
**CARROLL COUNTY PUBLIC SCHOOLS
ADMINISTRATIVE REGULATIONS**

**BOARD POLICY JECB: ADMISSION OF NON-RESIDENT OUT-OF-COUNTY
PUPILS**

Administrative Regulations

The Board of Education recognizes as its first responsibility the education of school aged children who are bona fide residents of Carroll County. Only such bona fide residents are eligible to enroll in Carroll County Public Schools tuition free.

A bona fide resident is a child that actually lives within Carroll County with a parent or other person who has legal custody or legal guardianship of the child documented by a signed court order.

Under certain conditions, a non-resident child may be eligible to attend school in Carroll County with or without tuition based on the guidelines established in these regulations. A determination of non-resident eligibility will be made by the student services staff on a case-by-case basis.

I. Tuition free eligibility (not to exceed 45 school days):

1. A family moves into Carroll County within 45 school days.

A family who plans to move in to Carroll County within 45 school days may be granted up to a 45 school day tuition free enrollment period. Purchasing a property, renting, moving in to 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.

Application Process

a. The parent or legal guardian must complete a non-resident application and submit one of the following:

- a copy of the signed contract of sale stating the proposed settlement date,
- a copy of the signed residential construction contract stating the anticipated occupancy date,
- a letter from the builder or realtor stating the proposed settlement date, or
- a copy of a lease or letter from the landlord stating the occupancy date.

b. Upon moving into Carroll County, the parent or legal guardian must provide a legal proof of residence as required by Carroll County Public Schools. Tuition, may be charged until proof of residence is provided by the parent or legal guardian (see Tuition Charges).

c. If, at the conclusion of the grace period, occupancy has not occurred tuition charges will be owed from the 1st day of conditional enrollment, unless specifically forgiven.

d. In the event that a real estate contract is cancelled or voided, enrollment in Carroll County Public Schools shall be terminated immediately.

2. A family moves out of Carroll County within 45 school days of the end of the current school year.

A family who plans to move out of the county up to 45 school days prior to the end of the school year may be granted a 45 school day tuition free conditional enrollment period.

Application Process

See I. 1 a – e above

3. A family moves out of the county temporarily.

A family who moves out of the county temporarily may be granted up to a 45 school day tuition free conditional enrollment period.

Application Process

See I. 1 a – e above

4. Legal guardianship being pursued.

A child may be admitted to a Carroll County Public School, if guardianship is being pursued for reasons other than:

- attending school
- the quality of education
- the conditions in the child's previous school district such as racial imbalance or overcrowding
- the convenience of the parent/legal guardian

- a. Under Maryland law, the appointment of a guardian is only appropriate upon*:

- the death of the parents
- the abandonment of the child
- the child has been abused
- the child has been adjudicated to be a child in need of assistance
- the child is neglected
- the child is a dependent child

* See Annotated Code of Maryland, Family Law § 5-313 and Carroll County Department of Social Services v. Edelmann, 320 Md. 150, 175, (1990).

Application Process

The parent, legal guardian, or other person seeking guardianship must complete a non-resident application and submit the following:

- A court-stamped copy of the petition for guardianship or a letter from an attorney which verifies the attorney is pursuing guardianship on the part of the family and
- 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 living with a person other than a parent or legal guardian due to a serious family hardship may be admitted to Carroll County Public Schools. The child will not be considered for a non-resident waiver, if, for example, the child's presence in Carroll County is due to:

- Attending school
- The quality of education
- The conditions in the child's previous school district such as racial imbalance or overcrowding
- The convenience of the parent or legal guardian

Application Process

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

II. Tuition based eligibility

1. A School-Based Employee (.6 TO 1.0 F.T.E.)

A school-based employee (.6 to 1.0 F.T.E.), may be granted permission for their child to attend the school in which the school-based employee works or a school that directly feeds into or out of the school-based employee's school.

- Application for non-resident approval must be made annually.
- Tuition will be charged annually as listed below and paid through payroll deduction.
 - Out of County: \$1,000/Child/Year
 - Out-of-State: ½ of the current out-of-state tuition/Child/Year

Application Process:

- a. The school-based employee (.6 TO 1.0 F.T.E.) must submit a non-resident application and submit proof of employment in Carroll County Public Schools and the school in which they are employed.
 - b. In the event employment with Carroll County Public Schools is terminated, the non-resident approval will terminate as well.
 - c. In the event of the employee (.6 to 1.0 F.T.E.) transferring to a different school within the Carroll County Public School system, the non-resident enrollment of the child may be modified or terminated.
2. The parent or legal guardian is employed in Carroll County
A child of a parent/legal guardian who is employed in Carroll County may be admitted to a Carroll County Public School with payment of tuition.

Application process:

- a. The parent/legal guardian must submit a non-resident application and proof of employment in Carroll County.
 - b. Enrollment must occur by the first day of school.
 - c. In the event the parent/legal guardian's employment is terminated, the non-resident approval will terminate as well.
 - d. CCPS reserves the right to assign the school in which the child will attend.
3. The child attends a daycare program located in Carroll County.

A child who attends a daycare program in Carroll County may be admitted to a Carroll County Public School with payment of tuition.

Application process:

- a. The parent/legal guardian must submit a non-resident application and proof of enrollment in a Carroll County daycare program.
- b. Enrollment must occur by the first day of school
- c. In the event the daycare enrollment is terminated, the non-resident approval will terminate as well.
- d. CCPS reserves the right to assign the school in which the child will attend.

II. Implementation

- A. The Supervisor of Pupil Personnel & Student Support Services/Designee must be notified prior to the enrollment of any non-resident pupil who applies for enrollment in a Carroll County School.
- B. The Supervisor of Pupil Personnel & Student Support Services/Designee will complete an investigation to determine if the student is eligible for enrollment in Carroll County Public Schools.

NOTE: Enrollment paperwork at the school will not begin until the non-resident application is approved by the Supervisor of Pupil Personnel & Student Support Services.

C. An exception to the non-resident regulations may be made by the Supervisor of Pupil Personnel & Student Support Services/DESIGNEE in rare and unusual circumstances when a significant, documented hardship is deemed to exist by Student Services staff.

D. Forms and other documents will be provided as outlined in section I, B. 1-86 of this regulation.

E. Joint Custody

In cases regarding a prospective student where there is a joint custody arrangement between parents, one of which is not a Carroll County resident, the Supervisor of Pupil Personnel & Student Support Services/Designee will be notified. The child may be eligible to attend Carroll County Public Schools following the Supervisor of Pupil Personnel & Student Support Services/Designee's investigation, if the child resides with the Carroll County parent 51% or more of the time during the school year.

F. Students Under Suspension or Expulsion

A non-resident student who is under suspension or has been expelled from a school in another jurisdiction will not be considered for enrollment in Carroll County Public Schools. In the event that a student who is under suspension or who has been expelled from another school system becomes a Carroll County resident, that student will be considered for enrollment and placement in accordance with our disciplinary regulations.

Note: *The Superintendent or Superintendent's Designee may deny enrollment for any student who is currently on extended suspension or expelled from another school system for a length of time equal to that suspension or expulsion.*

G. Tuition

1. Tuition Charges - Tuition will be charged for non-resident students unless specifically forgiven by the Director of Student Services/Designee. The reasons the Director of Student Services/Designee may forgive payment of tuition includes, but is not limited to, the following:

- families who are moving into or out of the county within 45 school days
- natural living arrangements
- hardship

2. Tax Credits - Non-resident parents, or those with legal custody or legal guardianship of a child in Carroll County Public Schools and who pay property taxes in Carroll County, may have deducted the amount of such

taxes paid which goes toward the operation of the schools, provided this sum does not exceed the charge for tuition.

3. Failure to Pay Tuition - Failure to make timely payments may result in denial of admission to Carroll County Public Schools, or if already attending, termination of enrollment and legal proceedings and/or prosecution for felony theft.

H. Approval/Denial

The Supervisor of Pupil Personnel & Student Support Services/Designee will investigate the case and approve or deny the request. The parent and school staff will be notified of the decision.

- A non-resident pupil may not be enrolled until the non-resident application is approved by the Supervisor of Pupil Personnel & Student Support Services/Designee
 - Upon approval by the Supervisor of Pupil Personnel & Student Support Services/Designee, the student may enroll on a conditional basis.
- I. All non-resident approvals are subject to further and ongoing review and may be rescinded/denied by the Supervisor of Pupil Personnel and Student Support Services/Designee if one of the following conditions exist:
 1. Child's attendance, behavior, or grades are unsatisfactory.
 2. Child no longer meets non-resident criteria
 3. Any information provided on the application or supporting documents is false.

III. Penalties

Commuting from another County/State to Carroll County for the purpose of attending school is not permissible, subject to payment of tuition from the date of enrollment, prosecution for felony theft, and immediate withdrawal from the Carroll County Public School system.

Failure to make timely payment of any tuition charged will result in denial of admission to Carroll County Public Schools, or, if already attending, termination of enrollment and legal proceedings/and or prosecution for felony theft.

IV. Appeals

If the Supervisor of Pupil Personnel & Student Support Services/designee determines that the child is not a bona fide resident or denies the tuition-free enrollment of the child, the decision may be appealed to the Superintendent. The decision of the local Superintendent or Superintendent's designee may be appealed to the Board of Education of Carroll County and further appealed to the State Board of Education in accordance with Section 4-205(c)(4) of the Education Article, Md. Ann. Code.

V. Out-of-County Living Arrangements

Section 4-120.1 of the Education Article of the Maryland Code provides that children who are placed by a state agency, licensed child placement agencies, or by the courts in living arrangements within counties other than where their parents reside, shall be enrolled in the receiving county without tuition charge. The law permits LEAs to be reimbursed by the school system in which the student's parent(s) reside and provides a state mechanism for transfer of funds. The law applies only to Maryland residents who are placed by approved agencies and does not include children living with a relative, step-parent, or a person exercising temporary care, custody or control over a child at the request of a parent/legal guardian of the child. The Implementation Procedure (above) shall be used in enrolling these children.

- VI. State Supervised Care – Children placed by a private agency licensed by the Social Services Administration, the Department of Social Services, the Department of Health and Mental Hygiene, or the Department of Juvenile Services.