

<b>FREDERICK COUNTY PUBLIC SCHOOLS</b>	<b>Reg. No. 400-16</b>
<b>Subject:</b> <b>ADMISSION OF NON-RESIDENT (OUT OF COUNTY/STATE) STUDENTS - TUITION</b>	<b>Issued:</b> <b>9/17/79</b>
<b>Preparing Office:</b> <b>Office of the Superintendent</b>	<b>Amended:</b> <b>9/7/22</b>

I. Policy 430

II. Procedures

It is the responsibility of the Board of Education of Frederick County to provide an education for school aged children who are bona fide residents of Frederick County. Bona fide residents are eligible to enroll in Frederick County Public Schools (FCPS) tuition-free. A child who lives within Frederick County with a parent or other person who has legal custody or legal guardianship of the child is considered a bona fide resident. A non-resident child may be eligible to attend FCPS, with or without tuition, based on criteria below. A determination of non-resident eligibility will be made by the student services staff on a case-by-case basis.

A. Tuition Criteria

1. Transitioning Residency to Frederick County - Students whose parents are planning to move into Frederick County are subject to tuition charges until the time they have established a bona fide residence in the county. If there is written documentation from a landlord or builder that residency will be established within sixty (60) days of the enrollment, no tuition will be charged. Purchasing a property, renting, moving into another family's home, etc., while at the same time maintaining another residence in another county or state, will not constitute a reason for enrollment in a school in the attendance area of the secondary residence.
2. A family who plans to move out of Frederick County after the end of Term 1 may be granted a tuition-free conditional enrollment period through the end of the school year.
3. Temporary Move - A family who moves out of the county temporarily may be granted a tuition-free conditional enrollment period, based on individual circumstances.
4. A child may be admitted to a Frederick County public school, if guardianship is being pursued. The parent, legal guardian, or other person seeking guardianship must complete a non-resident application and submit:
  - a. A court-stamped copy of the petition for guardianship or a letter from an attorney which verifies the attorney is pursuing guardianship on behalf of the family, and
  - b. A Power of Attorney statement giving authorization for the responsible adult to have access to the child's education record, give consent in educational and school-related matters concerning the child, and give consent for

emergency medical treatment in the event the child is injured while on school premises or under supervision of school employees.

5. Hardship Situation - A child is living with a person other than a parent or legal guardian due to a serious family hardship. A child will not be considered for a nonresident waiver, if the child's presence in Frederick County is due to:

- a. Desire to attend an FCPS school
- b. The quality of education
- c. The conditions in the child's previous school district such as overcrowding or school culture
- d. The convenience of the parent or legal guardian

The person responsible for the child ("responsible adult") and the child's parent(s), legal guardian, or legal custodian, shall complete a non-resident application and provide documentation to establish the reason for the child's presence in Frederick County/hardship.

6. A child who attends a daycare program in Frederick County may be admitted to a Frederick County public school with payment of tuition.

B. Process

1. The Department of Student Services shall be responsible for processing applications of non-resident students and recording their tuition status.
2. Requests for tuition waivers shall be acted upon by the Director of Student Services.
3. Non-resident applications for enrollment must be submitted annually. Requests for enrollment beyond the initial approval year will be evaluated by the Director of Student Services based on timely payment of tuition, and adherence to attendance, behavioral and academic expectations.

- C. Tuition Rates - The tuition rate for kindergarten, grades 1-12, summer school, evening high school, and virtual school students shall be determined annually based on the most recent per pupil costs.

1. The Accounting Department will invoice parents or guardians for tuition payments when enrollment is authorized by the Director of Student Services.
2. Tuition is payable on a quarterly basis. A minimum of 25% of the total tuition charge must be paid before the opening day of school. The second, third, and fourth payments must be paid before the beginning of the second, third, and fourth marking periods, respectively.
3. Tuition is effective from the date of enrollment even though tuition charges have been deferred pending investigation, or the student is not identified as a nonresident student until later in the school year.

4. Tuition may be prorated based on the appropriate annual cost divided by the number of instructional days to arrive at a daily cost multiplied by the number of days that the student is enrolled in a Frederick County public school.
5. If tuition is not paid when due, the Director of Student Services shall send the parent or guardian a registered letter stating that the student will be withdrawn from school at the end of the marking period where the delinquent payment has occurred if tuition is not forthcoming.
6. Child(ren) of a benefited employee of FCPS who lives outside of Frederick County may attend FCPS tuition-free.

#### D. Tuition Waivers

1. Collection of tuition may be waived by the Superintendent/Designee for periods up to one semester to permit completion of investigation of eligibility for clarification of student's legal status provided there is written documentation.
2. Temporary waiver of tuition charges will not cancel the obligation of tuition payment from the date of the nonresident student's enrollment.
3. A waiver may be granted in the event of unforeseeable and uncontrollable circumstances in which the general welfare of the child is in actual jeopardy, such as:
  - a. Child abuse or neglect
  - b. Death or serious illness of the child's parent(s) or legal guardian(s)
  - c. Abandonment of the child
  - d. Other extremely undesirable and uncontrollable conditions in the home of the child's parent(s) or guardian(s)

A request for waiver of tuition may be submitted to the Superintendent/Designee for approval. In such instances, tuition may be waived only for such period as the circumstances are shown to exist by supporting documented evidence. Each waiver will be reviewed annually to determine if the circumstances resulting in the waiver continue to exist.

#### E. Conditions of Approval/Rescission

1. All non-resident approvals are subject to further and ongoing review and may be rescinded/denied as a result of the following:
  - a. Child's attendance, behavior, or grades are unsatisfactory
  - b. Child no longer meets non-resident criteria
  - c. Any information provided on the application or supporting documents is false.

2. Students will not be approved for non-resident enrollment for the purpose of attending the FCPS Blended Virtual Program.
3. New non-resident student applications may be denied enrollment in schools identified as “closed” (per FCPS Regulation [400-15](#) *Out-of-District Enrollment*) due to actual enrollment or enrollment projections.
4. Students will not be approved for non-resident enrollment for the purpose of participating in athletics. Note: If fraud or misrepresentation is discovered, the student’s enrollment may be immediately rescinded and athletic consequences may be imposed based on Maryland law and Maryland Public Secondary Schools Athletic Association (MPSSAA) rules. Penalties may be imposed against the school, the coach and/or the student as identified in Maryland law under the following link to COMAR13A.06.03.05

[http://www.dsd.state.md.us/COMAR/SubtitleSearch.aspx?search=13A.06.03.\\*](http://www.dsd.state.md.us/COMAR/SubtitleSearch.aspx?search=13A.06.03.*)

Athletic related fees and expenses will not be refunded.

NOTE REGARDING FCPS IN-SEASON ATHLETIC ENROLLMENT:

Non-resident (out of county/state) students who are granted admission and request to participate on an interscholastic athletic team after the season \* has begun may be considered, at the discretion of the coach, to be part of the team. If selected for the team, the student-athlete may not participate in a regularly scheduled game or athletic contest until at least 20 calendar days have elapsed after and including the first day he or she practices with the new school/team.

\* The beginning of each season (fall, winter and spring) is defined as the first allowable practice date set forth by the MPSSAA.

Approved:

*original signed by*

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Dr. Cheryl L. Dyson  
Superintendent