

ADMISSION OF RESIDENT, NON-RESIDENT, AND TUITION STUDENTS - AR

I. PURPOSE

The purpose of these administrative regulations is to establish county-wide procedures for students who are bona fide residents of Talbot County to register and enroll in Talbot County Public Schools (TCPS).

II. DEFINITIONS

A. Bona fide residence - one's principal residence maintained in good faith and does not include a residence established for convenience or for the purpose of free school attendance in the Talbot County Public Schools. Determination of a person's bona fide residence is a factual one and must be made on an individual basis. Mere ownership of property is insufficient to establish a bona fide residency under this policy.

B. Bona fide resident - a child living with a parent/guardian who has a bona fide residence in Talbot County and has legal and physical custody of said child; or a student who is over eighteen (18) years of age and has a bona fide residence in Talbot County.

C. Proof of Birth - Acceptable documents are: a state issued birth registration or certificate, hospital or physician's certificate, church or baptismal certificate, passport, or military identification. The proof of birth must list the parent(s) who is (are) registering the child, and that parent(s) must be a bona fide resident(s) of Talbot County.

D. Proof of Immunization - Acceptable documents are: records from a physician's office with appropriate certifying signatures or parent records with physicians' signatures. The record must reflect the required immunizations as dictated by the State of Maryland.

E. Proof of Parent Identity - Acceptable documents are: a driver's license with photograph, passport, Motor Vehicle Administration identification card, or other legal form of photographic identification.

F. Proof of Parental Relationship or Custody - Acceptable documents are: birth certificate that identifies the parents, fully executed court order, separation or divorce decree, or other legal identification.

G. Proof of Residency - These are documents that prove a parent/guardian is a bona fide resident of Talbot County. Parents/Guardians must provide primary and secondary

forms of proof of residency.

1. Acceptable Primary Proof of Residency (must provide one):
 - a. Fully executed lease (must attach a notarized letter from property owner stating lease is still in effect if it is a lease dated more than one year old or is a month to month lease)
 - b. Fully executed mortgage agreement or deed
 - c. Public property tax record (SDAT) showing address as primary residence

2. Acceptable Secondary Proof of Residency (must provide two):
 - a. Electric bill
 - b. Gas bill
 - c. Water bill
 - d. Official property tax statement
 - e. Social Services program benefits (SNAP, SSI, etc)

H. Social Security Card - This is a Federally issued card that is requested but not required to register and enroll a student.

III. CUSTODY CONSIDERATIONS

The following documents are to be provided when enrolling a child who does not live with both birth parents in Talbot County:

- A. Birth Parents Not Living Together with No Court Documentation
 1. A notarized letter from the non-custodial parent giving permission for the custodial parent to enroll the child in TCPS.

- B. Legally Separated or Divorced Parents
 1. A fully executed court order outlining assignment of custody of child.
 - a. Parents completing the registration must provide a birth certificate showing they are the birth parent, a fully executed court document outlining the parent completing the registration has legal and primary physical custody of the child, and a notarized letter from the other birth parent giving permission to enroll the child in TCPS. In order to enroll in TCPS, Children must be in the primary physical custody of the parent who is a bona fide resident of Talbot County. All Proof of Residency documents must reflect that of the parent with primary physical custody. If both parents have shared legal custody, the non-custodial parent must submit a notarized letter giving permission for the custodial parent to enroll the child in TCPS.

b. If the parents have joint custody with no primary physical custody designated, documents regarding the bona fide residence must reflect that of the parent with whom the student lives the majority of the time (51% or greater).

- C. Child not living with either parent, and who's circumstances do not fit any special provisions outlined in this regulation
1. There must be fully executed court documents establishing legal custody or legal guardianship.

IV. SCHOOL PROCEDURES

Schools in Talbot County will register all school aged children who are eligible for enrollment per State law and local regulations. Schools are responsible for registering students and following the procedures set forth in this document.

A. A student must be registered by his/her parent or legal guardian. The following documents must be presented at the time of registration:

1. Proof of identity of person registering the student
2. Proof of student's date of birth
3. Proof of residency
4. Proof of current immunizations
5. Proof of income for P3 or PK students entering TCPS for first time

B. The student's social security card will be requested at the time of registration, but a student will not be denied enrollment for failure to provide this.

C. The school is responsible for making photocopies of all required documents.

D. Any variation from the proof of residency requirements will only be accepted with the approval from the Director of Student Services, or the designee.

E. If the parent/guardian cannot produce proof of residence because they are living with someone else, and the circumstances do not fit any of the special provisions outlined in this regulation, then both the parent/guardian and the resident must complete a Residency Verification Form. The primary resident with whom the parent/guardian and child are living with must provide the required proof of residence as listed above. The parent/guardian enrolling the child must show two of the items listed below that list the corresponding residence:

- a. Driver's license
- b. Bank statement
- c. Voter registration card
- d. Pay stub or statement from employer on business letterhead
- e. Current W2 form

F. The parent or legal guardian registering the student is responsible for completing and signing the TCPS registration form.

G. The parent or legal guardian registering the student is responsible for providing the school with information regarding any special education, behavioral, psychological, or medical needs the student may have at the time of registration.

H. If the student registering is entering from another school, a request for records must be signed by the parent or legal guardian of the student.

I. When possible, the parent or legal guardian and the student will be given the opportunity to tour the school and meet with the school nurse and other appropriate staff.

J. If a student's residence changes while currently registered at a TCPS school, the parent or legal guardian must immediately notify the school and provide updated proof of residency. No records or transportation arrangements will be changed until this information is received from the parent or legal guardian. All mailings will be sent to the address of record.

K. TCPS may request updated proof of residency at any time from a parent or legal guardian. Failure to provide requested updated information may impact a student's ability to remain enrolled in TCPS.

L. In cases where the school staff questions the accuracy or completeness of the registration information, or if the parent cannot provide all of the required information, the school will contact the Director of Student Services or designee for assistance and guidance.

M. Upon request from the school, the Office of Student Services will investigate the residency and/or custody status of a student registering in TCPS. Any finding will be reported to the school for appropriate actions. A school's request for this support shall only be made after the school exhausts their resources to investigate the matter.

V. EXCEPTIONS FOR REGISTERING STUDENTS WHO ARE NOT BONA FIDE RESIDENTS OF TALBOT COUNTY

A. Tuition Students

Students who are not bona fide residents of Talbot County may attend a TCPS school with the payment of tuition. Decisions regarding this are at the discretion of the Superintendent, or designee, and shall follow the process outlined below:

1. The student's parent or legal guardian must complete the Tuition Placement Request Form which can be obtained from the Office of Student Services.

2. The Superintendent, or designee will review the request and respond to the parent in writing within 15 days of receipt of the request.

3. Approval of the request will be made after careful consideration of many factors which may include, but are not limited to:

- a. Reason for request
- b. Student's disciplinary and attendance history
- c. Student capacity of the school being requested

4. If approved, the parent will be required to pay the tuition, as set by TCPS, in a minimum of two payments. Each payment will be due before the start of the first and second semester. Payments must be made with a cashier's check, money order, or personal check. If payment is made with a personal check, the check must clear before a student may attend school.

B. Families Moving In or Out of Talbot County Within 90 Calendar Days

A family who plans to move to Talbot County within 90 calendar days may be eligible to enroll a student in TCPS without tuition being charged. Decisions regarding this are at the discretion of the Superintendent, or designee, and shall follow the process as outlined below:

1. Completion of the Non-Resident Application, with at least one of the following documents attached:

- a. Copy of a signed contract of sale showing the proposed settlement date
- b. Copy of a signed residential construction contract showing anticipated occupancy date
- c. A letter from the builder or realtor showing proposed settlement date
- d. A copy of a lease showing the occupancy date

2. If at the conclusion of the 90 calendar days grace period, occupancy has not occurred, tuition charges will be owed from the first day the student began attending school in TCPS. The student's continued enrollment will be contingent upon payment of tuition.

3. A family moving out of Talbot County within 90 calendar days of the end of the current school year may complete a Non-Resident Application requesting the student to finish the current school year in TCPS. Approval of this application is at the discretion of the Superintendent, or designee, and may be conditional based on various considerations.

C. Informal Kinship Care

This is a Maryland law, and may only be applied to a student and the parents/guardians who are residents of the state prior to the hardship occurring. 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. For purposes of this regulation, relative is defined as an adult related to the child by blood or marriage within the fifth degree of consanguinity, (Md. Code Ann., Art., § 7-101 (c) (1) (iii)). The law specifies six categories of serious family hardships:

- Death of a parent or legal guardian of a child;
- Serious illness of a parent or legal guardian of a child;
- Drug addiction of a parent or legal guardian of a child;
- Incarceration of a parent or legal guardian of a child;
- Abandonment by a parent or legal guardian of a child; or
- Assignment of a parent or legal guardian of a child to active military duty

1. The eligible relative (as defined above), shall complete a sworn affidavit regarding the informal kinship care they are providing to a child. This affidavit must be obtained from school staff, and will not be accepted until the person requesting enrollment for a child meets with appointed school staff.

2. The affidavit is limited in scope to identifying a hardship of any one parent or guardian.

3. The Superintendent, or designee may require documentation to support the affidavit.

4. The Superintendent, or designee may verify the facts contained in the affidavit and conduct an audit, on a case-by-case basis, after the child has been enrolled in TCPS.

5. If the Superintendent, or designee discovers fraud or misinterpretation, the child shall be removed from TCPS.

6. The person completing the sworn affidavit must notify the Director of Student Services within 30 days of any change to serious family hardship circumstances.

7. Any person who willfully makes a material misrepresentation in the sworn affidavit shall be subject to a penalty payable to TCPS for three times the pro rata share of tuition for the time the child fraudulently attended TCPS.

D. Formal Kinship Care

This is defined as care that is continuous 24 hour care and supportive services provided for a child placed by a child placement agency in the home of a relative related by blood or marriage within the fifth degree of consanguinity or affinity as set forth in the Estates and Trusts Article, § 1-203, Annotated Code of Maryland (COMAR 07.02.25.02). Documentation is required from the placing agency before the student can be enrolled in TCPS.

E. Out-of-County Living Arrangement

This is defined as an arrangement for a child to be placed by a state agency in a facility, or a relative's home, in a county other than the county in which the child's parents/guardian reside. Documentation is required from the placing agency before the student can be enrolled in TCPS.

F. McKinney-Vento Students

This provision is reserved for students experiencing housing instability. Please refer to Talbot County Public Schools Policy and Administrative Regulation 10.9 (Elimination of Barrier for Homeless Student).

VI. PENALTIES

Parents and legal guardians will be held responsible for fraudulently enrolling their child in school without following the above procedures. TCPS reserves the right to request updated information from a parent or legal guardian anytime fraud is suspected. If fraud is discovered, TCPS reserves the right to pursue legal action against the parent or legal guardian which may include financial penalties.

Using any of the provisions outlined in this procedure for the sole purpose of attending school in TCPS is strictly prohibited, and will be considered fraud.