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**TO:** House Ways and Means Committee

**BILL:** House Bill (HB) 102 - Education– Dependent Children of Active Service Members – Advance Enrollment Procedures

**DATE:** January 29, 2026

**POSITION:** Letter of Information

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The Maryland State Department of Education (MSDE) provides this information regarding **HB102**, which requires local education agencies (LEAs) to allow dependents of active duty service members to enroll in a local school in advance of the dependent’s relocation to that LEA, and to establish a remote enrollment process for advance enrollment. As written, LEAs may not charge a fee for the remote advance enrollment process, nor require a parent or guardian to appear in person to complete any portion of this process.

Maryland statute currently requires the LEA to allow the child of a service member who is relocating to the LEA to access early enrollment in a public school. MSDE is a resource for LEAs and the school liaison staff of military installations to ensure that flexibility is afforded to children of service members in the enrollment process. LEAs, under current law, can advance enroll a student with provision of orders. Upon enrollment and relocation, the family has to then provide the necessary documentation of residency in the LEA. If the residency is not in the attendance area, then the student must transfer to the school of the residence.

Under Maryland law, public school attendance is according to the geographic attendance area determined by the county board of education ([Ed. Art. §4–109](#)). HB 102 requires that the LEA make a remote method of enrollment available if it does not already have this accommodation. The remote registration process must provide an opportunity for the parent or guardian to identify that the child has a current individualized education program (IEP) or a 504 plan, so that planning can commence to meet the student’s needs.

HB 102 expands the enrollment provision of Education Article § 7-115.1 to enable a student who enrolled in advance to remain in the selected school until the conclusion of the school year, whether or not the family ultimately resides in the attendance area of the school. The same provision applies to students with disabilities. If the family does not eventually reside within the school's geographic attendance area, a transfer would be required for the following school year.

Continuing attendance at a school where the family ultimately does not reside may create operational challenges for LEAs, particularly regarding transportation and access to extracurricular activities. Specifically, for students with disabilities, services and their locations are determined by the IEP team in consultation with the parent or guardian, which may require additional planning and considerations. Overall, while families may prefer that children remain in the school and feeder pattern where they initially enroll, accommodating attendance outside the geographic attendance area can create complexities for districts seeking to apply enrollment policies consistently.

MSDE respectfully requests consideration of these comments as **HB 102** is discussed and deliberated. For further information, please contact Laurel Crastley at 443-571-5461, or [laurel.crastley@maryland.gov](mailto:laurel.crastley@maryland.gov).