

Department of Legislative Services  
Maryland General Assembly  
2020 Session

FISCAL AND POLICY NOTE  
Third Reader

Senate Bill 391

(Senator Peters, *et al.*)

Education, Health, and Environmental Affairs

Ways and Means

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Primary and Secondary Schools - Dependent Children of Service Members -  
Enrollment and Documentation Requirements

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This bill requires a local superintendent to allow a dependent child of an active duty service member who is relocating to the State on military orders to apply for enrollment in a public school in the same manner and at the same time as individuals who reside in the county, as specified. The service member may use specified addresses as proof of residence. **The bill takes effect July 1, 2020.**

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Fiscal Summary

**State Effect:** None. The bill applies to local school systems.

**Local Effect:** Local school systems can implement the bill using existing resources. No effect on revenues.

**Small Business Effect:** None.

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Analysis

**Bill Summary:** The bill applies to an active duty member of the U.S armed forces and National Guard on active duty orders.

Within 10 days of the published arrival date on the service member's military orders, the service member must provide the school with (1) satisfactory evidence of the dependent child's status as a dependent child of the service member; (2) a copy of the service member's military orders to relocate; and (3) proof of residence in the county.

The service member may use the address of any of the following as proof of residence:

- a temporary on-base lodging facility;
- a purchased or leased home or apartment; or
- any federal government housing unit or off-base military housing.

**Current Law/Background:** Maryland established an Interstate Compact on Educational Opportunity for Military Children (Chapters 501 and 502 of 2009) to facilitate the transfer of children in military families among schools in different states. Specifically, the compact has provisions to facilitate timely transfers of educational records, the continuation of schooling at the same grade level and in similar programs and courses, inclusion in extracurricular activities, on-time graduation, and the provision of comparable special educational services for students with disabilities.

The interstate compact applies to the children of active duty members of the uniformed services, members or veterans of the uniformed services who are severely injured and were medically discharged or retired in the last year, and members of the uniformed services who died in active duty in the last year. Each state participating in the compact must establish a state coordinating council to ensure compliance with the compact, and each council must appoint a military family education liaison to facilitate implementation of the compact. Maryland's liaison must be located at the Maryland State Department of Education. The Governor of each member state must also appoint a compact commissioner responsible for the administration and management of the state's participation in the compact.

In general, each child must attend a public school in the county where the child is domiciled with the child's parent, guardian, or specified relative. Upon request and in accordance with a county board's policies concerning residency, a county superintendent may allow a child to attend school in the county even if the child is not domiciled in that county with the child's parent or guardian.

Baltimore City Public School System advises that its existing enrollment policy meets the requirements of the bill. Montgomery County Public Schools advises that the bill has no fiscal impact.

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### **Additional Information**

**Prior Introductions:** None.

**Designated Cross File:** HB 503 (Delegate Valentino-Smith, *et al.*) - Ways and Means.

**Information Source(s):** Maryland State Department of Education; Baltimore City Public Schools; Montgomery County Public Schools; Department of Legislative Services

**Fiscal Note History:** First Reader - February 12, 2020  
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Analysis by: Caroline L. Boice

Direct Inquiries to:  
(410) 946-5510  
(301) 970-5510