
By: Delegate Minnick (Baltimore County Administration) and Delegate Dewberry

Introduced and read first time: January 23, 1997

Assigned to: Ways and Means

A BILL ENTITLED

1 AN ACT concerning

2 **Education - Public Schools - Domicile**

3 FOR the purpose of requiring, subject to certain exceptions, a child to attend a public
4 school in the county where the child is domiciled with the child's parent or
5 guardian; authorizing a county's superintendent to allow a child who is not
6 domiciled in the county to attend school in that county under certain circumstances;
7 and generally relating to residency requirements for attending public schools in the
8 State.

9 BY renumbering

10 Article - Education
11 Section 7-301(b) through (g), respectively
12 to be Section 7-301(c) through (h), respectively
13 Annotated Code of Maryland
14 (1997 Replacement Volume)

15 BY repealing and reenacting, with amendments,

16 Article - Education
17 Section 7-301(a)
18 Annotated Code of Maryland
19 (1997 Replacement Volume)

20 BY adding to

21 Article - Education
22 Section 7-301(b)
23 Annotated Code of Maryland
24 (1997 Replacement Volume)

25 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF
26 MARYLAND, That Section(s) 7-301(b) through (g), respectively, of Article - Education
27 of the Annotated Code of Maryland be renumbered to be Section(s) 7-301(c) through
28 (h), respectively.

29 SECTION 2. AND BE IT FURTHER ENACTED, That the Laws of Maryland
30 read as follows:

2

1 **Article - Education**

2 7-301.

3 (a) (1) Except as otherwise provided in this section, each child who resides in
4 this State and is 5 years old or older and under 16 shall attend a public school regularly
5 during the entire school year unless the child is otherwise receiving regular, thorough
6 instruction during the school year in the studies usually taught in the public schools to
7 children of the same age.

8 (2) In accordance with regulations of the State Board of Education, a child
9 who resides in this State and is 5 years old may be exempted from mandatory school
10 attendance for 1 year if the child's parent or guardian files a written request with the local
11 school system asking that the child's attendance be delayed due to the child's level of
12 maturity.

13 (3) Except as provided in subsection [(f)](G) of this section or in
14 regulations of the State Board of Education, each child who resides in this State shall
15 attend a kindergarten program regularly during the school year prior to entering the first
16 grade unless the child is otherwise receiving regular, thorough instruction in the skills and
17 studies usually taught in a kindergarten program of a public school.

18 (B) (1) EXCEPT AS PROVIDED IN SUBSECTION (A) OF THIS SECTION AND IN
19 PARAGRAPH (2) OF THIS SUBSECTION, EACH CHILD SHALL ATTEND A PUBLIC
20 SCHOOL IN THE COUNTY WHERE THE CHILD IS DOMICILED WITH THE CHILD'S
21 PARENT OR GUARDIAN.

22 (2) UPON REQUEST AND IN ACCORDANCE WITH A COUNTY BOARD'S
23 POLICIES CONCERNING RESIDENCY, A COUNTY SUPERINTENDENT MAY ALLOW A
24 CHILD TO ATTEND SCHOOL IN THE COUNTY EVEN IF THE CHILD IS NOT DOMICILED
25 IN THAT COUNTY WITH THE CHILD'S PARENT OR GUARDIAN.

26 SECTION 3. AND BE IT FURTHER ENACTED, That this Act shall take effect
27 July 1, 1997.