

# HOUSE BILL 507

F3  
HB 384/12 – W&M

3lr2423

---

By: **Delegates Weir, Aumann, Boteler, Bromwell, Frank, Minnick, Olszewski,  
and Stein**

Introduced and read first time: January 30, 2013

Assigned to: Ways and Means

---

## A BILL ENTITLED

1 AN ACT concerning

2 **Baltimore County Public Schools – Enrollment and Transfer – Parental**  
3 **Decision**

4 FOR the purpose of authorizing the parent or guardian of a student eligible for  
5 enrollment in certain grades in Baltimore County public schools to decide to  
6 apply to enroll the student in a public school in the county other than the public  
7 school to which the student was assigned by the Baltimore County Board of  
8 Education beginning in a certain school year; requiring the county board to  
9 publish certain classroom seat information each year; requiring certain  
10 classroom seats to be open to certain students on a space–available basis;  
11 requiring certain schools to reserve a certain number of seats for certain  
12 transfer students; requiring certain schools to enroll and admit certain students  
13 on a lottery basis under certain circumstances; requiring the county board to  
14 develop and adopt a certain process on or before a certain date; authorizing  
15 certain students to attend certain schools for a certain period of time; requiring  
16 the county board to develop a certain policy that requires a certain parent or  
17 guardian to sign a certain form regarding the transportation of a certain  
18 student; providing that certain provisions of law may not be construed to affect  
19 certain students who enroll or transfer schools under other policies of the Board,  
20 other provisions of law, or a certain federal law; and generally relating to a  
21 parent’s or guardian’s decision to enroll or transfer a student in Baltimore  
22 County public schools.

23 BY repealing and reenacting, with amendments,  
24 Article – Education  
25 Section 4–109  
26 Annotated Code of Maryland  
27 (2008 Replacement Volume and 2012 Supplement)

28 BY adding to

---

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1 Article – Education  
2 Section 4–110  
3 Annotated Code of Maryland  
4 (2008 Replacement Volume and 2012 Supplement)

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

7 **Article – Education**

8 4–109.

9 (a) Subject to approval by the State Superintendent and in accordance with  
10 the applicable bylaws, rules, and regulations of the State Board, a county board may  
11 establish a public school if, in its judgment, it is advisable.

12 (b) On approval by the State Superintendent, any school established under  
13 this section becomes a part of the State program of public education.

14 (c) With the advice of the county superintendent **AND SUBJECT TO § 4–110**  
15 **OF THIS SUBTITLE**, the county board shall determine the geographical attendance  
16 area for each school established under this section.

17 **4–110.**

18 **(A) THIS SECTION APPLIES IN BALTIMORE COUNTY ONLY.**

19 **(B) BEGINNING IN THE 2014–2015 SCHOOL YEAR AND IN ACCORDANCE**  
20 **WITH THIS SECTION, THE PARENT OR GUARDIAN OF A STUDENT ELIGIBLE FOR**  
21 **ENROLLMENT IN THE SIXTH OR NINTH GRADE IN A PUBLIC SCHOOL IN THE**  
22 **COUNTY MAY DECIDE TO APPLY TO ENROLL THE STUDENT IN A PUBLIC SCHOOL**  
23 **IN THE COUNTY OTHER THAN THE PUBLIC SCHOOL TO WHICH THE STUDENT**  
24 **WAS ASSIGNED BY THE BALTIMORE COUNTY BOARD OF EDUCATION.**

25 **(C) (1) (I) EACH YEAR, THE COUNTY BOARD SHALL PUBLISH THE**  
26 **NUMBER OF AVAILABLE CLASSROOM SEATS IN THE SIXTH AND NINTH GRADES**  
27 **AT EACH PUBLIC MIDDLE AND HIGH SCHOOL IN THE COUNTY.**

28 **(II) THE AVAILABLE CLASSROOM SEATS PUBLISHED UNDER**  
29 **SUBPARAGRAPH (I) OF THIS PARAGRAPH SHALL BE OPEN TO ALL STUDENTS IN**  
30 **THE SIXTH OR NINTH GRADE IN THE COUNTY ON A SPACE–AVAILABLE BASIS.**

31 **(III) EACH PUBLIC MIDDLE AND HIGH SCHOOL IN THE**  
32 **COUNTY SHALL RESERVE AN APPROPRIATE NUMBER OF SEATS IN THE SIXTH**

1 AND NINTH GRADES OF THE SCHOOL'S RATED CAPACITY FOR STUDENT  
2 TRANSFERS NOT RELATED TO STUDENT TRANSFERS UNDER THIS SECTION.

3 (2) A PUBLIC SCHOOL SHALL ENROLL STUDENTS AND ADMIT  
4 TRANSFER STUDENTS ON A LOTTERY BASIS IF MORE STUDENTS APPLY THAN  
5 CAN BE ACCOMMODATED WITHIN A SCHOOL'S AVAILABLE SPACE.

6 (3) ON OR BEFORE JULY 1, 2014, THE COUNTY BOARD SHALL  
7 DEVELOP AND ADOPT A PROCESS TO IMPLEMENT THE STUDENT ENROLLMENT  
8 AND TRANSFER REQUIREMENTS OF THIS SECTION.

9 (D) A STUDENT WHO HAS ENROLLED OR TRANSFERRED TO A SCHOOL  
10 UNDER THIS SECTION MAY CONTINUE TO ATTEND THE SCHOOL UNTIL THE  
11 STUDENT COMPLETES ALL GRADES OF THE SCHOOL.

12 (E) THE COUNTY BOARD SHALL DEVELOP A POLICY THAT REQUIRES A  
13 PARENT OR GUARDIAN WHO DECIDES TO ENROLL OR TRANSFER A STUDENT  
14 UNDER THIS SECTION TO SIGN A FORM REQUIRED BY THE COUNTY BOARD  
15 ACKNOWLEDGING THAT THE PARENT OR GUARDIAN ASSUMES THE  
16 RESPONSIBILITY AND COST OF TRANSPORTATION OF THE STUDENT TO AND  
17 FROM SCHOOL.

18 (F) THIS SECTION MAY NOT BE CONSTRUED TO AFFECT STUDENTS WHO  
19 ENROLL OR TRANSFER UNDER OTHER POLICIES OF THE BALTIMORE COUNTY  
20 BOARD OF EDUCATION, OTHER PROVISIONS OF LAW, OR THE FEDERAL NO  
21 CHILD LEFT BEHIND ACT.

22 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect  
23 October 1, 2013.