

SENATE BILL 391

F5, F1

0lr2492
CF HB 503

By: **Senators Peters, Augustine, Carozza, Feldman, Guzzone, King, Klausmeier, Lee, and Zucker**

Introduced and read first time: January 27, 2020

Assigned to: Education, Health, and Environmental Affairs

A BILL ENTITLED

1 AN ACT concerning

2 **Primary and Secondary Schools – Dependent Children of Service Members –**
3 **Enrollment and Documentation Requirements**

4 FOR the purpose of requiring a county superintendent of schools to allow a dependent child
5 of a certain service member to enroll in a school in the county in accordance with
6 certain provisions of law; requiring a county superintendent to allow a dependent
7 child of a certain service member to apply for enrollment in a certain public school
8 in the same manner and at the same time as certain other individuals; requiring a
9 certain service member to provide to a school certain documentation within a certain
10 period of time; authorizing a certain service member to use the address of certain
11 types of facilities as proof of residence; defining certain terms; and generally relating
12 to school enrollment of dependent children of service members.

13 BY repealing and reenacting, without amendments,
14 Article – Education
15 Section 7–101(b)(1)
16 Annotated Code of Maryland
17 (2018 Replacement Volume and 2019 Supplement)

18 BY repealing and reenacting, with amendments,
19 Article – Education
20 Section 7–101(b)(2)(i)
21 Annotated Code of Maryland
22 (2018 Replacement Volume and 2019 Supplement)

23 BY adding to
24 Article – Education
25 Section 7–115.1
26 Annotated Code of Maryland
27 (2018 Replacement Volume and 2019 Supplement)

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND,
2 That the Laws of Maryland read as follows:

3 **Article – Education**

4 7–101.

5 (b) (1) Except as provided in § 7–301 of this title and in paragraph (2) of this
6 subsection, each child shall attend a public school in the county where the child is domiciled
7 with the child’s parent, guardian, or relative providing informal kinship care, as defined in
8 subsection (c) of this section.

9 (2) (i) Upon request and in accordance with a county board’s policies
10 concerning residency, a county superintendent [may]:

11 1. **MAY** allow a child to attend school in the county even if
12 the child is not domiciled in that county with the child’s parent or guardian; **AND**

13 2. **SHALL ALLOW A DEPENDENT CHILD OF A SERVICE**
14 **MEMBER WHO IS RELOCATING TO THE STATE ON MILITARY ORDERS TO ENROLL IN**
15 **SCHOOL IN THE COUNTY IN ACCORDANCE WITH § 7–115.1 OF THIS SUBTITLE.**

16 **7–115.1.**

17 (A) (1) **IN THIS SECTION THE FOLLOWING WORDS HAVE THE MEANINGS**
18 **INDICATED.**

19 (2) **“DEPENDENT CHILD” MEANS AN INDIVIDUAL OF SCHOOL AGE**
20 **WHO IS A NATURAL CHILD, A STEPCHILD, AN ADOPTED CHILD, OR A FINANCIALLY**
21 **DEPENDENT CHILD OF A SERVICE MEMBER.**

22 (3) **“ENROLLMENT” INCLUDES COURSE REGISTRATION AND**
23 **CHARTER SCHOOL LOTTERIES.**

24 (4) (I) **“SERVICE MEMBER” MEANS AN ACTIVE DUTY MEMBER OF**
25 **THE UNITED STATES ARMED FORCES.**

26 (II) **“SERVICE MEMBER” INCLUDES A MEMBER OF THE**
27 **NATIONAL GUARD ON ACTIVE DUTY ORDERS.**

28 (B) **A COUNTY SUPERINTENDENT SHALL ALLOW A DEPENDENT CHILD OF A**
29 **SERVICE MEMBER WHO IS RELOCATING TO THE STATE ON MILITARY ORDERS AND IS**
30 **NOT DOMICILED IN THAT COUNTY DURING THE ENROLLMENT PERIOD TO APPLY FOR**

1 ENROLLMENT IN A PUBLIC SCHOOL IN THE COUNTY, IN THE SAME MANNER AND AT
2 THE SAME TIME AS INDIVIDUALS DOMICILED IN THE COUNTY.

3 (C) (1) WITHIN 10 DAYS OF THE PUBLISHED ARRIVAL DATE ON THE
4 SERVICE MEMBER'S MILITARY ORDERS, THE SERVICE MEMBER SHALL PROVIDE THE
5 SCHOOL WITH:

6 (I) SATISFACTORY EVIDENCE OF THE DEPENDENT CHILD'S
7 STATUS AS A DEPENDENT CHILD OF THE SERVICE MEMBER;

8 (II) A COPY OF THE SERVICE MEMBER'S MILITARY ORDERS TO
9 RELOCATE; AND

10 (III) PROOF OF RESIDENCE IN THE COUNTY.

11 (2) THE SERVICE MEMBER MAY USE THE ADDRESS OF ANY OF THE
12 FOLLOWING AS PROOF OF RESIDENCE:

13 (I) A TEMPORARY ON-BASE LODGING FACILITY;

14 (II) A PURCHASED OR LEASED HOME OR APARTMENT; OR

15 (III) ANY FEDERAL GOVERNMENT HOUSING UNIT OR OFF-BASE
16 MILITARY HOUSING UNIT.

17 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect July
18 1, 2020.