

**A. Purpose**

To establish an enrollment requirements Regulation for 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, and who are eligible to attend Frederick County Public Schools (FCPS) if the student meets residency requirements in Frederick County.

**B. Background**

The FCPS enrollment Requirements Regulation is based on Maryland Law regarding enrollment requirements. FCPS is required to enroll all students age 5 to 21 who have not already earned a high school diploma. Documentation of residency, evidence of birth, proof of immunization, guardian information, prior school records (if applicable), and FCPS enrollment paperwork are required for enrollment.

**C. Definitions**

1. “Bona fide resident of Frederick County, Maryland” is defined to mean a student who:
  - a. Is living with a parent or guardian who resides in Frederick County, Maryland;
  - b. Has been determined to be a bona fide resident of Frederick County, Maryland in accordance with local school system policies and procedures;
  - c. Is from another country and attending school in Frederick County, Maryland under a program approved by the Maryland State Department of Education which provides for a tuition waiver; or
  - d. Is homeless as defined by 42 U.S.C. §1302.
  - e. “Bona fide resident of Frederick County, Maryland” does not include a student who:
    - i. Lives in another state, but attends a public school in Frederick County, Maryland under a cooperative agreement with the local school system;
  - f. Does not have a parent or legal guardian residing in Frederick County, Maryland, but is temporarily living in Frederick County, 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
  - g. Is a resident of another state, but is placed in a foster care home or residential facility in Frederick County, Maryland by an out-of-state agency, which is financially responsible for the student's education under Section 4-122(e) of the Education Article of the Maryland Annotated Code.
2. “Informal 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.
3. “Parent” is defined to mean a biological or adoptive parent, a court-appointed custodian

or guardian, a foster parent, or a caregiver (as defined by the Education Article of the Maryland Annotated Code or as designated by the United States Department of Health and Human Services, Office of Refugee Resettlement).

4. "Residence" is defined to mean 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, Maryland.

#### **D. Procedures**

##### **1. Residency Requirements to Enroll in FCPS**

- a. A student who is determined to be a bona fide resident of Frederick County, Maryland is eligible to enroll in the FCPS school system.
- b. **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.
  - i. Within 10 days of the published arrival date on the service member's military orders, the service member shall provide the school with:
    1. Satisfactory evidence of the dependent child's status as a dependent child of the service member;
    2. A copy of the service member's military orders to relocate; and
    3. Proof of residence in Frederick County.
  - ii. The service member may use the address of any of the following as proof of residence:
    1. A temporary lodging facility;
    2. A purchased or leased home or apartment; or
    3. Any federal government housing unit or off-installation military housing unit.
- c. **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:
  - i. 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.
  - ii. A copy of current property tax bill indicating "primary residence."
  - iii. A current bill for a service delivered to the residence (utility bills such as electric, land-line phone, cable, water).
  - iv. 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.
  - v. Deed (must include house number, street name and name of parent/guardian).
  - vi. Residence Verification Statement.

1. 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.
  2. 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.
  3. Residency verification by a pupil personnel worker (PPW), after visiting and investigating the living arrangements where no proof of residency can be provided.
2. **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.
  3. **Enrollment Form.** The Frederick County Public Schools Enrollment Form is located on the website at: [Enrollment Form](#) (English) [Enrollment Form](#) (Spanish)
  4. **Student New to a School – Residency Disputes**
    - a. **In-County**
      - i. If the student’s address is out-of-district, the principal shall refer the student to the pupil personnel worker for disposition.
      - ii. 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.
    - b. FCPS [Regulation 400-15, Out of District Enrollment](#), outlines the procedures for admitting students outside their designated attendance area.
    - c. **Out-of-County**
      - i. The principal shall refer all non-resident students to the Department of Student Services.
      - ii. The student should not be enrolled until the Director of Student Services has approved the enrollment.
      - iii. FCPS [Regulation 400-16, Admission of Non-Resident \(Out of County/State\) Students-Tuition](#), outlines the procedures for admitting nonresident students to FCPS.
  5. **High School Students Re-Enrolling After Withdrawing from School.** High school students wishing to re-enroll after withdrawing from school (withdrawal codes W-33, W-50) must successfully complete a probationary placement prior to transitioning back to the appropriate comprehensive high school.
    - a. Upon notification of the student’s desire to re-enroll, the school registrar or counselor in which the student is wishing to re-enroll will contact the principal and Pupil Personnel Worker (PPW) assigned to that school. The PPW will facilitate enrollment with the appropriate alternative school.
    - b. The student must demonstrate regular attendance, appropriate behavior, and academic progress during the probationary placement to be considered for return to their comprehensive high school after one semester.

- c. Alternative school staff will evaluate the student’s transcript and conduct an interview with the student and parent/guardian to determine the appropriate probationary alternative program placement.
- d. Exceptions may be granted by the Director of High Schools, based on exigent circumstances.

**E. Related Information**

**1. Board Policy**

- a. [Policy 430, Attendance and Enrollment](#)

**2. Code of Maryland Regulations (COMAR)**

- a. [COMAR 13A.01.07, Nondiscrimination in Education](#)
- b. [COMAR 13A.02.06.02, Definitions](#)
- c. [COMAR 13A.05.09, Programs for Homeless Children](#)
- d. [COMAR 13A.08.01.02, Age for School Attendance](#)
- e. [COMAR 13A.08.05, Informal Kinship Care](#)

**3. External Resources**

- a. [Maryland State Department of Education. \(August 2020\). Maryland Student Records System Manual](#)

**4. FCPS Regulations**

- a. [Regulation 400-15, Out of District Enrollment](#)
- b. [Regulation 400-16, Admission of Non-Resident \(Out of County/State\) Students-Tuition](#)
- c. [Regulation 400-55, Homeless Students – Enrollment Procedures](#)
- d. [Regulation 400-74, Enrollment of Foreign Exchange Students](#)
- e. [Regulation 400-81, Kinship Care - Enrollment Procedures](#)
- f. [Regulation 400-91, Pre-Kindergarten Enrollment](#)
- g. [Regulation 400-95, Kindergarten Enrollment/Registration](#)
- h. [Regulation 500-34, Multilingual Education](#)

**5. FCPS Resources**

- a. [Enrollment Webpage](#)
- b. [Find Your School/Feeder Area Webpage](#)
- c. **Forms**
  - i. [Frederick County Public Schools Enrollment Form](#)
  - ii. [Notification of Appeal of Enrollment or Continued Enrollment Form](#)
  - iii. [Notification of Denial of Request for Enrollment or Continued Enrollment Form](#)
  - iv. [Notification of Enrollment in Alternate Kindergarten Program Setting Form](#)
  - v. [Parent Residency Affidavit Multi-Family Disclosure Form](#)

**6. Federal Law**

- a. Individuals with Disabilities Education Act
- b. McKinney-Vento Homeless Assistance Act

7. **Maryland Statutes**

- a. [Md. Code Ann., Educ. § 4-109](#)
- b. [Md. Code Ann., Educ. § 4-122](#)
- c. [Md. Code Ann., Educ. § 4-122.1](#)
- d. [Md. Code Ann., Educ. § 7-101](#)
- e. [Md. Code Ann., Educ. § 7-301](#)

**F. Regulation History** (Maintained by Legal Services)

<i>Responsible Office</i>	Office of Student Services
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