

**TALBOT COUNTY
PUBLIC SCHOOLS
EASTON, MD 21601**

**POLICY CODE
10.7-AR
APPROVED: 02/25/04
REVISED: 07/31/13**

ADMISSION OF NON-RESIDENT OUT-OF-COUNTY STUDENTS - AR

Administrative Regulations

Only bona fide residents of Talbot County are eligible for free privileges in Talbot County Public Schools. A Residence Verification Statement form shall be filled out for all new Talbot County Public School students.

Exceptions and Application Process

Exception: Families moving into Talbot County within 90 days.

Upon completion and approval of a non-resident application a family who plans to move into the county within 90 calendar days may be granted up to a 90 calendar day enrollment period with the possibility of no tuition being charged.

Application Process

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

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

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

Exception: Families moving out of Talbot County within 90 days of the end of the current school year.

Upon completion and approval of a non-resident application, a family who plans to move out of the county up to 90 calendar days prior to the end of the school year may be granted a 90 calendar day conditional enrollment period with the possibility of no tuition being charged.

Application Process

See B.1.a,b,c. above

Exception: Families who move out of the county temporarily.

Upon completion and approval of a non-resident application, a family who moves out of the county temporarily may be granted up to a 90 day conditional enrollment period with the possibility of no tuition being charged.

Application Process

See B.1.a,b,c above

1. Exception: Legal guardianship being pursued
A child may be admitted to a Talbot County Public School if guardianship is being pursued for reasons other than:
 - a. attending school
 - b. 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 guardian
sports

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.

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

the death or serious illness of the parents*

the abandonment of the child

the abuse of the child

the child being adjudicated to be a child in need of assistance

the neglect of the child

the child being a dependent child**

* See Md. Code Ann., Est. § 13-702(a).

** See Md. Code Ann. Fam. Law. § 5-313

Exception: Children living with a person other than the parent or legal guardian.

A child living with a person other than a parent or legal guardian may be admitted to Talbot County Public Schools if the child is determined to be a bona fide resident of Talbot County.

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 nonresident application and provide documentation to establish the reason for the child’s presence in Talbot County.

The child will not be considered a bona fide resident if, for example, the child’s presence in Talbot 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

sports

The responsible adult will seek to obtain legal guardianship of the child prior to the child’s admission to Talbot County Public Schools. If guardianship cannot be obtained, the responsible adult will provide an Affidavit Regarding Pursuit of Custody/Guardianship.

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

1. the death or serious illness of the parents*
2. the abandonment of the child
3. the abuse of the child
4. the child being adjudicated to be a child in need of assistance
5. the neglect of the child
6. the child being a dependent child**

* See Md. Code Ann., Est. § 13-702(a)., ** See Md. Code Ann. Fam. Law. § 5-313

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

Exception: Homeless Students

See: Elimination of Barriers for Homeless Students

*Policy Codes 10.9 and 10.9 – AR.

Exception: Kinship Care

A student who was already a resident of Maryland who is in an informal kinship care living arrangement in Talbot County is eligible to attend a Talbot County Public School if the child lives with a relative providing informal kinship care in the county and the relative verifies the informal kinship care relationship through a sworn affidavit.

Application Process

The relative must provide care for the child 24 hours a day seven days a week. A relative is an adult related to the child by blood or marriage within the fifth degree of consanguinity.

The relative must provide a sworn affidavit on a form prescribed by the Talbot County Public Schools.

The relative must provide for the care and custody of the child due to a serious family hardship.

A serious family hardship means:

death of a parent or legal guardian of the child;

serious illness of a parent or legal guardian of the child;

drug addiction of a parent or legal guardian of the child;

incarceration of a parent or legal guardian of the child;

abandonment by a parent or legal guardian of a child;

assignment of a parent or legal guardian of a child to active military duty.

An inquiry may not be made as to the reasons why the other parent cannot care for the child.

The documentation required to be provided with the Kinship Care Affidavit must be presented to the Talbot County Public Schools on or before 30 days after enrollment.

Implementation

The Student Services Worker must be notified prior to the enrollment of any non-resident pupil who applies for enrollment in Talbot County Public Schools.

The Student Services Worker will complete an investigation to determine if the student is eligible for enrollment in Talbot County Public Schools. NOTE: Enrollment paperwork at the school will not begin until approved by the Supervisor of Student Services.

Forms and other documents will be provided as outlined in section I, B. 1-6 of this regulation.

Joint Custody

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

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 Talbot County Public Schools. In the event that a student who is under suspension or who has been expelled from another school system becomes a Talbot County resident, that student will be considered for enrollment and placement in accordance with our disciplinary regulations.

Tuition

Tuition is payable semi-annually to the Controller of Talbot County Public Schools. The first payment is due before the opening of school (1st student day) and the second and last payment is due February 1. Tuition shall be determined on an annual basis. Tuition charges will be based upon the formula set by the Maryland State Department of Education.

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

- a. families who are moving into or out of the county within 90 days.
- b. hardship.

Failure to Pay Tuition – Failure to make timely payments may result in denial of admissions to Talbot County Public Schools, of if already attending, termination of enrollment and legal proceedings and/or prosecution.

Approval/Denial

The Student Services Worker will investigate the case and make a recommendation for approval or denial to the Supervisor of Student Services.

The Student Services Worker will notify the school and the parent of the decision made by the Supervisor of Student Services.

No non-resident student may be enrolled until approved by the Supervisor of Student Services. Upon approval by the Supervisor the student may enroll on a conditional basis.

Penalties

Commuting from another County/State to Talbot County for the purpose of attending school is not permissible and subjects the parents, guardians and/or student to payment of back tuition to Talbot County Public Schools (including possible treble damages, attorney fees and interest) and a referral to the Office of the State's Attorney for investigation.

Failure to make timely payments of any tuition charged will result in denial of admission to Talbot County Public Schools, or if attending, termination of enrollment.

Transportation

The parents agree to furnish all transportation to and from school in a safe and responsible manner. When an established bus route and stop exist where the student may gain safe, convenient access without exceeding the load capacity of the bus, the Superintendent may grant a request by the parent/guardian for the student to ride the bus.

Appeals

If the Supervisor of Student Services 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

local Superintendent of Schools. The decision of the local Superintendent of Schools may be appealed to the Board of Education of Talbot 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.

Out-of-County Living Arrangement

Section 4-120.1 of the Education Article of the Maryland code provides that children who are placed by public or licensed private child care 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 or a person exercising temporary care of a child at the request of a parent or guardian of the child. The Implementation Procedure (II A-H) shall be used in enrolling these children.

(ADMISSION FORMS FOLLOW)

-END-

Affidavit Regarding Pursuit of Custody/Guardianship

I solemnly affirm under the penalties of perjury and upon personal knowledge the following:

1. _____ does not reside in Talbot County for the
(Name of Student)

primary purpose of attending the Talbot County Public Schools.

2. I made the following attempt(s) to obtain legal custody and/or legal guardianship of the
person of _____ but was unable to obtain custody or guardianship as
(Student)
follows:

Signature

Date

STATE OF MARYLAND, TALBOT COUNTY, TO WIT:

I HEREBY CERTIFY that on this day of _____, 20__, before me the Subscriber, a
Notary Public, in and for the State and County aforesaid, personally appeared, and made oath in
due form of law that the matters and facts set forth in the foregoing, are true and correct to the
best of his/her knowledge, information and belief. WITNESS my hand and Notarial Seal.

Notary Public

My Commission Expires: _____

RESIDENCE VERIFICATION STATEMENT

To: The Office of Student Services

School:

Talbot County Public Schools

Student:

P.O. Box 1029

Date of Birth:

Easton, Maryland 21601

We hereby certify that the above referenced student and his/her parent(s)/guardian(s) reside permanently in Talbot County with _____ (the "Resident"), whose address is:

and the residence is owned by:

_____, Deed reference:

Lease: ___ Yes (copy attached)

No

Phone Number: (____) _____-

In the event the parent/guardian will not have a lease and will not be paying rent, but will be permanently residing with the Resident, the parent/guardian must provide proof that both the parent/guardian and Resident are permanent residents of Talbot County. The form of proof provided by the Resident as to his/her status as permanent resident of Talbot County must be one of the following:

1. A signed lease agreement plus one item from the supplemental proof list
2. A signed deed plus a State Department Assessment Tax (SDAT) form downloaded by counselor plus one item from the supplemental proof list
3. A current electric bill plus two items from the supplemental proof list.

Supplemental proof list:

- a. Driver's license
- b. W2 form
- c. Bank Statement
- d. Voter Registration card
- e. Pay Stub
- f. Income tax return

Parent/guardian of the student must also provide 2 proofs of permanent residency in Talbot County as well, such as a drivers license, bank statements, pay stubs, etc..

We the parent(s)/guardian(s) and the Resident have been informed of residency requirements of Talbot County Public Schools and are aware that copies of Board of Education Policy JEA (Admission of Resident Students) and the administrative regulations that support this policy are available upon request.

Finally, we the parent(s)/guardian(s) and the Resident acknowledge that providing false information regarding residency, as well as not being a resident of Talbot County, can result in a claim for and payment of back tuition to Talbot County Public Schools (including possible treble damages, attorney fees, and interest) and a referral to the Office of the State's Attorney for investigation.

I/we solemnly affirm under the penalties of perjury and upon personal knowledge that the contents of this paper are true and correct to the best of my/our knowledge, information and belief.

Parent/Guardian Signature

Date

Parent/Guardian Signature

Date

Resident

Date

Notary Signature

Commission Expires]

THE OFFICE OF STUDENT SERVICES
TALBOT COUNTY PUBLIC SCHOOLS
P.O. BOX 1029
EASTON, MD 21601

I am applying for the child named below to attend a Talbot County Public School for the _____ school year.

Name of child _____ School _____

Date of birth _____ Grade _____

Name of School Last Attended _____

Address of School Last Attended _____

Name of Parent(s) _____ Home Phone _____

Street Address _____ Work Phone _____

(City) (State) (Zip)

Signature _____ Date _____

Name of Applicant(if not parent) _____ Home Phone _____

Street Address _____ Work Phone _____

(City) (State) (Zip)

Relationship of Applicant to Nonresident Pupil _____

Who is financially responsible for the child _____

When will the applicant become the child's legally court appointed guardian?

Who will be responsible for tuition payment, if charged? _____

Why are you requesting enrollment in Talbot County Public Schools? _____

I verify that the above information is true. In addition, if tuition is charged, (either initially or after a waiver of tuition for a time specified by the Supervisor of Student Services), I agree to pay the tuition and that failure to make timely payments, as agreed to in the payment schedule, may result in denial of admissions to Talbot County Public Schools, or if already attending, termination of enrollment. I understand that the student referenced above must reside in Talbot County on a full-time basis. Commuting from another County/State to Talbot County for the purpose of attending school is not permissible, subject to prosecution for felony theft.

Signature _____ Date _____

Applicant will be informed of decision in writing

FOR TALBOT COUNTY SCHOOL USE ONLY

Student Services Worker
Recommendation _____

SSW Signature _____ Date _____

Approved Not Approved

By: _____
Supervisor

Date: _____

POWER OF ATTORNEY

State of Maryland

County of _____

Before me, the undersigned notary public, this day personally appeared _____

_____ to me known, who being duly sworn, did make, constitute

and appoint _____ his (her) (their) true and lawful

attorney, and authorized said attorney to sign for the affiant(s) any application for assignment of:

_____ Medial Decisions

_____ Legal Decisions

_____ Educational Decisions

_____ Personal Affairs and all other matters

This power of attorney shall be in effect from now until _____
Date

Signature (Father) Date

Signature (Mother) Date

Sworn and subscribed to before me this _____ Day of _____, 20_____.

Notary Public

Seal:



Children in Informal Kinship Care Affidavit

For questions call:
Student Support and Alternative Programs Branch
(410) 767-0295

RETURN TO THE REQUESTED SCHOOL

I, the undersigned, am over eighteen (18) years of age and competent to testify to the facts and matters set forth herein.

_____ (Name of child), whose date of birth is _____, is living with me because of the following serious family hardship (Check each that is applicable):

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

The name and last known address of the child's parent(s) or legal guardian is:

Name

Street

Apt. Number

City

State

Zip Code

My relationship to the child is _____

My address is:

Name

Street

Apt. Number

City

State

Zip Code

Please complete reverse side

I assumed informal kinship care of this child for 24 hours a day and 7 days a week on

_____ (month/day/year).

The name and address of the last school that the child attended is:

Name of School

Street

City State Zip Code

I understand that the local superintendent of schools may verify the facts contained in the foregoing affidavit and conduct an audit, on a case-by-case basis, after the child has been enrolled in the county public school system. If county superintendent discovers fraud or misrepresentation, the child shall be removed from the rolls of the local public school system. I understand that if a change occurs in the care or in the serious family hardship of the child, I am required to notify the local school system in writing within 30 days after the change occurs. I also understand that any person who willfully makes a material misrepresentation in the affidavit shall be subject to a penalty payable to the county/City for three times the pro rata share of tuition for the time the child fraudulently attended a public school in the county/City. I solemnly affirm under the penalties of perjury that the contents of the foregoing are true to the best of my knowledge, information, and belief.

Printed name of relative assuming Informal Kinship Care

Signature of relative assuming Informal Kinship Care

Date (month/day/year)

RETURN TO THE REQUESTED SCHOOL

(MSDE.IKC.9/10)



Departamento de Educación de Estado Maryland.
Los logros son lo más importante

Para resolver cualquier inquietud llamar al:
Departamento de Apoyo al Alumno y Programas
Alternativos
(410) 767-0295

Niños/as en Acogimiento Familiar Informal Declaración jurada

ENTREGAR EN LA ESCUELA SOLICITADA

Yo, el signatario/a, soy mayor de dieciocho (18) años y soy competente para dar testimonio sobre los hechos y asuntos enunciados en este documento.

(Nombre del niño/a), cuya fecha de nacimiento es _____, vive conmigo debido a las graves dificultades familiares que se citan a continuación (Seleccione todas las que sean pertinentes):

- Muerte del padre/madre/acudiente legal.
- Enfermedad grave del padre/madre/acudiente legal.
- Adicción a las drogas del padre/madre/acudiente legal.
- Encarcelamiento del padre/madre/acudiente legal.
- Abandono por parte del padre/madre/acudiente legal.
- Asignación del padre/madre o acudiente legal al servicio militar activo.

Nombre y última dirección conocida del padre/madre o acudiente legal del niño/a:

Nombre _____

Calle _____

Número de Apto. _____

Ciudad _____

Estado _____

Código Postal _____

Mi relación con el niño/a es: _____

Mi dirección es:

Nombre _____

Calle _____

Número de Apto. _____

Ciudad _____

Estado _____

Código Postal _____

Por favor complete el reverso

Asumí el acogimiento familiar informal de este niño/a por 24 horas al día y 7 días a la semana el _____ (mes/día/año).

Nombre y dirección de la última escuela a la que asistió el niño/a:

Nombre de la Escuela

Calle

Ciudad Estado Código Postal

Comprendo que el superintendente local de escuelas puede verificar los hechos contenidos en la precedente declaración jurada y realizar una auditoría, de manera independiente, después de que el niño/a haya sido inscrito/a en el sistema de escuelas públicas del condado. Si el superintendente del condado descubre fraude o falsificación, el niño/a será retirado/a de las listas del sistema de escuelas públicas locales.

Comprendo que si ocurre algún cambio en el acogimiento o en las graves dificultades familiares del niño/a, estoy obligado/a a notificarlo por escrito al sistema escolar local dentro de los 30 días siguientes a dicho cambio.

Comprendo también que cualquier persona que de manera intencional cometa falsedad en la declaración jurada, está sujeta a pagar una multa al condado/Ciudad por un valor de tres veces la cuota proporcional de la matrícula por el tiempo que el niño/a asistió de manera fraudulenta a la escuela pública en el condado/Ciudad.

Solemnemente afirmo bajo pena de perjurio que el contenido de la precedente es verdadero según mi leal saber y entender.

Nombre en letra impresa del familiar que asume el Acogimiento Familiar Informal

Firma del familiar que asume el Acogimiento Familiar Informal

Fecha (mes/día/año)

ENTREGAR EN LA ESCUELA SOLICITADA

(MSDE.IKC.9/10)

Instructions

- A. The Talbot County Public Schools Superintendent, Supervisor of Student Services and Student Services Worker may contact the parent/legal guardian and/or authorities who can verify the facts contained in the foregoing affidavit. They may also conduct an audit on a case-to-case basis after the child has been enrolled in Talbot County Public Schools. If they discover fraud or misrepresentation, the child shall be removed from Talbot County Public Schools.
- B. Any person who willfully makes a material misrepresentation in this affidavit shall be subject to a penalty payable to Talbot County Public Schools for three (3) times the pro rata share of tuition for the time the child fraudulently attends a public school in Talbot County.
- C. If a change occurs in the care or in the serious family hardship of the child, the relative providing informal kinship care for the child shall notify the local school system in writing within thirty (30) days after the change occurs.
- D. The relative providing informal kinship care shall file an affidavit annually at least two (2) weeks prior to the beginning of the school year for each year the child continues to live with the relative because of a serious family hardship.
- E. Unless the court appoints a legal guardian for the child or awards custody of the child to someone other than the relative providing informal kinship care, the relative providing informal kinship care shall make the full range of education decisions for the child.
- F. The relative providing informal kinship care shall make reasonable efforts to inform the parent(s) or legal guardian(s) of the child's educational progress and program.
- G. The parent or legal guardian of a child in an informal kinship care relationship should have the final decision making authority regarding the educational needs of the child.
- H. The following are examples of verifying documentation that should be provided with the Affidavit. Other items may be acceptable.

- a. Death - Copy of death certificate or other proof.
- b. Serious Illness - Copy of doctor's report, note, or other proof.
- c. Drug Addiction - Documentation from treatment provider or parent, or other proof.
- d. Incarceration - Documentation from legal system or detention center, or other proof.
- e. Abandonment - Notarized statements from all legal guardians, documentation from court, social services, etc.
- f. Assignment to Military Duty - Copy of military order or other proof.