

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

Committee Report: Favorable

Senate action: Adopted

Read second time: February 29, 2020

CHAPTER _____

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)

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.

Underlining indicates amendments to bill.

~~Strike out~~ indicates matter stricken from the bill by amendment or deleted from the law by amendment.



1 BY adding to
2 Article – Education
3 Section 7–115.1
4 Annotated Code of Maryland
5 (2018 Replacement Volume and 2019 Supplement)

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

8 **Article – Education**

9 7–101.

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

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

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

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

21 **7–115.1.**

22 (A) (1) **IN THIS SECTION THE FOLLOWING WORDS HAVE THE MEANINGS**
23 **INDICATED.**

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

27 (3) **“ENROLLMENT” INCLUDES COURSE REGISTRATION AND**
28 **CHARTER SCHOOL LOTTERIES.**

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

31 (II) **“SERVICE MEMBER” INCLUDES A MEMBER OF THE**

1 NATIONAL GUARD ON ACTIVE DUTY ORDERS.

2 (B) A COUNTY SUPERINTENDENT SHALL ALLOW A DEPENDENT CHILD OF A
3 SERVICE MEMBER WHO IS RELOCATING TO THE STATE ON MILITARY ORDERS AND IS
4 NOT DOMICILED IN THAT COUNTY DURING THE ENROLLMENT PERIOD TO APPLY FOR
5 ENROLLMENT IN A PUBLIC SCHOOL IN THE COUNTY, IN THE SAME MANNER AND AT
6 THE SAME TIME AS INDIVIDUALS DOMICILED IN THE COUNTY.

7 (C) (1) WITHIN 10 DAYS OF THE PUBLISHED ARRIVAL DATE ON THE
8 SERVICE MEMBER’S MILITARY ORDERS, THE SERVICE MEMBER SHALL PROVIDE THE
9 SCHOOL WITH:

10 (I) SATISFACTORY EVIDENCE OF THE DEPENDENT CHILD’S
11 STATUS AS A DEPENDENT CHILD OF THE SERVICE MEMBER;

12 (II) A COPY OF THE SERVICE MEMBER’S MILITARY ORDERS TO
13 RELOCATE; AND

14 (III) PROOF OF RESIDENCE IN THE COUNTY.

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

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

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

19 (III) ANY FEDERAL GOVERNMENT HOUSING UNIT OR OFF-BASE
20 MILITARY HOUSING UNIT.

21 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect July
22 1, 2020.

Approved:

Governor.

President of the Senate.

Speaker of the House of Delegates.