unit.

4. Proof of Residency

All students are required to provide to the local school a copy of a document providing proof of bona fide residency. Proof of bona fide residence will be required each time a student enrolls in a Frederick County Public School, re-enrolls in a Frederick County Public School, transfers from one Frederick County Public School to another, or upon the request of the local school. The current proof of residency must be retained in the student file.

One of the following documents must be provided in order for a student to be enrolled:

- Signed Lease/Rental Agreement on a home/apartment in which the parent/legal guardian is currently residing
 - If the original term of the lease is expired, a copy of a current utility bill in the name of the parent/guardian must also be provided.
- A copy of current property tax bill indicating "primary residence"
- A current bill for a service delivered to the residence (utility bills such as electric, land-line phone, cable, water)
- Signed Settlement Document
 - Once moved in, a current bill for a service delivered to the residence (utility bills such as electric, land-line phone, cable, water) must be provided.
- Deed (must include house number, street name and name of parent/guardian)
- Residence Verification Statement
 - In instances where the owner/leaser of the home in which the child lives is not the parent/guardian of the child, the owner/leaser of the home will provide a signed, notarized affidavit verifying that the child and the parent/guardian reside at that address.

- The owner/leaser of the home will also provide a copy of a current property tax bill, rental bill or utility bill to provide proof of their residency.
- Residency verification by a pupil personnel worker (PPW), after visiting and investigating the living arrangements where no proof of residency can be provided.

B. Enrollment/Withdrawal Procedures and Student Accounting

School staff will follow processes for student enrollment and withdrawal as outlined in the Student Information System (SIS) documentation and the Maryland Student Records System Manual.

C. Enrollment Form

The Frederick County Public Schools Enrollment Form is located on the Web site at:
<http://www.fcps.org/student-services/forms>

D. Student New to a School – Residency Disputes

1. In-County

- a. If the student's address is out-of-district, the principal shall refer the student to the pupil personnel worker for disposition.
- b. If the student is not living with a parent or legal guardian, the principal shall refer the student to the pupil personnel worker for disposition.

2. Out-of-County

- a. The principal shall refer all non-resident students to the Department of Student Services.
- b. The student should not be enrolled until the director of Student Services has approved the enrollment.

Approved:

Original signed by

Theresa R. Alban
Superintendent