



# **Student Record Keeper Manual**

Office of Shared Accountability  
Updated December 2022



## TABLE OF CONTENTS

### Enrollment

Qualified Students .....	E1-2
Eligible Student .....	E-2
Documentation for Enrollment.....	E2-3
Direct Enrollment.....	E3-5
Special Education, Interim Instructional Services, and Administrative Placement Enrollment.....	E5
Referrals to International Admissions and Enrollment (IAE).....	E5-6
J-1/F-1 Nonimmigrant VISA Status.....	E5-6
Residency .....	E6
Homeless Students and Unaccompanied Homeless Youth.....	E6
Information Needed to Enroll:	
Home Language Survey .....	E7
Student Name .....	E7-10
Student Name Change.....	E8-9
Gender X .....	E9-10
Birthdate and Evidence of Birth.....	E10
Social Security Number .....	E10
Race/Ethnicity .....	E10-11
Kindergarten Enrollment, MSDE Requirement of Prekindergarten Experience Form .....	E11
Residency .....	E11-14
Shared Housing .....	E13
Home Visit .....	E13
Post Enrollment Residency Investigations.....	E14
Parent/Guardian.....	E14
Adult Responsible for Student, Evidence of Relationship.....	E14-15
Immunizations .....	E15
Homeless Children and Unaccompanied Homeless Youth.....	E15-17
Maryland Informal Kinship Care .....	E17-18
Maryland State-Supervised Care.....	E18-19
Tuition-Paying Students .....	E19-23
Tuition Payments.....	E21
Refunds and Prorating of Tuition.....	E21-22
Collection of Tuition .....	E22-23
Waiver of Tuition Requirements .....	E23-24
Appeal Procedures.....	E24
Self-Enrolling Students .....	E24-25

## TABLE OF CONTENTS

Natural Disasters .....	E25
Claims of Parentage when a Parent is not on the Birth Certificate .....	E25-26
When a Family Reports a Move in the Fourth Quarter of the School Year .....	E26
Students Receiving Special Services	
Preschool Age .....	E26
Students Attending Private/Parochial School .....	E26
Kindergarten Students Receiving Itinerant Services .....	E26
Transfer from State Institutions .....	E27
Prekindergarten and Head Start Programs .....	E27
Preschool Education Program (PEP) .....	E27
Next Year's School Assignment .....	E28-29
Home Instruction .....	E29
Change of School Assignment .....	E29-31
Request to Withhold Directory Information .....	E31
Graduation Requirements .....	E31-32
One Day Enrollments .....	E32
Entry Codes .....	E33-34
Associated Entry and Withdrawal Codes .....	E35-36
Enrollment Checklists .....	E37-40
First Time Qualified Students .....	E37
Residency Change (Current MCPS Student) .....	E38
COSA (Current MCPS Student) .....	E38
Homeless Student and Unaccompanied Homeless Youth .....	E38
Maryland Informal Kinship Care .....	E38
Maryland State-Supervised Care .....	E39
Tuition-Paying Students .....	E39
Special Education and Administrative Placement .....	E39
Interim Instructional Services Handled by IIS .....	E39
Home Instruction .....	E39
International, Foreign, and Exchange Students Via IAE .....	E39
To MCPS From Home Instruction .....	E39
References .....	E40

## TABLE OF CONTENTS

### Withdrawals

Documentation of Withdrawal.....	W1
Processing Withdrawals.....	W1-2
No Show vs. Inactivating Student .....	W1-2
Date of Withdrawal.....	W2
Summer Withdrawals .....	W2
September Withdrawals .....	W2
Guidelines for Processing Summer and September Withdrawals .....	W3
Maryland Student Exit Record (SR7).....	W4
Financial Obligations Clearance .....	W4
Dropping Out (Student Termination of Formal Education).....	W4-6
Dropout Codes that Impact High School Graduation Rate .....	W4-6
Extended Absences	
Incarceration/Juvenile Service Facility .....	W6
Short Term Instructional Program (Interim Instructional Services).....	W7
Parent/Guardian Removal.....	W7
Special Education Over 18 Years Old.....	W7
Graduation Rate Cohorts .....	W8-10
Four-Year Adjusted Cohort Rate Example.....	W8
Five-Year Adjusted Cohort Rate Example.....	W8-9
First-Time Ninth Grade Students .....	W9
International Students.....	W9
Guidance for Assigning FTNG for Transfer Students .....	W9
Regular High School Diplomas.....	W9-10
Four-Year Adjusted Cohort Rate .....	W10
Five-Year Adjusted Cohort Rate.....	W10
Withdrawal Codes .....	W10-14
Students Leaving the Country for More Than 10 Consecutive School Days .....	W10-11

### Student Records [MCPS Regulation JOA-RA, Student Records](#)

Creating Student Record Files	
Cumulative Folder.....	R1-2
Maintenance and Destruction of Records of Suspensions and Expulsions.....	R2-3

## TABLE OF CONTENTS

Confidential Folder .....	R3-4
Health Folder .....	R3
Maintaining Student Records .....	R4
Information Not to be Included in a Student's Records .....	R4-5
Request to Remove or Correct Information .....	R5
Record Keeping Procedures .....	R5
Release of Records	
Timeline for Sending Records .....	R5-7
Special Circumstances .....	R7
Retention of Student .....	R7-8
Quick Guide to Transferring Records to Other Schools .....	R9-10
Release of Directory Information .....	R8
Processing of Subpoenas .....	R9-10
Student Records Subpoenas – Checklist .....	R9-10
Incident Reporting Subpoenas – Checklist .....	R10
Witness Subpoenas .....	R10
Record Retention	
Withdrawn Students .....	R11
Graduates .....	R11
Record Retention Schedule for Records Prescribed by MCPS .....	R11
Record Retention Schedule for Records Prescribed by the MSDE .....	R11-12
Information Required for Students with Disabilities .....	R12
Quick Guide to Sending Records to Central Records .....	R12-13
<b>Attendance</b>	
Recording Student Attendance	
Students Scheduled for a Full or Partial Day .....	A1
Student Attendance for School Activities .....	A1
Out-of-School or In-School Suspensions, In-School Interventions .....	A1
Pregnancy and Parenting Needs .....	A1-3
Absence Codes .....	A4-6

## TABLE OF CONTENTS

### Appendix with Resources

MCPS Guidance on Child Custody and Related Matters .....	AR1-7
Physical Custody .....	AR1
Legal Custody.....	AR1
Joint Physical Custody.....	AR2
Joint Legal Custody .....	AR2-3
Sole Custody.....	AR3
Sole Physical Custody.....	AR3
Sole Legal Custody .....	AR3
Noncustodial Parent.....	AR4
Special Circumstances .....	AR4-6
Protective Orders .....	AR4-5
Primary Care Parent.....	AR5
Guardians and Surrogates .....	AR5-6
Informal Kinship Care .....	AR6
Best Interest Attorneys and Child Advocates.....	AR6
Enrollment.....	AR6-7
Board Policies and MCPS Regulations Website .....	AR7-8
Board Policies and MCPS Regulations Regarding Attendance, Enrollment, and Records ...	AR8-9
Board Policies and MCPS Regulations on Other Pertinent Topics .....	AR9
MCPS Forms Website.....	AR9
Outlook Conferences Folders.....	AR10
MCPS Forms Involving Enrollment, Withdrawals, and Records.....	AR10-11
MCPS Help Desk.....	AR11
Homeless Guidelines .....	AR11
MSDE.....	AR12
Withdraw Letter Based on Lack of Residency Template.....	AR13
Permission to Complete the School Year Letter Template .....	AR14
Standby Guardianship Law .....	AR15





## OVERVIEW

The Maryland State Department of Education (MSDE) provides funding for students enrolled in Maryland public schools based on the enrollment as of September 30 of each school year. It is important for all record keepers to work with their school team to identify students who have no attendance recorded in the current school year and process a summer withdrawal of the student before September 30 using the most appropriate withdrawal code (see a list of codes on page W-12).

All students, with bona fide residency in Montgomery County, whether U.S. citizen or noncitizen, who are at least five years old by September 1, and not older than 20 years of age on the first day of the current school year, are eligible for enrollment, and are considered “qualified” students.

All qualified students whose parents/guardians have bona fide residency within Montgomery County (or eligible students) must be accepted for enrollment, except as follows:

- MCPS may deny enrollment to any student who is currently expelled from another school system for the length of time equal to that expulsion.
- Enrollment of students will be considered temporary until such time as the records show there has been no expulsion.

All qualified students under age 7 may directly enroll in their home school.

All qualified students whose parents/guardians have bona fide residency within Montgomery County (or eligible students, defined in the Student Records section of this Manual on page R-2) will enroll in their home school, except as set forth below:

- Middle and high school students whose home address is within the community of an MCPS consortium must enroll at the MCPS Consortia office to participate in the Choice Process and be assigned a school. Information for the Choice Process can be obtained from the [Division of Consortia Choice and Application Program Services](#).
- Students age seven or older by September 1 who have not attended school within the U.S. or a U.S. school system (i.e. Department of Defense schools or an accredited American International school in a foreign country) within the past two years must be referred to MCPS International Admissions and Enrollment (IAE) at 240-740-4500 to begin the enrollment process. Enrollment of these students will be handled in accordance with [MCPS Regulation JEA-RC, Enrollment and Placement of International and Foreign Students](#).
- Principals/designees shall refer all qualified students to their home school if they are seeking to enroll in a school other than their home school and, if appropriate, provide information about the change of school assignment process provided in [MCPS Regulation JEE-RA, Student Transfers and Administrative Placements](#).

An eligible<sup>1</sup> student is a student, whether U.S. citizen or noncitizen, who has reached the age of majority (18) or is emancipated prior to the age of 18, but is not older than 20 years of age on the first day of the current school year.

All parents/guardians enrolling students (new or re-entering MCPS) must provide registration documentation, unless homeless. Please refer to the checklists beginning on page E-37 to determine what documentation is required based on the enrollment or re-enrollment scenario.

***All required enrollment documents must be submitted prior to enrollment at all school levels.***

### DOCUMENTATION FOR ENROLLMENT

Consistent with [Board Policy ACA, Nondiscrimination, Equity, and Cultural Proficiency](#), MCPS does not discriminate based on citizenship status and does not require disclosure/collection of information that pertains to citizenship status.

The burden of producing evidence establishing bona fide residence is on the parent/guardian or eligible student. Such documentation establishes the presumption of residency; however, this presumption can be rebutted if MCPS identifies contradictory evidence. In addition to individual verification, MCPS reserves the right to initiate specific grade-level or school wide residency verification activities.

When the family of a student currently enrolled in MCPS moves to the established attendance area of a different school within MCPS, parents/guardians need to present evidence of residency in the established area of the new school.

To enroll a student in an MCPS school for the first time, or to re-enroll after having withdrawn from MCPS, parents/guardians/eligible students are responsible for the following:

#### **Offline registration requirements:**

1. Completing [MCPS Form 560-24, New Student Information](#) and [MCPS Form 565-1, Student Emergency Information](#).
2. Presenting the following documents unless the student qualifies for homeless status:

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<sup>1</sup> Eligible students are entitled to exercise all rights provided to parents/guardians under the U.S. Department of Education Family Educational Rights and Privacy Act (FERPA) including:

- The right to inspect and review the student's education records maintained by the school;
- The right to request that a school amend the student's education records;
- The right to consent in writing to the disclosure of personally identifiable information from the student's education record, except under certain permitted situation (MCPS Form 281-13, *Annual Notice for Directory Information and Student Privacy*); and
- The right to file a complaint with the Family Policy Compliance Office (FPCO) regarding an alleged violation under FERPA.

- a) proof of student's name and date of birth (see page E-10)
- b) proof of parent/guardian identity that includes a photograph (see page E-14)
- c) proof of parent/guardian relationship to student or custody of student (see page E-14)
- d) proof of immunization (see page E-15)
- e) evidence of residency (see page E-12)

**Online registration requirements (via ParentVue):**

- 1. Create a ParentVue account and input all required data fields
- 2. Uploading the following documents unless the student qualifies for homeless status:
  - a. proof of student's name and date of birth (see page E-10)
  - b. proof of parent/guardian identity that includes a photograph (see page E-14)
  - c. proof of parent/guardian relationship to student or custody of student (see page E-14)
  - d. proof of immunization (see page E-15)
  - e. evidence of residency (see page E-12)

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**DIRECT ENROLLMENT**

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All qualified students who have established bona fide residency within Montgomery County will enroll at their home schools, except as set forth in [MCPS Regulation JEA-RB, \*Enrollment of Students\*](#).

*Bona fide residence* is one's actual or true residence, maintained in good faith, and does not include a temporary residence or superficial residence established for convenience or for the purpose of free school attendance in MCPS. However, intent to reside indefinitely or permanently at the present place of residence is not necessarily required. Determination of a student's bona fide residence is a factual one and must be made on an individual basis. In the absence of evidence to the contrary, bona fide residence is the residence of the parent/guardian.

If the student's parents/guardians live apart, the student's bona fide residence, absent evidence to the contrary, is presumed to be the bona fide residence of the parent/guardian to whom sole custody is awarded, or the parent/guardian with whom the child regularly resides. Determination of where a student regularly resides is a fact-based analysis that takes into consideration the totality of the circumstances. Staff typically looks to where the student is living on school days as well as any custody order or agreement (see Page AR-1 for additional guidance on custody).

The bona fide residence of an eligible student is one that is established independently from their parents/guardians.

Home School – the school for the established attendance area in which a student resides or the school a student is assigned in accordance with an Individualized Education Program (IEP). Information for determining home school can be obtained from the [MCPS Division of Capital Planning and Real Estate Office](#).

Additional circumstances in which students may enroll at their home school include:

- the qualified student’s parent/guardian provides a ratified contract for the purchase of a home within the established attendance area of the school with a settlement date within 60 days of the enrollment date or a signed future dated lease for a home within the established attendance area of the school which begins within 60 days of the enrollment date, or
- the qualified student is a homeless student or unaccompanied homeless youth as defined in [MCPS Regulation JEA-RD, \*Enrollment of Homeless Student\*](#), or
- the qualified student is placed in a group home, foster home, or valid Kinship Care arrangement in Montgomery County by a Maryland or Montgomery County social service agency. In such circumstances, [MCPS Form 560-35, \*Enrollment of a Child in Maryland State-Supervised Care and Transfers of Educational Records\*](#), must be completed, or
- the qualified student resides in a valid Maryland Informal Kinship Care arrangement. Please refer to page E-17 for more information and qualification for Maryland Informal Kinship Care.
- When a qualified student under 18 years of age living in Montgomery County with a court-appointed guardian or other adult, whose circumstances do not qualify for Informal Kinship Care, and whose parents do not have bona fide residency within Montgomery County, seek to enroll, school staff must consult with IAE as set forth in [MCPS Regulation JEA-RE, \*Tuition Based Enrollment\*](#), to determine if a waiver of tuition is necessary.
- When a principal/designee is uncertain whether a qualified student meets the requirements for direct enrollment at their home school, the principal/designee shall consult with, and, when appropriate, refer the student to IAE.
- Once it is determined that a student has met enrollment criteria, the principal/designee is responsible for the following:
  - a) Completing the enrollment process. The parent/guardian and enrolling student must be present during the enrollment appointment, unless— presence is waived by the principal/designee, or the student is currently enrolled in an MCPS school and have moved within the boundaries of a different MCPS school.
  - b) Establishing the appropriate student records in accordance with [MCPS Regulation JOA-RA, \*Student Records\*](#).

- c) Making a student's grade and class assignment in accordance with [MCPS Regulations JEB-RA, Placement, Promotion, Acceleration, and Retention of Students](#) and [JEA-RC, Enrollment and Placement of International and Foreign Students](#).

## **SPECIAL EDUCATION, INTERIM INSTRUCTIONAL SERVICES, AND ADMINISTRATIVE PLACEMENT ENROLLMENT**

Students who are currently enrolled at an MCPS school, and who are placed in a different MCPS school outside of the student's home school's service area as a result of a placement meeting, should be enrolled at the new school once the principal and/or designee receives notification from Central Office staff of the student's placement. The notification of placement serves as the only documentation needed for the record keeper to enroll the student. Once the student is enrolled, the record keeper should work with the parent/guardian to update (if necessary) the address and contact information for the student, as well as to collect any necessary documentation that is not in the student's cumulative, confidential and/or health files.

If the student being placed is new to the school system or re-enrolling in an MCPS school, the record keeper should collect the appropriate documents as outlined in the checklists beginning on page E-37 based on the enrollment or re-enrollment scenario.

## **REFERRALS TO INTERNATIONAL ADMISSIONS AND ENROLLMENT (IAE) 240-740-4500**

The following scenarios require referral to IAE:

1. Students age 7 or older who have not attended school within the U.S. or a U.S. school system within the past two years

Students age seven or older by September 1 who have not attended school within the U.S. or a U.S. school system (i.e. Department of Defense schools or an accredited American International school in a foreign country) within the past two years must be referred to IAE. Enrollment of these students will be handled in accordance with [MCPS Regulation JEA-RC, Enrollment and Placement of International and Foreign Students](#).

2. J-1/F-1 Visas

Students with J-1 or F-1 nonimmigrant visas should start their enrollment process at IAE.

- J-1 visa is a nonimmigrant visa category for temporary stay in the U.S. Student status should be confirmed and indicated for secondary school students enrolled under an approved exchange visitor program.

- F-1 visa is a nonimmigrant visa category for temporary stay in the U.S. and is indicated for foreign secondary school students who have been granted permission to enroll through the I-20 application process and are paying non-resident tuition.

### 3. Difficulty providing evidence of residency

If a family has difficulty providing the necessary residency documentation in a timely manner, pupil personnel workers should be contacted to assist with verifying residency.

When a principal/designee is uncertain whether a qualified student meets the requirements for direct enrollment at their home school, the principal/designee shall consult with, and, when appropriate, refer the student to IAE.

Families should be referred to IAE to meet with the residency specialist if none of the direct enrollment circumstances apply, and one (1) of the following circumstances exists:

- When a qualified student under 18 years of age living in Montgomery County with a court-appointed guardian, or other adult, whose circumstances do not qualify for Informal Kinship Care, and whose parents do not have bona fide residency within Montgomery County, seeks to enroll, school staff must consult with IAE as set forth in MCPS Regulation JEA-RE, Tuition Based Enrollment, to determine if a waiver of tuition is necessary.
- Students placed in Montgomery County (e.g. foster, group home) by an out-of-state juvenile or social services agency.
- Nonresidents of Montgomery County seeking to enroll a student in MCPS.

### 4. Technical assistance for interpretation of foreign school documents and education records

IAE also provides technical assistance to MCPS staff related to interpretation of foreign school documentation and educational records.

### 5. Homeless students and unaccompanied homeless youth

The MCPS Homeless Liaison (240-740-4511) in IAE will provide assistance to families and schools to enroll homeless students, and unaccompanied homeless youth. The goal is to maintain a stable educational environment by minimizing the effect of mobility and to ensure academic success.

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## INFORMATION NEEDED TO ENROLL

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The enrollment process begins with completion of [MCPS Form 560-24, New Student Information](#), and [MCPS Form 565-1, Student Emergency Information](#). Form 560-24 captures enrollment information to be entered into the SIS and onto the student's permanent student record card, [MCPS](#)

[Form SR-1, Student's Personal Data](#). Form 565-1 captures student emergency information, parent/child reunification information, before and after school care, and noncustodial parent/guardian information which is entered in the student information system (SIS). Both forms are available in all MCPS translated languages.

Of note, students who are registered using the online registration platform in the SIS are not required to submit paper copies of the MCPS Forms 560-24 or MCPS Form 565-1 as that information is collected and retained in the SIS at the time of registration.

## HOME LANGUAGE SURVEY

All new students who enroll in MCPS must complete a Maryland State Department of Education (MSDE) Home Language Survey. This survey is found on [MCPS Form 560-24, New Student Information](#), and is required as part of the online registration process. Completion of this survey by the parent/guardian/eligible student will determine if the student should take the English language proficiency (ELP) screening test.

<i>Summary of Home Language Survey Actions for All Newly Enrolling Prekindergarten–Grade 12 Students</i>			
<b>Results of Home Language Survey</b>	<b>English Language Development (ELD) Screening Status</b>	<b>File Signed copy of <a href="#">Form 560-24</a>, which includes the Home Language Survey in the Cumulative Folder?</b>	<b>File Signed Home Language Survey in the ELD Folder?</b>
English is the only language indicated	Do not administer the ELP screening test.	Yes	No
A language other than or in addition to English is indicated on two or more of the three questions	Administer the ELP screening test. Results indicate that student does not qualify for ELD.	Yes	No
	Administer the ELP screening test. Results indicate that the student qualifies for ELD.	Yes	Yes

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## STUDENT NAME

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The Maryland Student Records System Manual requires MCPS to enroll a student using the legal name as recorded on the birth certificate, or other documents listed on page E-10 that can be used for evidence of birth, [MCPS Form 560-24B, Quick Guide to Enrollment](#), or [MCPS Regulation](#)



[JEa-RB, \*Enrolment of Students\*](#). [MCPS Form 560-24, \*New Student Enrollment\*](#), provides a section to capture the student's identified first name which should be entered into the SIS. Official documents issued by governmental entities located in the U.S. should be used in place of documents issued by entities outside of the U.S.

When entering a student's name into the SIS, the legal name is recorded in the Protected Information tab and will be printed on all official student records while the identified name is recorded in the First Name field in the Demographics tab and will be printed on all unofficial records and correspondence.

### **Student Name Change**

Unless a student is changing their name for reasons protected under federal law (see Change to Student Gender and/or Change to Student Name for reasons related to gender identity below), a student's permanent record will be changed to reflect a change in the student's legal name upon receipt of any of the following documents:

- o A court order;
- o Amended birth certificate; or
- o State- or federally-issued identification

### **Change to Student Gender\* and/or Change to Student Name For Reasons Related to Gender Identity**

If a student is requesting to change their name for reasons related to gender identity, the student's permanent record will be changed upon receipt of documentation that such name has been changed. Any of the following documents is evidence of a name change:

- o A court order;
- o Amended birth certificate;
- o State- or federally-issued identification; or
- o Documentation from a licensed healthcare practitioner (documentation must include both the former and identified name of the student)
- o Passport/Visa
- o Hospital Certificate
- o Baptismal/Church Certificate
- o Parent's/Guardian's Affidavit

**Change to Gender:** Self-identification of a student's gender is sufficient for the student's permanent record. In accordance with guidance from MSDE, a student's records may identify the student as male, female, or gender X. The Maryland Student Records System Manual allows for self-identification of a student's gender on student records as follows: 1-Male 2-Female X-Non-Binary, student identifies as neither male or female or both.

- If a student and/or the student's parent/guardian requests a change to the student's permanent record absent such documentation, the school should contact the Office of Student and Family Support and Engagement (OSFSE).



- The school must protect the student's previous identity once a change to a student's legal name and/or gender has occurred. When a student's name and/or gender has been legally changed, all the previous records with the original name and/or gender should be forwarded to the Office of the General Counsel (OGC) at CESC, Room 156. The appropriate support documents indicating the change, such as the court order, or physician's note should also be forwarded with the file. The file in the school should only have the new name/gender information reflected on the student's records. A new Student Record (SR)-1, *Student's Personal Data*, form should be created for the student's cumulative folder. If the student's name has been changed, any printed copies of the student's MCPS Form 565-1, *Student Emergency Information*, maintained in the school main office or the health room, should be reprinted from the SIS to reflect the student's new name. Health room and ELD (if appropriate) files also must be updated. School record keeper staff must create a memo to file to place in the student's new cumulative folder that states: "Additional records for this student are located in the MCPS Office of the General Counsel, CESC Room 156." Questions should be directed to [OGCIntake@mcpsmd.org](mailto:OGCIntake@mcpsmd.org) or (240) 740-5600.
- When a name and/or gender change has been made to official school records, the school must notify the [data integration specialist](#), testing and reporting unit, in the Office of Shared Accountability so that appropriate notice to MSDE can be made.
- Record keepers are responsible for updating PDF files in the Documents section of the SIS to redact the student's previous name and/or gender.
- Advise families that they must provide updated copies of any records provided to the school that were generated by external sources (e.g., immunization records, doctor's orders, or other records from medical providers).
- Similarly, a former student's permanent record should be changed to reflect a change in the former student's legal name or gender upon receipt of documentation that such legal name and/or gender have been changed pursuant to a court order, new birth certificate, state- or federally-issued identification, or with documentation from a licensed healthcare practitioner. These changes are processed by Central Records (240) 740-5270. For more information, see [MCPS Guidelines for Student Gender Identity](#).

### Gender X

[MCPS Form 560-24, Student Enrollment Information](#), and the SIS will offer an additional choice for student gender, "Gender X (unspecified/non-binary)." Documentation as noted above for "Student Name and/or Gender Change" should be provided to the school record keeper. If the student and/or the student's parent/guardian does not provide such documentation, the school should contact the Office of Student and Family Support and Engagement (OSFSE) for support.

All students requesting name and/or gender changes for purposes related to gender identity should be offered the opportunity to meet with a school administrator, counselor, or psychologist to

complete [MCPS Form 560-80, Intake Form: Supporting Student Gender Identity](#), and provided a copy of [MCPS Guidelines for Student Gender Identity](#). The school counselor also should confidentially notify the director in the MCPS Student Welfare and Compliance Unit, at 240-740-3215, or email [COS-StudentWelfare@mcpsmd.org](mailto:COS-StudentWelfare@mcpsmd.org), so that additional support can be provided to the student.

## BIRTHDATE AND EVIDENCE OF BIRTH

Students, whether U.S. citizen or noncitizen, who are at least five years old by September 1, and not older than 20 years of age on the first day of the current school year, are eligible for enrollment in MCPS. Students must be at least 6 years of age or older on September 1 of the school year in which the student seeks to enroll in first grade. Students, whose birthdates are within 6 weeks of September 1, may seek admission via the early entrance process. (See [MCPS Age and Attendance Requirements](#), and [Board Policy JEB, Early Entrance to Prekindergarten, Kindergarten, and First Grade](#))

The following are acceptable as proof of age (evidence of birth) and must be presented at the time of enrollment and noted on the student's SR-1 card; a copy must be maintained in the student's cumulative folder: (documents are listed in order of preference)

- Birth certificate
- Passport/visa
- Physician's certificate
- Baptismal or Church Certification
- Hospital certificate
- [Parent's affidavit \(MCPS Form 560-24A\)](#)
- Birth Registration
- Other legal or notarized identification

## SOCIAL SECURITY NUMBER

A child's social security number is not required or collected for enrollment in MCPS.

## RACE/ETHNICITY

MCPS is required by the federal government to report the racial/ethnic group of our students using the two-part question and five categories below: (these questions are on MCPS Form 560-24)

### Part 1: Ethnicity Designation

**Directions:** Read the definition below and check the box that indicates this student's heritage.

**Is this student Hispanic or Latino? (Select one answer.)**

Persons of Cuban, Mexican, Puerto Rican, South or Central America, or other Spanish culture or origin, regardless of race, are considered **Hispanic** or **Latino**.

- Yes
- No

## Part 2: Race Designation

**Directions:** Read the descriptions below and check the box that indicate this student's race. You must select at least one race, regardless of ethnicity designation. More than one response can be selected.

**Indicate this student's race. (Select all that apply.)**

- **American Indian or Alaskan Native:** A person having origins in any of the original peoples of North or South America (including Central America), and who maintains a tribal affiliation or community attachment.
- **Asian:** A person having origins in any of the original peoples of the Far East, Southeast Asia, or the Indian Subcontinent including Cambodia, China, India, Japan, Korea, Malaysia, Pakistan, the Philippine Islands, Thailand, and Vietnam.
- **Black or African American:** A person having origins in any of the black racial groups of Africa.
- **Native Hawaiian or Other Pacific Islander:** A person having origins in any of the original peoples of Hawaii, Guam, Samoa, or other Pacific Islands.
- **White:** A person having origins in any of the original peoples of Europe, the Middle East, or North Africa.

If a parent/guardian does not designate the race and ethnicity of the student, the record keeper should follow up with the family to determine the most appropriate designation. If the parent/guardian will not provide this information, the record keeper should designate based on observation of the student or by selecting all race options.

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## KINDERGARTEN ENROLLMENT

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A supply of [Kindergarten Handbooks](#) are available to all elementary schools in the spring of each school year and will come directly from the MCPS Warehouse. The Handbook will include all forms for Kindergarten enrollment (except the SR-6) and will be available in all MCPS translated languages in print and on the MCPS website. Supplies of the [SR-6](#) and the Handbook (in all of the noted languages) will be sent to schools based on enrollment projections.

Included in the Kindergarten Handbooks is [MCPS Form 345-17, Maryland State Department of Education Prekindergarten Experience](#) which must be completed by parents/guardians and schools must enter the information in the MSDE Pre-K Experience module in the SIS by the beginning of the students' Kindergarten year. Access to the module may be attained by having the school principal contact the Help Desk at 301-517-5800 or via email.

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**EVIDENCE OF RESIDENCY (SEE [MCPS REGULATION JEA-RB, ENROLLMENT OF STUDENTS](#))**

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Evidence of residency must be presented at the time of enrollment for all new and re-entering students except for homeless children or unaccompanied homeless youth (See page E-6). Evidence of residency should be kept in the student's cumulative folder. If records are transferred out of MCPS, keep a copy of the evidence of residency. Evidence of residency should be collected and kept any time a family moves.

All enrollment documents must be provided prior to enrollment at all school levels. While it is our goal to assist families and enroll students as expeditiously as possible, it also is very important to obtain all documents at the time of enrollment.

**Homeowner**

- *Existing House*
  - If parent/guardian/eligible student is a homeowner, an acceptable document for evidence of residency is a current property tax bill. A copy can be obtained from Montgomery County Department of Finance at 240-777-0311 or at [montgomerycountymd.gov/finance](https://montgomerycountymd.gov/finance). Other acceptable homeowner documents are a copy of the State Department of Assessment and Taxation (SDAT) report <https://sdat.dat.maryland.gov/RealProperty/Pages/default.aspx> or Closing Disclosure Form. Of note, MCPS does not accept a Deed as proof of residency documentation.

**OR**

- *New House*
  - The student's parent/guardian provides a ratified contract for the purchase of a home within the established attendance area of the school with a settlement date within 60 days of the enrollment date

**Renter**

- If parent/guardian/eligible student is a renter, an acceptable document is a current rental lease. If the original term of the lease has expired or if the original lease is not available, a copy of a lease extension and current utility bill or lease addendum and current utility bill should be provided.

**OR**

- A signed future dated lease for a residence within the established attendance area of the school which begins within 60 days of the enrollment date

## Shared Housing

- When a parent/guardian/eligible student seeks to enroll on the basis of shared housing with a homeowner or renter who has a bona fide residence within an MCPS school area, notarized [MCPS Form 335-74, Shared Housing Disclosure](#) must be completed, and provide evidence of residency (see homeowner and rental evidence of residency information noted above), attest that the parent/guardian/eligible student resides with the homeowner or renter in good faith and not solely for the purpose of attending a public school in Montgomery County, and provide three supporting documents (see list below) to demonstrate that the parent/guardian or eligible student is living at the address.
- Supporting documents must be in the name of parent/guardian at address shown on [MCPS Form 335-74, Shared Housing Disclosure Form](#), include the name of the sending organization, and a date within 90 days of the current date.
- An acceptable document of address should be a communication from the following types of entities:
  - Financial Institutions (i.e. banks, insurance companies, etc.)
  - Utility Company (i.e. phone, water, power, etc.)
  - Governmental (i.e. federal, state, local)
  - Medical
  - Religious
  - Nonprofit/Community Organizations
- The completed, signed and notarized MCPS Form 335-74 may be counted as one of the three required proofs of address.
- Anyone who is not a resident of Montgomery County who would like to request to enroll a nonresident tuition-paying student in MCPS should contact IAE at 240-740-4500.
- If homeless or unaccompanied homeless youth, please refer to [Enrollment Information/Homeless Children web page](#), and contact the MCPS Homeless Liaison at 240-740-4511.

## Home Visit

In those instances that families are unable to provide any of the above documentation, a home visit by the school's Pupil Personnel Worker (PPW) may be used to document residency. [MCPS Form 560-34, Documentation of Residency Through Home Visit](#) should be completed and included in the student's cumulative folder.

## Post Enrollment Residency Investigations

If, any time after enrollment, “red flags” arise that lead school staff to question whether the student lives in the school’s boundaries, a school level investigation should be initiated. Red flags are signs which would reasonably lead someone to question a student’s residency. Common red flags include: returned mail, excessive tardies, a student who is falling asleep often in class (due to a long early morning commute), reports from community members, the student, or other students, etc.

The below steps are general guidelines on how to proceed with a school level investigation. The school’s PPW should be included in this process, particularly by step 4, if necessary.

- 1) Check existing documentation in the cumulative file
- 2) Consult with parent/guardian(s) and student, if appropriate
- 3) Review any additional documentation presented
- 4) Home visit to claimed address and possibly to any other known addresses
- 5) Consult/notify IAE
- 6) If residency cannot be confirmed, principal issues withdrawal letter and copies Appeals/Transfers and IAE (see template letter in appendix)

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## PARENT/GUARDIAN

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### Identity of Parent/Guardian Enrolling Student and Relationship to Student (Proof of Custody/Guardianship)

Examples of Proof of Parent/Guardian Identity that includes a photograph:

- Driver’s license
- Passport
- Motor Vehicle Administration Identification Card
- Other legal form of identification

Examples of Proof of parent/guardian relationship to student:

- Birth certificate of student which identifies the parents
- Court order
- Separation agreement or divorce decree
- Other legal form of identification
- [MCPS Form 560-24A, Parent Affidavit](#)

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## ADULT RESPONSIBLE FOR STUDENT

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Under certain circumstances (such as state-supervised care, informal kinship care, family crisis, homeless child, and unaccompanied homeless youth) a student may live with an adult other than a parent or guardian. The name of the adult responsible for the student, the address at which the

student resides with the adult, and the relationship of the adult to the student should be provided on the New Student Enrollment Form (MCPS Form 560-24) and entered in the SIS.

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## **IMMUNIZATIONS 240-777-1550 (SCHOOL HEALTH SERVICES)**

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Proper documentation of required immunizations must be obtained before enrolling a student (unless homeless or unaccompanied homeless youth). Acceptable documents are:

- [Maryland Immunization Certificate 896 \(MDH 896\)](#).

**OR**

- Computer generated printout from a physician or health clinic.

If a parent/guardian does not provide documentation of required immunizations, but presents evidence of an appointment within 20 calendar days of the date of enrollment, the student may be enrolled. However, if the documentation is not provided immediately following the scheduled date, the student must be excluded from school and marked absent. Excluded students should be recorded with an excused absence and reported as a health-related exclusion, absence code HLT. Students can resume attendance when proof of immunization is received. The only recognized exception to state immunizations requirements in Annotated Code of Maryland, Education, Section 7-403, is parental objections based on the parents/guardian's bona fide religious beliefs and practices, unless the Secretary of the Maryland Department of Health declares an emergency or an epidemic of disease. This parental objection should be documented by the parent/guardian on Form MDH 896.

MCPS record keepers are responsible for collecting immunization records from parents/guardians at the time of registration. During the school year, the DHHS School Health Room Technician or School Nurse is available as a resource if you have any questions about a student's immunization record. During the summer, the DHHS School Health Services is available by telephone at 240-777-1550 to respond to questions about immunization compliance. School Health Services personnel are responsible for a final review of the immunization record. They will provide a final review and sign off on the immunization records of all new enrollees.

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## **HOMELESS CHILDREN AND UNACCOMPANIED HOMELESS YOUTH 240-740-4511 (MCPS HOMELESS LIAISON)**

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If the "Homeless" box is checked on [MCPS Form 560-24, New Student Information](#), the student must be enrolled immediately even if school, immunization, or other records/documents required for enrollment are unavailable. You will need to collect the completed [MCPS Form 335-77](#),

[Homeless Status](#) upon enrollment. See [MCPS Regulation JEA-RD, Enrollment of a Homeless Student](#).

### **Definition of Homeless**

A homeless student means a child, or unaccompanied homeless youth, who lacks a fixed, regular, and adequate nighttime residence, whether or not the temporary housing is located in Montgomery County, and who are otherwise eligible to attend MCPS.

The term includes -

- Children and youths who are:
  - sharing the housing of other persons due to loss of housing, economic hardship, or a similar reason (sometimes referred to as “doubled-up”);
  - living in motels, hotels, trailer parks, or camping grounds due to lack of alternative adequate accommodations;
  - living in emergency or transitional shelters; or - abandoned in hospitals;
- Children and youths who have a primary nighttime residence that is a public or private place not designed for, or ordinarily used as, a regular sleeping accommodation for human beings;
- Children and youths who are living in cars, parks, public spaces, abandoned buildings, substandard housing, bus or train stations, or similar settings; and
- Migratory children who qualify as homeless because they are living in circumstances described above.

Unaccompanied Homeless Youth are youth who are homeless, either due to their parents status as homeless or because they themselves are homeless, and who are not in the physical care of a parent/guardian (a student who is homeless may not be able to reside with a parent or guardian; however, this fact does not nullify the child’s/youth’s right to receive a free, appropriate public education.).

### **Procedures**

Once a student is identified as homeless, the school placement will be made as part of a best interest determination meeting. The purpose of the meeting is to decide whether the homeless student should continue enrollment in the school of origin, or enroll at the school for the address where the homeless student is temporarily living. The meeting will include the parent/ guardian, or in the case of an unaccompanied homeless youth, either the MCPS homeless liaison or a caregiver who has completed [MCPS Form 335-77, Homeless Status](#); the principal/designee; relevant school and central office staff; and the homeless student, if appropriate. The following factors will be considered in making the best interest determination:—

- the student’s age
- the school which the student’s siblings attend
- the student’s experiences at the school of origin
- the student’s academic needs



- the student's emotional needs
- any other special needs of the family
- continuity of instruction
- length of stay in the current living situation
- the likely location of the family's future permanent housing
- time remaining in the school year
- distance of commute, the impact the commute may have on the student's education, and other student-centered transportation-related factors
- the safety of the student
- special education services provided to the student at the school of origin
- English Language Development (ELD) services provided to the student at the school of origin

The parent/guardian has the right to decide whether it is best for the student to—

- stay in the same school the student attended before becoming homeless (school of origin); or
- attend the school serving the address where the homeless student is temporarily living.

It shall be considered in the homeless student's best interest to keep the homeless student enrolled in the school of origin, unless contrary to the wishes of the homeless student's parent/guardian, or the youth.

As part of the best interest determination meeting, the parent/guardian shall complete [MCPS Form 335-77, Homeless Student](#), with school staff. Once a best interest determination is made regarding school placement, that decision should be reflected on MCPS Form 335-77. The parent/guardian should indicate their agreement or disagreement with the school placement decision on the form.

If transportation is required, the school will arrange transportation for the student through the SIS.

[MCPS Form 335-77, Homeless Status](#) must be completed prior to each school year.

For specific questions contact the MCPS Homeless Liaison at 240-740-4511. For complete information regarding homeless children and youth, refer to the [Homeless Children](#) website.

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## MARYLAND INFORMAL KINSHIP CARE

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Maryland Informal Kinship Care applies to a child who:

- Was a resident of Maryland immediately prior to coming into the care of a relative.

**AND**

- Is living with a relative in Montgomery County due to a specific serious family hardship.

The relative caring for the student must verify the informal kinship care relationship through a sworn affidavit and must provide specific proof of the hardship.

### **Relative**

- Adult related to the child by marriage or blood within the fifth degree of consanguinity.

### **Serious Family Hardships/Supporting Documentation**

- Death of parent/legal guardian: copy of death certificate or other proof
- Drug addiction of parent/legal guardian: documentation from treatment provider or parent, or other proof
- Abandonment by parent/legal guardian: notarized statements from all legal guardians, or documentation from court, social services, or other proof
- Serious illness of parent/legal guardian: copy of doctor's report, note, or other proof
- Incarceration of parent/legal guardian: documentation from legal system, detention center, or other proof
- Assignment of parent/legal guardian to active military duty: copy of military orders or other proof

### **Procedures**

The relative enrolling a child in informal kinship care should complete [MCPS Form 334-17, Affidavit: Children in Informal Kinship Care](#) and submit it to the school at the time of enrollment.

The signed affidavit must be submitted prior to each school year, along with current supporting documentation of the hardship.

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### **MARYLAND STATE-SUPERVISED CARE 240-740-5630 (OFFICE OF STUDENT AND FAMILY SUPPORT AND ENGAGEMENT)**

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Maryland state-supervised care applies to a child who is in the custody, committed to, or placed by an agency in foster care, a group home or other residential setting. Maryland law requires prompt enrollment, placement, provision of services, and transfer of records.

### **Procedures**

The adult enrolling the student should complete [MCPS Form 560-35, Enrollment of Child in Maryland State-Supervised Care and Transfer of Educational Records](#) and provide the following on a yearly basis:

- Student Information
  - Name
  - Name and district of last school attended

- Prior services (Individualized Education Program (IEP) or Section 504 Plan)
- Placement Agency Information
  - Name of agency with court order
    - Department of Social Services (DSS)
    - Department of Juvenile Services (DJS)
    - Maryland Department of Health (MDH)
    - Private agency licensed by the Social Services Administration (SSA)
  - Name and phone number of Social Worker/Case Manager at placing agency
- Placement Residence Information
  - Court order placing the child in state-supervised care
  - State or agency letter placing the child in the residential setting (e.g. foster home, group home, etc.)
  - Current license for the residential setting
  - Counselor/case worker at residential setting
- Parent/Guardian Information
  - Name and address of parent/guardian

**Transfer of Records**

When enrolling a student in state-supervised care, within 2 days:

- Contact the school where the child is currently or last enrolled.
- Request, in writing, the student's records.
- Provide a copy of the request for records to the adult acting on behalf of the child.
- Document contacts with sending school.

When withdrawing a student in state-supervised care:

- Immediately contact the receiving school and provide the student's grades and IEP or 504 Plan status, if applicable.
- Within 3 days, send the student's records to the receiving school.
- Document contacts with receiving school.

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**TUITION-PAYING STUDENTS 240-740-4500 (INTERNATIONAL ADMISSIONS AND ENROLLMENT AND DIVISION OF CONTROLLER)**

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**[See MCPS Regulation JEA-RE, \*Tuition-based Enrollment\*](#)**

- A. Parents/guardians/eligible students who do not meet the enrollment criteria of [MCPS Regulation JEA-RB, \*Enrollment of Students\*](#), and wish to enroll a student, or themselves if for an eligible student, in MCPS on a tuition-paying basis, must submit [MCPS Form 335-](#)

[73A, Request to Enroll Nonresident, Tuition-Paying Student](#), to International Admissions and Enrollment (IAE).

- Parents/guardians of nonresident students, or eligible students, may request a specific school, but MCPS reserves the right to determine placement. A family's willingness to pay tuition does not guarantee placement in a school of choice.
  - IAE reviews MCPS Form 335-73A, and consults with the Office of School Support and Improvement (OSSI) as well as the principal/designee of the school intended for enrollment, and makes a determination based on the following factors:
    - Class size guidelines
    - Grade level enrollment
    - Capacity enrollment
    - Enrollment projections
    - School and cluster capacity
    - Building utilization
    - Educational programming
    - Staffing
    - Principal input
- B. Out-of-state social services agencies who place a student in a Montgomery County foster or group home must submit [MCPS Form 335-73, Determination of Residency and Tuition Status](#), and [MCPS Form 335-73A, Request to Enroll Nonresident Tuition-Paying Student](#), to IAE.
- Students placed by an out-of-state social services agency will be assigned to the home school for the address of the foster or group home in Montgomery County, unless determined otherwise by IAE in consultation with OSSI and Pupil Personnel and Attendance Services in the Office of Student and Family Support and Engagement.
  - The out-of-state social services agency may be billed for tuition for the nonresident student, unless documentation is provided to IAE that the student is being placed in the Montgomery County foster home for the purposes of adoption. If such documentation is provided, a waiver of the tuition requirements will be granted.
- C. Tuition is established annually by the Board of Education.

- D. The full tuition rates will equal the estimated average per-student costs including debt service, and will reflect as nearly as possible the actual cost of educating students at each grade level.
- E. For students who receive special education or other additional special services, the regular full-year tuition may be increased by the estimated cost of providing the additional service(s) including debt service.
- F. The rates of school-year and/or summer school tuition for the children of full-time MCPS employees who reside outside of Montgomery County will be one-half the rates for other nonresident students who are enrolled at the same grade level and receiving the same level of services. MCPS employees must either use payroll deductions for payments throughout the school year or pay full annual tuition prior to the beginning of the school year.

### **Tuition Payments**

Unless one of the circumstances in below (see Refunds and Prorating of Tuition) are met, full tuition is owed for the full semester in which a student is enrolled regardless of the enrollment or withdrawal date.

Information regarding tuition rates may be obtained from IAE or the Division of Controller in the office of the Chief Operating Officer.

- Tuition for non-MCPS employees is payable by semester or annually. Tuition for the first semester is due by August 1 and tuition for the second semester is due by December 31.
- If tuition payments are not made timely, interest will be assessed at the rate of one percent per month on the unpaid balance. Nonpayment of tuition will result in the student's withdrawal from MCPS and any unpaid fees may be referred to a collection agency.
- For students who enter during the school year and are later found to owe tuition, tuition is due before the student may continue to attend classes.
- Students holding an F-1 visa are required to pay tuition in advance of attendance in accordance with [MCPS Regulation JEA-RC, Enrollment and Placement of International and Foreign Students](#).

### **Refunds and Prorating of Tuition**

- Prorated tuition or prorated refunds will be granted only in the following circumstances:

## ENROLLMENT

- a) Tuition paid in advance for any period of enrollment for which it is subsequently determined that the student was a resident student or was otherwise entitled to a waiver of tuition under the section entitled “Waiver of Tuition Requirements” or
  - b) When the student was a resident student at the time of enrollment but subsequently became a nonresident and requests to enroll as a nonresident tuition-paying student; or
  - c) When the student has been placed in MCPS by an out-of-state social services agency and is enrolled after the first day of classes, and/or is withdrawn before the final day of classes for the semester.
- The prorated fee for the circumstances described above is calculated by dividing the annual tuition rate by the number of instructional days to establish daily rate, and then multiplying by the number of instructional days for which the student is enrolled.
    - a) Refunds of tuition are based on official withdrawal date.
    - b) No refunds of tuition are made for instructional days on which the student is absent, but still enrolled in MCPS.
  - Tuition may be prorated for less than a full course load in secondary schools if the principal/designee approves that type of enrollment. The prorated schedule is the following:
    - a) One course -- 25 percent of annual tuition
    - b) Two courses -- 50 percent of annual tuition
    - c) Three courses -- 75 percent of annual tuition
    - d) Four courses or more -- 100 percent of annual tuition
  - Unless one of the circumstances above are met, full tuition is owed for the semester in which a student is enrolled regardless of the enrollment date.
  - Unless one of the circumstances above are met, tuition will not be refunded or prorated for a semester in which the student attends classes regardless of the withdrawal date.

### Collection of Tuition

Upon receipt of [MCPS Form 335-73, \*Determination of Residency and Tuition Status\*](#), and [MCPS Form 335-73A, \*Request to Enroll Nonresident Tuition-Paying Student\*](#), indicating tuition is owed and the placement is approved, the Controller staff will—

1. determine the appropriate amount of tuition based on the Board-adopted rates;
2. assure that Part III of MCPS Form 335-73A, *Request to Enroll Nonresident, Tuition-Paying, Student*, is completed;
3. invoice the parent/guardian/eligible student;
4. collect the tuition payment;
5. periodically reconcile financial accounts on tuition with the records of IAE;

6. if tuition (either in full or a payment under an approved plan) is not paid within 30 days of the due date—
  - a) begin charging interest on the unpaid amount,
  - b) notify parent/guardian/eligible student of default, interest charge, notification to collection agency of unpaid balance, and/or the possibility of withdrawal from classes, and
  - c) notify the school and the residency specialist in IAE.

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## **WAIVER OF TUITION REQUIREMENTS 240-740-4500 (INTERNATIONAL ADMISSIONS AND ENROLLMENT)**

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See [MCPS Regulation JEA-RE, \*Tuition-Based Enrollment\*](#)

As stated in [MCPS Regulation JEA-RB, \*Enrollment of Students\*](#), when a qualified student under 18 years of age living in Montgomery County with a court-appointed guardian, or other adult, whose circumstances do not qualify for Informal Kinship Care, and whose parents/guardians do not have bona fide residency within Montgomery County, seeks to enroll, school staff should consult with IAE to determine if a waiver of tuition is appropriate.

IAE will make individual determinations regarding granting a waiver of the tuition requirements for a nonresident student in certain circumstances where documentation is presented to support a crisis situation justifying such a waiver. This does not include instances which have been established for convenience or for the purpose of free school attendance in MCPS. Those determinations by IAE may be re-evaluated on an annual basis or as necessary.

A qualifying crisis for a waiver of tuition is one where there is a serious family hardship due to:

- death of a parent/guardian, as documented by the death certificate, or other proof;
- serious illness of parent/guardian, as documented by a physician's statement, note, or other proof;
- drug addiction of parent/guardian, as documented by letter from the treatment provider, or other proof;
- incarceration of parent/guardian, as documented by the legal system, detention center, or other proof;
- assignment of parent/guardian to active military duty, as documented by military orders, or other proof; or
- unusual and uncontrollable circumstances in the home that detrimentally impact the student's educational needs or well-being, as established by documents that clearly link the student to unusual and uncontrollable circumstances in the home that necessitate the need for the proposed living arrangement.

To request a waiver of tuition requirements, the resident with whom the student is living must submit

- proof of bona fide residence in Montgomery County,
- a signed and notarized letter from the parent/guardian which states the crisis situation and transfers responsibility of the student to the resident,
- documentation which supports the basis of the crisis,
- a signed and notarized letter from the resident accepting responsibility for the student, and/or
- court-ordered guardianship documents, if applicable.

Decisions regarding waivers of tuition requirements based on a qualifying crisis situation will be made within 10 business days of receipt of all completed documentation. If the circumstances are particularly complex, the timeline may be extended with notice to the parents.

## **APPEAL PROCEDURES**

In accordance with Board [Policy JEA, Residency, Tuition and Enrollment](#), the appeal of a decision regarding residency or waivers of tuition requirements should be filed in accordance with the procedures of [MCPS Regulation KLA-RA, Responding to Inquiries and Complaints from the Public](#).

- IAE, as appropriate, will assist with the appeal process so as to expedite a decision, especially when school already has begun and the student may be waiting to attend classes.
- If the parent(s)/guardian(s) wishes to have the student attend classes during the appeal process, they may be required to pay 10 percent of the yearly tuition. Tuition will be refunded in whole or in part if the original decision is reversed or modified.

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## **OTHER ENROLLMENT SCENARIOS**

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### **Self-Enrolling Students**

If an emancipated student has established a bona fide residency in Montgomery County, the student may be enrolled in school as an “eligible student” (defined on page E-2). Under Maryland law, there are four general ways that a minor may become emancipated:

- They reach the age of majority and are self-supporting.
- The minor marries or enters the military. In these situations, it usually does not make sense to say that a parent/guardian must still support a minor and have control over the child’s actions. Members of the military are subject to government control and spouses generally have the duty to support each other.
  - Under Maryland law, an individual 16 or 17 years old may only marry with the consent of a parent/guardian or with proof that the woman to be married is pregnant or has given birth to a child.
  - An individual 15 years old may only marry with the consent of a parent or guardian and proof that the woman to be married is pregnant or has given birth to a child.
  - An individual under the age of 15 may not marry.



- Misconduct by a parent. “Parental abuse, neglect or failure to support” or other misconduct are key factors that a court might consider in an emancipation action. Such decisions are made by courts, when claims are brought by a third-party, such as a social worker, and are very fact specific.
- A parent (formally or informally) agrees to give up parental control. For example, a parent might consent to allowing a child to establish a separate household; a parent may force the minor to leave and support themselves; or the parent may simply not try to make the child return. Such arrangements in which a parent agrees to give up parental control do not necessarily require the approval of a court.

A minor who is emancipated, regardless of age, has the same rights that were previously accorded to the individual’s parent(s)/guardian(s). An emancipated minor can enter into a contract (including lease, rental, and purchase agreements), apply for public benefits, keep any and all income they earn, and make certain healthcare decisions.

In all cases regarding emancipation of a minor, the burden of proof regarding emancipation rests with the minor. If minors seek to enroll in a school and hold themselves out as emancipated, the school should enroll the students if they otherwise demonstrate a bone fide residency in Montgomery County and present: (1) proof of age of majority; (2) a court order of emancipation; (3) proof of marriage; or (4) proof of military enlistment. In other cases involving an emancipated student, the school should seek support from the Pupil Personnel Worker (PPW) or central office staff to make the case-specific determination regarding emancipation.

In some instances, a student who presents to the school alone may be an unaccompanied homeless youth, and this category includes students who are emancipated, as well as those who are not. Under federal law, this category includes a homeless student not in the physical custody of a parent or guardian who lacks a fixed, regular, and adequate nighttime residence. The PPW and the Homeless Liaison in the Office of Student and Family Support and Engagement coordinate and support the needs of these students and a caretaker is typically identified on their behalf. In addition, efforts are made to contact the parents/guardians. For more information on this status, see [MCPS Regulation JEA-RD Enrollment of Homeless Student](#) and [MCPS Form 335-77, Homeless Status](#).

### **Natural Disasters**

Students fleeing natural disasters to temporarily live with family or friends in Montgomery County should be enrolled as homeless youth, or unaccompanied homeless youth, if applicable.

### **Claims of Parentage When a Person is Not on the Birth Certificate**

If a person seeking to enroll a student claims parentage of the student, but is not listed on the birth certificate, the following steps should be followed. The individual claiming parentage must provide a notarized statement from the legal parent stating that the individual is the other legal

parent of the student. Then, the individual claiming parentage must sign an affidavit that he is the other parent of the student. [MCPS Form 560-24A, Parent Affidavit \(for Evidence of Birth\)](#) may be utilized for this purpose. The documents should be included in the cumulative file with the birth certificate.

### **When a Family Reports a Move in the Fourth Quarter of the School Year**

Students whose families have moved within Montgomery County who wish to continue attending their former home school may request a Change of School Assignment (COSA) without demonstrating a unique hardship. Such requests may be considered for the remainder of the current school year only, with the exception that students in Grades 11 or 12 may be granted a COSA to stay through graduation. (See section on COSA's on page E-29 of this manual)

If a family self-reports that they have relocated out of the county during the fourth quarter of the school year and requests to complete the school year at the current school, the principal will issue a letter (template letter provided on page AR-14 in the appendix section of this manual) permitting the student to remain enrolled at the current school through the completion of the school year. The letter will then advise the family to enroll the student in the new home school for the next school year.

### **Pre-school Age Students Receiving Special Services**

Pre-school aged students only receiving MCPS special services (i.e. speech, hearing) should be enrolled by the school in which the services are provided.

- Enroll the student in Grade 16 using the Elementary Section Type most appropriate to the services being provided.
- The Montgomery County Department of Health and Human Services guidelines do require immunization documentation, and documentation of blood lead testing, for these students.

### **School Age Students Receiving Special Services**

- School aged students who attend a private/parochial school and receive MCPS itinerant services (i.e. speech, hearing) should not be enrolled in the school in which services are provided. The Division of Business, Fiscal, and Information Systems in the Office of Special Education, will enroll the student. *Do not enroll school age students receiving only special services in your school.*
- Students who are kindergarten age but not attending any school and receiving MCPS itinerant services (i.e. speech, hearing) should not be enrolled in the school in which services are provided. Refer the parent/guardian to the MCPS Home Instruction office (240-740-4042) for enrollment in Home Instruction.

### **Transfer from State Institutions**

The following is a list of State institutions that should be used with Entry Code ‘22’. These are the only institutions that should be used with the Entry Code ‘22’. Maryland School for the Deaf and Maryland School for the Blind should be identified as nonpublic schools for the purposes of recording entry and exit information.

- Alfred Noyes Children’s Center
- Backbone Mountain Youth Center
- Baltimore City Juvenile Justice Center
- Charles H. Hickey, Jr. School
- Cheltenham Youth Facility
- Greenridge Youth Center
- J. DeWeese Carter Center
- Lower Eastern Shore Children’s Center
- Maryland Safe at Home Program
- Meadow Mountain Youth Center
- Savage Mountain Youth Center
- Thomas Waxter Children’s Center
- Victor Cullen Center
- Western Maryland Children’s Center
- Witness Protection

### **Prekindergarten and Head Start Programs – Division of Title I and Early Childhood Programs and Services**

The Division of Early Childhood Programs and Services enrolls all students who will be attending Prekindergarten and Head Start classes. If you have questions, call the Prekindergarten/Head Start office at 240-740-4530.

### **Preschool Education Program (PEP) – Division of Pre-K, Special Programs, and Related Services**

The PEP office enrolls all students who will be receiving preschool special education services for children aged 3 to 5 with identified disabilities in Montgomery County. If you have questions, call the PEP office at 240-740-3125.

PEP also offers an application program at several schools for Non-disabled Peers. The program is called Providing Inclusion Learning Opportunities for Threes and Fours (PILOT). PEP community peers that attend PEP classes are students that do not have an IEP and pay a fee for attending. Transportation is not provided for this program.

- Enrolled as grade 14-Non-disabled (pre-K/PEP) using the PEPN Elementary Section Type.
- Enrollment is done at the school of attendance.
- Enrollment documents including immunizations are the same as for other students.

## OTHER ENROLLMENT TOPICS

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### NEXT YEAR'S SCHOOL ASSIGNMENT

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The next year's school number determines the school placement for the following school year and is assigned as follows:

- Non-articulating students are automatically reassigned to the current school for the following school year if it is their home school or if the Change of School Assignment (COSA) information is valid.
- Articulating students (i.e. primary to upper elementary, elementary to middle, middle to high) are assigned as follows:

- **Schools without split articulation –**

Students return to their home school

- if they are completing a special program
- if their COSA is expired or no longer valid
- if they are a prekindergarten or Head Start student promoted to kindergarten

Students are articulated based on their current school of enrollment

- if they are an Emergent Multilingual Learner (EML) student receiving services or if they are a student receiving special education services

Students return to their current school

- if they are homeless students (A best interest determination meeting may be needed)
- if they are in special schools with restricted grades (Carl Sandburg)
- if they have a non-MCPS address

- **Schools with split articulation –**

Students return to their home school

- if they are completing a special program
- if their COSA is expired or no longer valid
- if they are a prekindergarten or Head Start student promoted to kindergarten

Students are **never automatically articulated** based on their current school of enrollment

Students return to their current school

- if they are homeless students (A best interest determination meeting may be needed), or unaccompanied homeless youth
- if they are EML student receiving services or if they are a student receiving special education services
- if they have a non-MCPS address

After January 1 of the current school year, Next Year's School number is automatically generated within the SIS.

Once assigned, Next Year's School should only be changed by the record keeper at the school the student is currently in when requested by another MCPS school due to:

- The student moving to a different attendance area for the following year.
- A student transfer request (COSA) for the following year is approved.

Students accepted into a regional or countywide program, language immersion program or other special program will have the next year school assigned centrally.

If a parent indicates they will be attending a different school, refer them to the new school for future enrollment.

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### **HOME INSTRUCTION 240-740-4042 (HOME INSTRUCTION)**

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Students schooled at home by a parent/guardian are enrolled in School #435, Home Instruction, using entry code 24, Home Instruction once the [MCPS Form 270-34](#) has been reviewed and accepted.

A student enrolling in MCPS after having been on home instruction should be treated as a new or re-entering student. Therefore, all the appropriate documentation (bona fide residency, immunizations, proof of age and identity, proof of identity of parent/guardian enrolling student, etc.) needs to be collected. Please refer to the checklist on page E-37 to determine what registration documents are required based on the enrollment scenario.

Students who are kindergarten age but not attending any school and receiving MCPS itinerant services (i.e. speech, hearing) should be enrolled in Home Instruction.

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### **CHANGE OF SCHOOL ASSIGNMENT (COSA)**

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See [Board Policy JEE, \*Student Transfers\*](#), and [MCPS Regulation JEE-RA, \*Student Transfers and Administrative Placements\*](#), and the [MCPS COSA Information Booklet](#) published annually.

Students new to MCPS must always enroll at their home school before any transfer request can be processed. The home school must verify parent/guardianship, age, residency, and immunization compliance before processing any transfer request. Do not forward original copies of these documents to the Division of Pupil Personnel and Attendance Services (DPPAS). Original copies should be kept at the home school and, if the transfer is approved, forwarded as part of the student's cumulative folder to the school into which the student is transferring.

Students in Montgomery County are expected to attend the school within the established attendance area in which they reside (home school) or assigned in accordance with their Individualized Education Program (IEP). Students may apply for Change of School Assignment (COSA) from the home school, or the school of assignment through the IEP process, based on the following criteria:

- Unique Hardship - When a documented unique hardship is shown. Problems that are common to a large number of families do not constitute a unique hardship.
- Family Move - When a family moves within Montgomery County, preference to remain in the original school will be considered to complete the current school year only, with the exception that Grade 11 and Grade 12 students may be permitted to stay through graduation.
- Siblings - When a younger sibling seeks to attend the school where an older sibling will be enrolled in the regular/general school program, or a special education program, during the year the younger sibling seeks to enroll. When an older sibling attends a magnet, language immersion, or other application program, a COSA may be approved to the regular school program for younger siblings on a case-by-case basis. Such approval requires consideration of available classroom space, grade-level enrollment, staffing allocations, or other factors that impact the schools involved.

*The criteria above regarding siblings do not apply if a boundary change has occurred.*

**Consortium Students and COSAs:**

- High school students who live in the Northeast Consortium (NEC) or Downcounty Consortium (DCC) areas do not have to submit a COSA to request another Consortium school.
- Middle school students who live in the Middle School Magnet Consortium (MSMC) and are requesting another MSMC school or who went through the MSMC Choice process lottery and are appealing to an MSMC school do not have to submit a COSA.

If a student is requesting another Consortia or MSMC school, they must submit a written and signed letter of appeal to the Division of Consortia Choice and Application Program Services (DCCAPS), 11721 Kemp Mill Road, Silver Spring, Maryland 20902. For information on changing schools within the NEC, DCC, or MSMC, students should contact the DCCAPS at 240-740-2540, or visit its [website](#).

COSA applications are to be submitted between the first school day in February and the first school day in April. MCPS will make every effort to notify parents/guardians and students of the decision regarding their COSA request by May 31. COSA requests submitted after the first school day of April will be accepted only if the student is a new resident of Montgomery County or there is an emergency event that could not be foreseen prior to April. Documentation supporting this situation must be supplied. Students awaiting a decision on a COSA must attend their assigned school until a final decision is made.

The completed MCPS Form 335-45 must be submitted to the principal/designee of the student's home school by the deadline.

1. The principal/designee of the student's home school will sign the form to signify verification of residency and knowledge of the request. Such signature does not constitute agreement or disagreement with the request.
2. The student's home school will forward the completed form to the Division of Pupil Personnel and Attendance Services (DPPAS) for processing.
3. DPPAS will complete a review prior to a decision being made.

Students receiving special education services available in all schools (for example, Speech and Language, Home School Model, Hours Based Staffing, or Learning and Academic Disabilities Services) should follow the regular COSA process. If the student's IEP requires special education services that are not offered in all schools, the parent/guardian should indicate on the COSA form that the student receives special education services in a specialized program in addition to submitting appropriate documentation indicating the reason for the COSA request. Decisions regarding requests for students receiving special education services that are not available in all schools will be made after July 1.

COSA requests for the current school year require a student to be enrolled and attending the home school.

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## **REQUEST TO WITHHOLD DIRECTORY INFORMATION**

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The [Annual Notice for Directory Information and Student Privacy \(MCPS Form 281-13\)](#), or [MCPS Form 281-13ISC for Innovative School Year Calendar Schools](#) and the [Protection of Pupil Rights Amendment \(PPRA\) document](#) should be provided to the parent/guardian of all students at the beginning of the school year. The parent/guardian of a student enrolling after the start of the school year also must be given the opportunity to request withholding of directory information by completing MCPS Form 281-13 or MCPS Form 281-13ISC. If the form is returned with requests to withhold all or some directory information. The information of directory withholding must be entered in the "Directory Withholding" screen in the SIS by September 30 of the current school year for traditional schools and by Friday of the first week of August for the Innovative Schools.

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## **GRADUATION REQUIREMENTS**

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Students who fulfill the requirements listed in [MCPS Regulation ISB-RA, High School Graduation Requirements](#), will be awarded a Maryland High School Diploma. The [MCPS High School Course Bulletin](#) and associated addenda contain all state and local requirements for graduation, which may vary by a students' first year in ninth grade.

As required by the Code of Maryland Regulations (COMAR) 13A.03.02.12, and [MCPS Regulation ISB-RA, High School Graduation Requirements](#), in order for a student to be awarded

a Maryland High School Diploma, the student must be in attendance in a Maryland public high school one full semester immediately preceding graduation in addition to meeting the other diploma requirements.

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**ONE DAY ENROLLMENTS**

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There are times when students complete their graduation requirements while they are no longer enrolled in school. They could have completed their requirements in High School Plus, Online Pathway to Graduation, Summer School, or completed student service learning (SSL) hours or testing requirements after withdrawing from MCPS.

If graduation requirements are completed during the first semester, the student should be withdrawn using the appropriate graduation code once proof of meeting graduation requirements is presented. A final transcript can then be generated showing a graduation date. However, MCPS awards diplomas once a year, so these students will receive a diploma with the June graduates for that year.

If graduation requirements are completed during the second semester, the student should be withdrawn using the appropriate graduation code once proof of meeting graduation requirements is presented. If graduation requirements are completed during the summer, the student should be enrolled as of the first day of school and then withdrawn using the appropriate withdrawal code as a summer withdrawal.



## ENTRY CODES

01	First entry into any school – usually prekindergarten, kindergarten or first grade, or first entry into any school from home instruction.
02	Continuing in the same school.
06	Re-entry after involuntary withdrawal from school during the current August/September-June reporting period.
07	Re-entry after voluntary withdrawal from school during the current August/September-June reporting period.
08	Re-entry after involuntary withdrawal from school during any reporting period prior to the current August/September-June reporting period.
09	Re-entry after voluntary withdrawal from school during any reporting period prior to the current August/September-June reporting period.
10	By transfer from another public school within MCPS (without an address change).
11	Articulating from elementary school to middle school, or middle school to high school.
12	Changing residence in Montgomery county.
13	By transfer from a Maryland public school outside Montgomery County.
14	By transfer from a public school in another state or territory of the United States, or from a United States overseas dependent school.
15	By transfer from a nonpublic school within Montgomery County.
16	By transfer from a Maryland nonpublic school outside Montgomery County.
17	By transfer from a United States nonpublic school or institution in another state or territory of the United States.
18	By transfer from a school (public or nonpublic) of a foreign country.
21	By transfer from an evening high school program.
22	By transfer from a state institution in Maryland with an educational program. See list of specific state institutions for this code on page E-27.

**ENROLLMENT**

24	Entry to home instruction after withdrawing from MCPS, or from a Maryland school outside of Montgomery County.
25	Parental choice transfer from a Title I public school designated for improvement into a school that has made adequate yearly progress (AYP).
26	Transfer from a public school pursuant to Unsafe School Transfer Option.

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**ASSOCIATE ENTRY CODES AND WITHDRAWAL CODES**


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<b>Current Year Withdrawal Code</b>	<b>Associated Current Year (re)Admission Codes</b>	<b>Associated Following Year (re)Admission Codes</b>
99	NA	02,10–12
10	10	NA
11	11	NA
12	12	NA
13	13–18,21,22,or 25–26	13–18,21,22,or 25–26
14	13–18,21,22,or 25–26	13–18,21,22,or 25–26
15	13–18,21,22,or 25–26	13–18,21,22,or 25–26
16	13–18,21,22,or 25–26	13–18,21,22,or 25–26
17	13–18,21,22,or 25–26	13–18,21,22,or 25–26
18	13–18,21,22,or 25–26	13–18,21,22,or 25–26
22	13–18,21,22,or 25–26	13–18,21,22,or 25–26
24	13–18,21,22,or 25–26	13–18,21,22,or 25–26
30	06,07	08,09
31	06,07	08,09
32	06,07	08,09
33	06,07	08,09
34	06,07	08,09
35	06,07	08,09
36	06,07	08,09
38	06,07	08,09
39	06,07	08,09
40	06,07	08,09
41	06,07	08,09
42	06,07	08,09
43	06,07	08,09
44	06,07	08,09

# ENROLLMENT

<b>Current Year Withdrawal Code</b>	<b>Associated Current Year (re)Admission Codes</b>	<b>Associated Following Year (re)Admission Codes</b>
50	06,07	08,09
71	06,07	08,09
85	NA	NA
60	NA	NA
61	NA	NA
62	NA	NA

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## ENROLLMENT CHECKLISTS

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### Required Documentation for MCPS Enrollment

- 1. First time qualified\* students to MCPS, and former qualified MCPS students who have been withdrawn for more than four years**, including Eligible Students,\*\* See the MCPS [How to Enroll Your Child in School](#) website.

\* A qualified student is a student, whether U.S. citizen or noncitizen, who is at least five years old by September 1, and not older than 20 years of age, on the first day of the current school year.

\*\* An eligible student is a student, whether U.S. citizen or noncitizen, who has reached the age of majority (18) or is emancipated prior to the age of 18, but is not older than 20 years of age on the first day of the current school year.

Elementary schools enrolling Kindergarten students must use the current year [Kindergarten Handbook](#) (available in English, Spanish, French, Chinese, Vietnamese, Korean, and Amharic) for enrollment which has all forms necessary for enrollment in Kindergarten in MCPS (except the SR-6 which should be provided separately).

Offline enrollment:

- ☐ [MCPS Form 560-24, New Student Information\\*](#)
- ☐ [MCPS Form 565-1, Student Emergency Information\\*](#)
- ☐ Proof of Student Age and Identity
- ☐ Proof of Identity of Parent/Guardian Enrolling Student and Relationship to Student (proof of Custody/Guardianship)
- ☐ Proof of Residency, which may include notarized MCPS Form 335-74, *Shared Housing Disclosure*.
- ☐ Immunizations ([MDH Form 896](#), or computer form generated by a physician or health clinic)
- ☐ [MCPS Form 525-17, Dental Health Form](#)
- ☐ [SR-6, Maryland Schools Record of Physical Examination](#)

Online enrollment (ParentVue):

Documents that must be uploaded into the SIS

- ☐ Proof of Student Age and Identity
- ☐ Proof of Identity of Parent/Guardian Enrolling Student and Relationship to Student (proof of Custody/Guardianship)
- ☐ Proof of Residency, which may include notarized MCPS Form 335-74, *Shared Housing Disclosure*.

Documents will need to be uploaded into the SIS or delivered to the school:

- ☐ Immunizations ([MDH Form 896](#), or computer form generated by a physician or health clinic)
- ☐ [MCPS Form 525-17, Dental Health Form](#)
- ☐ [SR-6, Maryland Schools Record of Physical Examination](#)

If the student has been withdrawn for fewer than four years:

- ☐ [MCPS Form 560-24, New Student Information\\*](#)
- ☐ [MCPS Form 565-1, Student Emergency Information\\*](#)
- ☐ Proof of Residency in Montgomery County

*Additional form for prekindergarten, kindergarten, and first grade students only*

- ☐ [DHMH Form 4620, Lead Testing Certificate](#)

## **2. Current MCPS student changing schools due to a residency change**

- ☐ Withdrawal packet from previous school, if possible. The withdrawal packet should include a copy of the student's proof of age, immunizations, withdrawal grades (if applicable), student schedule (if applicable) and an unofficial transcript (if applicable).
- ☐ Proof of Residency

*The enrolling school should verify that the student's emergency information in the SIS is up to date.*

## **3. Current MCPS student attending a school on a Change of School Assignment (COSA)**

- ☐ Withdrawal packet from previous school, if possible. The withdrawal packet should include a copy of the student's proof of age, immunizations, withdrawal grades (if applicable), student schedule (if applicable) and an unofficial transcript (if applicable).
- ☐ The student must have an approved COSA listed in the SIS.

*The enrolling school should verify that the student's emergency information in the SIS is up to date.*

## **4. Homeless students and unaccompanied homeless youth**

- ☐ [MCPS Form 560-24, New Student Information\\*](#)
- ☐ [MCPS Form 565-1, Student Emergency Information\\*](#)

*The enrolling school will complete, with the family, [MCPS Form 335-77, Homeless Status](#).*

## **5. Maryland Informal Kinship Care**

- ☐ Documents detailed in # 1.
- ☐ [MCPS Form 334-17, Affidavit: Children in Informal Kinship Care](#)
- ☐ Supporting documentation dependent on Informal Kinship Care situation

**6. Maryland State-Supervised Care**

- ☐ Documents detailed in # 1.
- ☐ [MCPS Form 560-35, Enrollment of Child in Maryland State Supervised Care and Transfer of Educational Records](#)
- ☐ Documentation on placement of the student in State-Supervised Care situation

**7. Tuition-Paying Students**

- ☐ Students who wish to enroll at a Montgomery County Public School and pay tuition should be directed to International Admissions and Enrollment (IAE).
- ☐ If/when the enrollment of a Tuition-Paying Student has been approved, the parent/guardian is required to provide the documents detailed in # 1.

**8. Special Education and Administrative Placement**

Current MCPS

- ☐ Notification (primarily via e-mail) from Central Office staff indicating that the student has been placed at the school.

Former MCPS

- ☐ Notification (primarily via e-mail) from Central Office staff indicating that the student has been placed at the school.
- ☐ Documentation detailed in # 1

**9. Interim Instructional Services (IIS) enrollment is handled by the IIS office.**

- ☐ Notification (primarily via e-mail) from Central Office staff indicating that the student has been placed at the school.

**10. Home Instruction enrollment is handled by the IIS office.**

**11. International Students, Foreign Students and Exchange Students – Via International Admissions and Enrollment (IAE).**

- ☐ IAE will verify and send documentation detailed in #1 (with the exception of MCPS Form 565-1, Student Emergency Information which will be filled out at the enrolling school)
- ☐ [MCPS Form 565-1, Student Emergency Information\\*](#)

**12. To MCPS from Home Instruction**

- ☐ Documentation detailed in # 1.

\*Parents/guardians/eligible students enrolling online are not required to complete and submit the [MCPS Form 560-24, New Student Information](#) or [MCPS Form 565-1, Student Emergency Information](#) as that information is collected during the online registration and retained in the SIS.

**References:** [MCPS Form 560-24B, \*Quick Guide to Enrollment and MCPS Student Record Keeper Manual\*](#)



### OVERVIEW

The Maryland State Department of Education (MSDE) provides funding for students enrolled in Maryland public schools based on the enrollment as of September 30 of each school year. It is important for all record keepers to work with their school team to identify students who have no attendance recorded in the current school year and process a summer withdrawal of the student before September 30 using the most appropriate withdrawal code (see a list of codes on page W-12).

In general, students are withdrawn from school because they are transferring to another school, have completed a high school program, or have terminated their formal education.

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### DOCUMENTATION OF WITHDRAWAL

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Obtain official written documentation that the student has transferred to another school or educational program, has emigrated out of the country, or has died, and maintain a copy of the documentation in the student's permanent record.

Examples of such documentation include:

- A request for records from the receiving school, or completed [MCPS Form 226-19, Verification of Enrollment](#).
- An approved application for home instruction.
- A letter from the parent/guardian/eligible student indicating the date of withdrawal and information on the next school of enrollment, if applicable.
- A letter from an official at the receiving school acknowledging the student's enrollment.
- Written confirmation that a student has emigrated to another country, which may include a school official's memo to the student's file based on a phone conversation or meeting with a parent/guardian, stating that the student is leaving the country.
- Written confirmation that a student has passed away, which may include an obituary, newspaper article, funeral service program, a letter from a parent/guardian, or similar items.

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### PROCESSING WITHDRAWALS

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#### **No Show vs. Inactivating Student**

When withdrawing a student it is important to note the difference between no showing and inactivating:

## WITHDRAWALS

- No Show – students who do not attend any days of school during the current school year (i.e. - summer withdrawals and no recorded attendance from first day of school through withdrawal date prior to September 30)
- Inactivate – students who attend at least one day of school during the current school year (i.e. – students who attend first three days of school before withdrawing)

### **Date of Withdrawal**

The date of withdrawal date should be last day of attendance.

If a student is withdrawn before the end of the marking period, the student will not receive a report card. The student should be withdrawn on the next school day after the last day of the marking period in order for the teacher to input quarter grades. The student cannot be retroactively withdrawn to a date before the end of the marking period, as this will erase any grades and attendance that the student has on file. If it is the final marking period (end of the year), the student must be summer withdrawn, using July 1 of the current year as the withdrawal date. Again, the student may not be retroactively withdrawn, as this will erase grades and attendance from the student information system (SIS) and Gradebook that may not be recoverable.

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### **SUMMER WITHDRAWALS (NO SHOWS)**

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If a student was expected at your school at the beginning of the new school year, but has no recorded attendance by the end of the second week of school, school staff should begin the process of trying to identify the student's whereabouts with letters and/or phone calls home, home visits, etc. If the student will not be attending your school, withdraw the student as a summer withdrawal. Students with no September attendance should be withdrawn no later than the last school day in September. Please refer to the "Maintaining Student Enrollment and Daily Attendance" memo that comes out each August for instructions.

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### **SEPTEMBER WITHDRAWALS**

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If a student attends any time in September and then has at least 5 days of unexplained absences, school staff should begin the trying to identify the student's whereabouts with letters and/or phone calls home, home visits, etc.. If the student will not be attending your school, withdraw the student using the last day of attendance as the withdrawal date. Process all September withdrawals by mid-October.

## WITHDRAWALS

### GUIDELINES FOR PROCESSING SUMMER AND SEPTEMBER WITHDRAWALS

Attendance Pattern of Student	Action Needed	
	Withdraw	Do Not Withdraw
<b>NO SEPTEMBER ATTENDANCE</b>		
☆ Student did not attend at all in September and whereabouts unknown	<ul style="list-style-type: none"> <li>✓ Withdraw student by the last school day in September</li> <li>✓ Use Summer Withdrawal by using “No Show” to withdraw and July 1<sup>st</sup> as the date</li> </ul>	
☆ Student did not attend at all in September and transferred to a non-MCPS school	<ul style="list-style-type: none"> <li>✓ Withdraw student during September</li> <li>✓ Use Summer Withdrawal by using “No Show” to withdraw and July 1<sup>st</sup> as the date</li> </ul>	
☆ Student is under age 18, did not attend at all in September, and whereabouts known	<ul style="list-style-type: none"> <li>✓ Record absence every day</li> <li>✓ Notify senior reporting specialist in OSA</li> </ul>	✓ Keep enrolled

<b>SEPTEMBER ATTENDANCE, ABSENT LAST SCHOOL DAY IN SEPTEMBER, OCTOBER ATTENDANCE</b>		
☆ Student attended at least 1 day in September, absent last school day in September. and attended at least 1 day during the first two weeks of October.		✓ Keep enrolled
<b>SEPTEMBER ATTENDANCE, ABSENT LAST SCHOOL DAY IN SEPTEMBER, NO OCTOBER ATTENDANCE</b>		
☆ Student attended in September, was absent last school day in September, and first two weeks in October.	<ul style="list-style-type: none"> <li>✓ Withdraw student by mid-October.</li> <li>✓ “Inactivate” the student using the last day of attendance as withdrawal date</li> <li>✓ Must be a September withdrawal</li> </ul>	

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**MARYLAND STUDENT EXIT RECORD [SR 7](#)**


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Student Record Card 7 (SR 7) is to be completed for student withdrawals during the summer and school year by the sending school. A copy should be provided to the parent/guardian to assist in school registration. It must be completed and sent for all students transferring between LEAs in Maryland, to a nonpublic school or to an out-of-state school. Do not send any official student records until an official request is submitted by the receiving school.

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**FINANCIAL OBLIGATIONS CLEARANCE**


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Staff at the school from which the student is withdrawing should complete [MCPS Form 560-20, Elementary School Withdrawal/Clearance](#) or [MCPS Form 560-21, Secondary Student Withdrawal/Clearance](#). The purpose of this form is to provide a record of a student's financial obligations status at the time of withdrawal.

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**DROPPING OUT (STUDENT TERMINATION OF FORMAL EDUCATION)**


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See [MCPS Regulation JEC-RA, Student Withdrawals from Classes and School](#).

Each high school is required to establish and implement procedures to conduct an interview with all students, or with their parents/guardians, or all of the above, who leave school before graduating. The administrator, or designee, should attempt to encourage the student to remain in the student's current, or other appropriate, MCPS alternative school program by conducting an Interview for Withdrawal Prevention by using [MCPS Form 565-4A, Educational Interview for Withdrawal Prevention](#). Convene a problem-solving meeting with the student, parents/guardians, advocates, teachers, counselors, and administrative staff, as appropriate. It is imperative that parents/guardians be notified and included in the process as soon as possible. Language interpreters should be made available as appropriate. [MCPS Form 565-4, Student Permanent Withdrawal](#) should be used (for students over the age of 18) to document the interview or efforts to contact parents/guardians. No student over the age of 18 is to be withdrawn using the drop out code 33 unless both forms are completed and all required signatures secured. If a student under the age of 18 drops out of school the code 50 (not accessing educational services) should be used.

**Drop Out Codes that Impact High School Graduation Rate**

Below is a list of drop out codes that will negatively impact a high school's graduation rate when recorded for students in grades 9-12:

Code	When to Use:
30	Illness – An illness of such severity that it would preclude the implementation of any education program (i.e. Interim Instructions Services). A medical certification shall be required specifying the nature of illness and the approximate length of time the student will be withdrawn.
31	Academic – Student, 18 years or older, who drops out due to lack of academic success including low grades and/or grade retention.

## WITHDRAWALS

32	Discipline – Student, 18 years or older, who voluntarily drops out due to continual disciplinary problems as documented by multiple office referrals and/or suspensions, but ho has not been formally expelled from school.
33	Lack of Interest – Student, 18 years or older, who drops out of school due to a lack of personal motivation or interest to continue their education.
34	Employment – Student, 18 years or older, certified by documentation and the student is unwilling to remain in a regular or alternative educational program.
35	Marriage – Student, 18 years or older, certified by documentation.
36	Military Service – Student, 18 years or older, certified by documentation.
38	Court Action – Student, 18 years or older, who is committed by court order to an institution without an educational program.
39	Economic Reasons – Student, 18 years or older, who leaves school due to a lack of financial resources, and/or lack of family support or has caretaker responsibility for the extended family, excluding their own children as documented by a social agency.
40	Expulsion Under 18 – Required withdrawal from school for disciplinary reasons of a student under 18 years of age by the direction of the superintendent of schools or designee (not a valid code for students with disabilities under the Individuals with Disabilities Education Act). As intended by COMAR 13A.08.01.11(B)(2), expulsion is the exclusion of a student for more than 45 school days.
42	Special Cases – Other reasons with superintendent’s approval. For students under 18 years of age. This code may be used for student who withdraw in grade 8 for religious reasons.
44	Parenting – Any married or unmarried student, 18 years and older, who leaves a regular or alternative educational program due to their responsibilities for child care and rearing of their children.
46	Expulsion Age 18 and Over – Required withdrawal from school for disciplinary reasons of a student, age 18 years and older, by the direction of the superintendent of schools or designee (not a valid code for students with disabilities under the Individuals with Disabilities Education Act). As intended by COMAR 12A.08.01.11(B)(2), expulsion is the exclusion of a student for more than 45 school days.
50	Not Accessing Educational Services – Any student not accessing educational services at another school or in an educational program. Includes any student whole whereabouts are unknown, as documented by an appropriate school official, or whose whereabouts are known, but are not in school or an educational program. May also be used for student who is a runaway or a student who is known or suspected to be abducted (as documented by an appropriate governmental agency).
71	Pregnancy – Student 18 years or older, who leave school because of a pregnancy.
85	Age Out – The student has exceed the age which the state guarantees a free, appropriate public education, and has subsequently exited. May only be used with students who have turned 21 years old prior to the first day of school. <i>Note:</i> May only be used as a summer withdrawal code.
86	Alternative Educational Program – Any student who withdraws from school and attends an MSDE approved alternative educational program (i.e. Job Corps, Freestate ChalleNGe Academy). (Exception to Compulsory Attendance). Must have acceptance letter from the MSDE Approved Alternative Education Program, or Statewide Education Exit Interview Form.

## WITHDRAWALS

88	GED – Student who withdraws from educational services to pursue entrance into an approved GED and is of the age of Compulsory Attendance. Must have documentation of DLLR Form, or Statewide Education Exit Interview Form.
89	Deferred Diploma – Withdrawal of any student who has met the requirements of a Maryland high school diploma who deferred receipt of the diploma to remain eligible for additional educational services. Must have documentation of reason for deferral, or Statewide Education Exit Interview Form.

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## EXTENDED ABSENCES

When a student has extended absences, depending on the reason, it may or may not be appropriate to withdraw the student.

### **Incarceration/Juvenile Services Facility**

When notified that a student has been incarcerated, the school must determine if the student will be receiving educational services, and from whom:

- If the student is receiving services from MCPS, Alternative Education Programs will change the school of enrollment from the current school to Alternative Education Programs.
- If the student is receiving educational services at a state institution with a teaching program, the student should be withdrawn using withdrawal code 22 *Transfer to a state institution in Maryland with an educational program*. Obtain documentation of the transfer (request for records, or complete [MCPS Form 226-19, Verification of Enrollment](#)). The withdrawal date should be the last day of attendance. See list below of specific state institutions for use of withdrawal code 22:
  - Alfred Noyes Children's Center
  - Backbone Mountain Youth Center
  - Baltimore City Juvenile Justice Center
  - Charles H. Hickey, Jr. School
  - Cheltenham Youth Facility
  - Greenridge Youth Center
  - J. DeWeese Carter Center
  - Lower Eastern Shore Children's Center
  - Maryland Safe At Home Program
  - Meadow Mountain Youth Center
  - Savage Mountain Youth Center
  - Thomas Waxter Children's Center
  - Victor Cullen Center
  - Western Maryland Children's Center
  - Witness Protection
- If the student is not receiving educational services, use withdrawal code 38 *Court Action*. *A student who is committed by court order to an institution without educational program*. The withdrawal date should be the last day of attendance.

**Short Term Instructional Programs/[Interim Instructional Services](#) 240-740-4042**

When notified that a student has a qualified physical health or qualified mental health condition that prevents the student from attending school for an extended period of time, and is under the care of a licensed physician or certified nurse practitioner (for qualified physical health conditions), or a, licensed psychologist, licensed psychiatrist, or certified school psychologist (for qualified mental health conditions) it should be determined if the student will receive educational services through Interim Instructional Services (IIS). This also applies to students placed in IIS through the Administrative Placement process by an Associate Superintendent/designee. If so, the student should remain enrolled. If not, the student, or parent/guardian, should provide documentation as to why services will not be provided and the anticipated length of absence from school. Upon receipt of the documentation, the student can be withdrawn from school. The withdrawal date should be the last day in attendance and the withdrawal code should be 30, “illness of such severity that precludes any educational program (e.g. interim instructional services).”

**Parent/Guardian Removal**

Students who are removed from school by their parents/guardians for more than 10 consecutive school days are to be withdrawn. Parents should be informed that the student will be withdrawn and that MCPS assumes that the parent/guardian will fulfill their responsibility to continue the student’s education at the destination. If MCPS determines that a student under the age of 18 is withdrawn but is not continuing their schooling, a report will be made to Child Welfare Services, commonly known as Child Protective Services, in the Montgomery County Department of Health and Human Services.

**Special Education over 18 Years Old**

After following the steps outlined above, before withdrawing a student over 18 years old who is receiving special education services, the school should schedule an Individualized Education Program (IEP) team meeting to discuss the student’s lack of attendance. The student and the student’s parents/guardians should be invited to attend the meeting.

At the meeting, the IEP team should review the student’s placement, attempt to identify reasons for non-attendance, and determine if the IEP should be revised in order to get the student to attend school on a regular basis.

- If the IEP is revised, the school should not continue the withdrawal process.
- If the IEP is not revised, the team should document the team’s discussion including why modifications would be inappropriate or unwarranted. A follow-up letter must be sent to the student and the student’s parents/guardians.
- If an IEP team meets, considers all appropriate options but is still unable to convince a student to attend school, the school may withdraw the student. In this case, the follow-up letter should clarify that the school intends to withdraw the student because the student has decided not to attend school. Additionally, the letter must clarify that the student has the unequivocal right to re-enroll prior to turning 21 years old. If the student re-enrolls, an IEP meeting shall be held to determine whether the student continues to be eligible for special education services.

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## GRADUATION RATE COHORTS

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MSDE has developed two measures of graduation rate – the four-year adjusted cohort graduation rate and the five-year adjusted cohort graduation rate. Each is used in the new Maryland School Report Card.

### Four-Year Adjusted Cohort Rate Example

The 2021-2022 four-year adjusted cohort graduation rate, based on the first-time ninth grade cohort (FTNG) of 2018-2019, is equal to:

**The number of students who earned a regular high school diploma by the end of the 2022 school year (including the summer graduates, but not including those earning a certificate of attendance), whose FTNG cohort was the 2019 school year.**

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**The number of first-time ninth graders in the 2019 school year (starting cohort – which includes those students who will be receiving certificates of attendance), *plus* students who transferred in, *minus* students who transferred out (does not include dropouts), emigrated, or died during the 2019, 2020, 2021, and 2022 school years.**

**Example:**

**551 Graduates**

600 students starting in the cohort, *plus* 25 transfers in, *minus* 15 transfers out, 15 students who emigrated and 1 student who died, equals **594** students remaining in the cohort

This equals a 92.76% graduation rate.

### Five-Year Adjusted Cohort Rate Example

The 2022 five-year adjusted cohort graduation rate, based on the first-time ninth grade cohort (FTNG) of 2018, will be equal to:

**The number of students who earned a regular high school diploma at the end of the 2022 school year (including the summer graduates, but not including those earning a certificate of attendance), whose FTNG cohort was the 2018 school year.**

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**The number of first-time ninth graders in the 2018 school year (starting cohort – which includes those students who will be receiving certificates of attendance), *plus* students who transferred in, *minus* students who transferred out (does not include dropouts), emigrated, or died during the 2018, 2019, 2020, 2021, and 2022 school years.**

**Example:**

**575 Graduates**

594 students starting in the cohort (from the previous year), *plus* 10 transfers in, *minus* 2 transfers out, 2 students who emigrated and 0 students who died, equals **600** students remaining in the cohort



This equals a 95.83% graduation rate.

### First-Time Ninth Grade Students

The first step to calculating the four- or five-year adjusted cohort rate is identifying the first-time ninth grade (FTNG) students for that particular cohort. The FTNG cohort includes all first-time ninth graders in that particular year, *plus* students who transfer in during the four or five year time period, *minus* the students who transfer out, emigrate or die during the four or five year time period as determined by MSDE.

MSDE determines a student's FTNG using the September, Early, and End-of-Year Attendance files that are reported to MSDE every year. For example, a student who transfers in during 11<sup>th</sup> grade during the 2022 school year belongs in the FTNG 2020 cohort because the student would have been in 9<sup>th</sup> grade during that year, according to MSDE.

**International Students:** When a student comes in from another country, the student is automatically enrolled as a 9<sup>th</sup> grade student until the correct grade can be determined based on transcripts. **IMPORTANT:** These students must be enrolled in their correct grades by the end of the school year that they were enrolled, otherwise they will be counted as FTNG students during that first year they were enrolled and will get placed in the wrong cohort. MSDE does not usually make changes to student cohorts once they are set.

### Guidance For Assigning FTNG For Transfer Students

The [MCPS Regulation JEB-RA, Placement, Promotion, Acceleration and Retention of Students](#) guides the assignment of grade level based on promotion by credit. Once the student's transfer credits have been assigned, the student should be placed in the appropriate grade level based on credit earned however, the final responsibility for promotion decisions rests with the principal. The principal has the authority to approve assigning a more appropriate grade level when promotion by credit would prevent the student from graduating within the timeframe of the established original year of graduation. Please see the below scenarios to assist with assigning FTNG for transfer students:

- A student enrolls from an international school with three English and Math credits and 18 credits total however, the student does not have the required Social Studies credits. Thus, the student will need an additional year to earn credit in those required courses. Although the student would be identified as grade 12 based on the promotion rule, it would be appropriate to assign the student to 11<sup>th</sup> grade, which provides the additional year to earn the final English and Social Studies.
- A student enrolls from an international school with 17 credits however, there are no credits indicated for English. This student should be placed in 9<sup>th</sup> grade and given the time needed to complete the required courses for graduation.

### Regular High School Diploma

Under federal regulations, "regular high school diploma" means the standard high school diploma awarded to students in a state that is fully aligned with the state's academic content standards and does not include a GED certificate, certificate of attendance or any other alternative award. Students who receive a Maryland Certificate of Completion or credentials from a GED program

## WITHDRAWALS

do not meet the federal guidelines for the “regular high school diploma”. These students cannot be included in the numerator, but must be included in the denominator.

### Four-Year Adjusted Cohort Rate

The four-year adjusted cohort graduation rate is the percent of a school’s cohort of first-time ninth grade students, in a particular school year, who graduate in four years (including the summer after the fourth year of high school) with a regular high school diploma, *adjusted* for students who transfer in and out of the school during that four-year period. Students who earn a certificate of attendance are not counted as graduates, but are counted as students in the cohort. In other words, the students who earn a certificate of attendance are not counted in the numerator, but are counted in the denominator (a negative impact on graduation rate). Students who drop out\* (including code 50 – Not Accessing Educational Services) are also included in the denominator (a negative impact on graduation rate).

### Five-Year Adjusted Cohort Rate

The five-year adjusted cohort graduation rate is the percent of a school’s cohort of first-time ninth grade students, in a particular school year, who graduate in five years (including the summer after the fifth year of high school) with a regular high school diploma, *adjusted* for students who transfer in and out of the school during that five-year period. Students who earn a certificate of attendance are not counted as graduates, but are counted as students in the cohort. In other words, the students who earn a certificate of attendance are not counted in the numerator, but are counted in the denominator (a negative impact on graduation rate). Students who drop out\* (including code 50 – Not Accessing Educational Services) are also included in the denominator (a negative impact on graduation rate).

Per Maryland law, each child who resides in this State and is 5 years old or older and under 18 shall attend a public school regularly during the entire school year.

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## WITHDRAWAL CODES

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Withdrawal codes are established by the Maryland State Department of Education. When transferring or withdrawing a student, care should be taken to use the appropriate code.

Code 50 may be used when the actual cause of the withdrawal is unknown. Use this as a temporary code and change the code when the cause has been determined. Every effort should be made to determine the actual cause of the withdrawal.

### Students Leaving the Country for More Than Ten (10) Consecutive School Days

When a student is withdrawn because of leaving the country for more than 10 consecutive school days and is known to be returning, use a withdrawal code of 50. The withdrawal date is the last day of attendance.

## WITHDRAWALS

- When the student returns from the foreign country, update the withdrawal code to 18 if the student received educational services while away.
- If the student received education in the other country, the enrollment code upon return should be an 18.
- If the student did not receive education in the other country, the enrollment code should be a 07.
- If the student has not been educated in the other country, please notify the senior reporting specialist in the Testing and Reporting Unit in the Office of Shared Accountability, as the withdrawal code will have to be updated to a 50.

**Any student who is withdrawn MUST verify residency upon re-enrollment.**

## WITHDRAWALS

\* Drop out codes

\*\* These codes are entered when the receiving school enrolls the student, and not by the sending school.

Codes	When to Use
10**	<b>Transfer to another public school within MCPS.</b> Approved out of area transfer, placement because of a special program or special placement by PPW. Student's address has not changed.
11**	Elementary school to middle school, or middle school to high school.
12**	Moving out of attendance area to another MCPS, because of change of address.
13	Transfer to a Maryland public school outside of Montgomery County.
14	Transfer to a public school in another state or territory of the United States, to a U.S. overseas dependent school, or to home instruction in another state.
15	Transfer to a nonpublic school within Montgomery County.
16	Transfer to a Maryland nonpublic school outside of Montgomery County.
17	Transfer to a United States nonpublic school or institution in another state or territory of the United States.
18	Transfer to a school (public or nonpublic) of a foreign country.
21	Transfer to an evening high school program.
22	Transfer to a state institution in Maryland with an educational program. See list of specific state institutions for this code on page W-4.
24**	<b>Home schooling</b> pursuant to COMAR 13A.10.01 (for use within Montgomery County only).
26	Transfer to a public school pursuant to the Unsafe School Transfer Policy, COMAR 13A.08.01.20.
30*	<b>Illness.</b> An illness of such severity that it would preclude the implementation of any education program (e.g. Interim Instructional Services). A medical certification shall be required specifying the nature of illness and the approximate length of time the student will be withdrawn.
31*	<b>Academic.</b> Student, 18 years or older, who drops out due to lack of academic success including low grades and/or grade retention.
32*	<b>Discipline.</b> Student, 18 years or older, who voluntarily drops out due to continual disciplinary problems as documented by multiple office referrals and/or suspensions, but who has not been formally expelled from school.

## WITHDRAWALS

Codes	When to Use
33*	<b>Lack of Interest.</b> Student, 18 years or older, who drops out of school due to a lack of personal motivation or interest to continue their education.
34*	<b>Employment.</b> Student, 18 years or older, certified by documentation and the student is unwilling to remain in a regular or alternative educational program.
35*	<b>Marriage.</b> Student, 18 years or older, certified by documentation.
36*	<b>Military Service.</b> Student, 18 years or older, certified by documentation.
38*	<b>Court Action.</b> Student, 18 years or older, who is committed by court order to an institution without an educational program.
39*	<b>Economic Reasons.</b> Student, 18 years or older, who leaves school due to a lack of financial resources, and/or lack of family support or has caretaker responsibility for the extended family, excluding their own children as documented by a social agency.
40*	<b>Expulsion Under 18.</b> Required withdrawal from school for disciplinary reasons of a student under 18 years of age by the direction of the superintendent of schools or designee (not a valid code for students with disabilities under the Individuals with Disabilities Education Act). As intended by COMAR 13A.08.01.11(B)(2), expulsion is the exclusion of a student for more than 45 school days.
41	<b>Immaturity.</b> Immaturity under age five. Used in prekindergarten, kindergarten, and first grade, with appropriate documentation.
42*	<b>Special Cases.</b> Other reasons with superintendent's approval. For students under 18 years of age. This code may be used for students who withdraw in grade 8 for religious reasons.
43	Death.
44*	<b>Parenting.</b> Any married or unmarried student, 18 years and older, who leaves a regular or alternative educational program due to their responsibilities for child care and rearing of their children.
46*	<b>Expulsion Age 18 and Over.</b> Required withdrawal from school for disciplinary reasons of a student, age 18 years and older, by the direction of the superintendent of schools or designee (not a valid code for students with disabilities under the Individuals with Disabilities Education Act). As intended by COMAR 13A.08.01.11(B)(2), expulsion is the exclusion of a student for more than 45 school days.
50*	<b>Not Accessing Educational Services.</b> Any student not accessing educational services at another school or in an educational program. Includes any student whose whereabouts are

## WITHDRAWALS

Codes	When to Use
	unknown, as documented by an appropriate school official, or whose whereabouts are known, but are not in school or an educational program. May also be used for a student who is a runaway or a student who is known or suspected to be abducted (as documented by an appropriate governmental agency).
60	Graduating September-June with Maryland High School Diploma.
61	Graduating September-June with Maryland High School Diploma and Certificate of Merit.
62	Special Education student graduating September-June with Maryland High School Certificate of Program Completion.
70	Early college admission.
71*	<b>Pregnancy.</b> Student, 18 years or older, who leaves school because of a pregnancy.
85*	<b>“Age Out”</b> —The student has exceeded the age which the state guarantees a free, appropriate public education, and has subsequently exited. May only be used with students who have turned 21 years old prior to the first day of school. <i>Note:</i> May only be used as a summer withdrawal code.
86*	<b>Alternative Educational Program.</b> Any student who withdraws from school and attends an MSDE approved alternative educational program (i.e., Job Corps, Freestate ChalleNGe Academy). (Exception to Compulsory Attendance). Must have acceptance letter from the MSDE approved Alternative Education Program, or Statewide Education Exit Interview Form.
88*	<b>GED.</b> Student who withdraws from educational services to pursue entrance into an approved GED and is over the age of Compulsory Attendance. Must have documentation of DLLR Form, or Statewide Education Exit Interview Form.
89*	<b>Deferred Diploma.</b> Withdrawal of any student who has met the requirements of a Maryland high school diploma who deferred receipt of the diploma to remain eligible for additional educational services. Must have documentation of reason for deferral, or Statewide Education Exit Interview Form.

\* Drop out codes

\*\* These codes are entered when the receiving school enrolls the student, and not by the sending school.

## OVERVIEW

Student records provide a picture of the academic performance and individual progress of a student and consist of information maintained in written, photographic, or computer media format. Files maintained by staff (i.e. administrators, counselors, teachers, psychologists, nurses, pupil personnel workers, social workers, and other staff members) containing notes, transcripts of interviews, clinical diagnoses, and other memory aids for recalling information are not considered part of a student's record. Personal files are to be destroyed when no longer useful, unless they are the subject of a litigation matter.

School record keeping practices and procedures will be in accordance with federal and state law, regulations of the Maryland State Board of Education, the [Maryland Student Records System Manual 2020](#), and [MCPS Regulation JOA-RA, Student Records](#).

## CREATING STUDENT RECORD FILES 240-740-5270 (CENTRAL RECORDS)

Student records are filed in one of three folders. All three folders are considered the student's record. The highlighted records below are maintained electronically by MCPS and are not required to physically be in the folder.

### Cumulative Folder

The cumulative folder includes, at a minimum, the following:

- Enrollment Documentation
  - Student Age and Identity documentation
  - Identity of Parent/Guardian enrolling student (legal identification) and proof of relationship to student (Proof of Custody/Guardianship)
  - Proof of Residency in Montgomery County
- Student Record System (SR/SRS cards)
  - SR 1, Side 1                      Student's Personal Data
  - SR 1, Side 2                      Student's School Attendance Data
  - SR 2, Side 1                      Annual Early Childhood School Performance Data Summary, Early Care, Kindergarten, and Grades 1-5
  - SR 2, Side 2                      Annual School Performance Data Summary, Grades 6-8
  - SR 3, Side 1                      Annual School Performance Data Summary, Grades 9-12
  - SR 3, Side 2                      Annual School Performance Data Summary, HSA Results And Graduation Certification
  - SR 3B                              Cumulative Maryland High School Assessment Results
  - Report Cards (beginning in the 2020-2021 school year)

Optional items to retain in the cumulative folder include the following:

- Student Emergency Information Form (565-1)
- Report cards (prior to 2020-2021 school year)

## STUDENT RECORDS

Items to retain in the cumulative folder, if applicable, include the following:

- New Student Information Form (560-24), if submitted in hard copy at the time of enrollment
- Home Language Survey
- SR 7, Maryland Student Withdrawal/Transfer Record
- Suspension reports or discipline records
- Correspondence to and from parents/guardians/eligible students\*
- Restraining Orders, Custody Documentation, and Court Orders
- MD Home Language Survey completed upon enrollment
- English Language Development (ELD) Student Record Forms (both initial and end-of-year for each year of program enrollment)
- ELD Parent Notification Letter for each year of program enrollment
- EL Accommodations Plan for each year of program enrollment
- Prekindergarten Record of ELD Closure if applicable
- Refusal of Placement in ELD Services form/letter if applicable
- WIDA Individual Student Report for each year of program enrollment
- METS documentation if applicable
- Out-of-County Living Arrangements (OCLA) or Informal Kinship Care (IKC) documentation
- Other appropriate MCPS forms (as designated by the routing on the bottom of the MCPS Form

\*An eligible student is a student, whether U.S. citizen or noncitizen, who has reached the age of majority (18) or is emancipated prior to the age of 18, but is not older than 20 years of age on the first day of the current school year. (see MCPS Regulation JEA-RE, *Tuition-based Enrollment*, for definition of eligible student.

Information maintained on the SR cards should be accurate, readable, and current. An SR-1, Personal Data, must be created and updated, as necessary, for all students entering MCPS, regardless of age.

Discipline records, including suspension and expulsion, must be kept in the student's record, maintained, and sent to other schools upon transfer.

### **Maintenance and Destruction of Records of Suspensions and Expulsions**

See [MCPS Regulation JGA-RB, \*Suspension and Expulsion\*](#). If the principal, director of the Division of Pupil Personnel and Attendance Services (DPPAS), in the Office of Student and Family Support and Engagement, or Chief of the Office of School Support and Well-Being determines that a suspension or expulsion should not have occurred, all information pertaining to the discipline proceedings, including [MCPS Form 560-6, \*Worksheet for Suspension or Health-Related Exclusion\*](#), will be removed from the student's record immediately, and no personally identifying information will be communicated to any person.

In order to delete suspension or expulsion records from the student's electronic records, the original copy of the student suspension form, [MCPS Form 560-6, \*Worksheet for Suspension or\*](#)



[Health-Related Exclusion](#), should be sent to the Chief of Strategic Initiatives with a note, signed by the principal, to delete that record. The original will be destroyed after the school has received its verification of the deleted transactions.

### Health Folder

The health folder, maintained in the health room by the Department of Health and Human Services School (DHHS) Health Services staff, consists of information pertaining to a student's medical and dental history, health needs, and contains at a minimum:

- Student Record (SR) cards, *either* MCPS or MSDE
  - SR 5 (yellow) [Health Screenings](#)
  - SR 5 (yellow) [Vision and Hearing Screenings](#)
  - SR 6 [Health Inventory](#)
  - Form 525-17 [Dental Health Form](#)
  - MDH 896 [Maryland Immunization Certificate](#)
- or
- Computer generated immunization record printout from doctor's office

### Confidential Folder

A confidential folder provides extra protection for student privacy and is established when a student is referred for special education screening under the federal Rehabilitation Act of 1973, codified at 29 U.S.C. §794 (Section 504) plan or under the federal *Individuals with Disabilities Education Act* (IDEA) codified at 20 U.S.C. §1400 has been established, or when information is gathered to supplement basic student data.

The following documents are always kept in a confidential folder:

- Written referral materials for special services and reports from special services personnel, including those related to an Individualized Education Program (IEP) or Section 504\* Plan.
- Written referral to Montgomery County DHHS for special consultation regarding non-routine health problems.
- Psychological evaluations and other individual assessment reports.
- Reports from public and private agencies (juvenile court, mental health clinics, family counseling agencies, hospitals, etc.).
- Verified reports of serious or recurrent patterns of behavior, teacher and counselor ratings and observations.

\*The Section 504 Plan is distributed to all individuals responsible for implementing the accommodations, which can include general education teachers, related service providers, transportation providers, Montgomery County Department of Health and Human Services (DHHS) school community health nurses (SCHNs)/school health room technicians (SHRTs), school counselors, and pupil personnel workers. Individuals responsible for implementing the accommodations are also responsible for ensuring that substitutes and new personnel receive a copy of the student's Section 504 Plan. The Section 504 Case Manager completes [MCPS Form 270-2D, Distribution of Section 504 Plan \(Confidential\)](#), to verify that the student's Section 504

Plan has been distributed to each applicable MCPS staff member and DHHS SCHN/SHRT. If provided a copy of the Section 504 Plan, DHHS SCHN/SHRT staff should keep a separate, and confidential, Section 504 folder for each applicable student.

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## MAINTAINING STUDENT RECORDS

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The principal/designee supervises and has the ultimate responsibility for student records within their building. These responsibilities include the following:

- Becoming acquainted with the record system.
- Collecting, retaining, using, and disposing of required data in accordance with the *Code of Maryland Regulations* (COMAR) for each student in the school.
- Establishing procedures to review and maintain complete and accurate records. At a minimum, student records must be reviewed, and material (such as miscellaneous notes, duplicate report cards, obsolete test booklets, etc.) that no longer serves an educational purpose should be removed and destroyed when—
  - Student articulates from elementary to middle school; middle to high school;
  - Student graduates from high school;
  - Student withdraws for any reason; or the student is referred for special education or Section 504 plan consideration;
  - Special education records should not be purged until 6 years after graduation or withdrawal.

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## INFORMATION NOT TO BE INCLUDED IN A STUDENT'S RECORD

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The cumulative folder **does not include** the following:

- Personal files kept by professionals in accordance with Section III.B of [MCPS Regulation JOA-RA, \*Student Records\*](#).
- Records of a law enforcement unit of the school system that are maintained only for law enforcement purposes.
- Child abuse and neglect reports, including but not limited to, [MCPS Form 335-44, \*Report of Suspected Abuse and Neglect\*](#), sent to or from the Montgomery County DHHS, Child Welfare Services (commonly known as Child Protective Services) or for vulnerable adults, Adult Protective Services.
- State-mandated bullying and harassment reports, which include [MCPS Form 230-35, \*Bullying, Harassment, or Intimidation Reporting Form\*](#) and [MCPS Form 230-36, \*Bullying, Harassment, or Intimidation Incident School Investigation Form\*](#).
- State-mandated gang-related incident reports, which include [MCPS Form 230-37, \*Gang-Related Incident Reporting Form\*](#), and [MCPS Form 230-38, \*Gang-Related Incident Investigation Form\*](#).
- If an investigation of a student following an incident (bullying, gang-related, etc.) results in disciplinary action, follow the procedures set forth in [MCPS Regulation JGA-RB, \*Suspension and Expulsion\*](#), [MCPS Regulation JGA-RC, \*Suspension and Expulsion of Students with Disabilities\*](#).

- Data not collected for all students, unless it is authorized by the parent/guardian or eligible student.

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## REQUEST TO REMOVE OR CORRECT INFORMATION

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A parent/guardian or eligible student, who believes that information contained in a student's record is inaccurate, misleading, or violates privacy rights should request of the principal, in writing, that the record be changed. If an agreement is reached, the information should be removed or amended. If an agreement is not reached, the parent/guardian or eligible student can appeal the decision in accordance with [MCPS Regulation KLA-RA, \*Responding to Inquiries and Complaints from the Public\*](#).

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## RECORD KEEPING PROCEDURES

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- Student records may only be removed from the immediate area in which they are stored by obtaining written or verbal permission of the principal/principal designee.
- A record (log) of individuals who have requested and/or obtained access to a student's record must be maintained by the principal/principal designee.
  - The log must indicate the name(s) of the person(s) requesting/obtaining access, the date of request/review, and the purpose of the review.
  - The log is kept with the student's record or in the student record room.
  - Exceptions to this record log procedure are the following:
    - School officials and authorized personnel as noted in Section VII.B of MCPS Regulation JOA-RA, *Student Records*.
    - Persons who have received written consent of the parent/guardian or eligible student.
    - A person seeking or receiving the records as directed by a federal grand jury or other lawfully issued subpoena or order where the issuing agency has ordered that the existence, the content of the subpoena, or the information furnished in response not be disclosed. All such requests for records should come through the Office of the General Counsel. If your school is contacted directly, please direct the issuing agency to contact the Office of the General Counsel at [OGCIntake@mcpsmd.org](mailto:OGCIntake@mcpsmd.org) or (240) 740-5600.
    - The parent/guardian or eligible student.

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## RELEASE OF RECORDS

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### Timeline for Sending Records

Routine requests for records from receiving schools should be completed within 10 work days. Records requests for students in state-supervised care must be completed within three work days.

## STUDENT RECORDS

Parents/guardians are entitled to one complete set of their child's records free of charge. A reasonable fee may be charged for additional copies of these records. Record keepers should not give original copies of documents to the requestor. In general, schools may not disclose information or release a student's record to someone other than the parent/guardian or eligible student without written consent of the parent/guardian, or eligible student. The consent should specify the specific records to be disclosed, and the purpose of the disclosure.

However, the *Family Educational Rights and Privacy Act* (FERPA) allows schools to disclose those records, without consent, to the following parties or under the following conditions:

- School officials, including administrators, supervisors, teachers, school nurses, health care professionals who work with schools, school security personnel, school attorneys and auditors, and others acting on behalf of the school system who need access to fulfill their job responsibilities.
- Receiving school into which a student seeks to enroll.
- Representatives of a public agency, as determined by the principal/designee after consulting with the Office of School Support and Improvement (OSSI), in a safety or health emergency, after considering-
  - the seriousness of the threat to the health or safety of the student or other individuals;
  - the need to know the information to meet the emergency;
  - whether the individuals to whom the information is disclosed are in a position to deal with the emergency; and
  - the extent to which time is of the essence in dealing with the emergency
- Authorized government officials (authorized representatives of the Comptroller General of the United States, the Attorney General of the United States, the U.S. Secretary of Education, and State and local educational authorities for audit or evaluation of Federal or State supported education programs, or for the enforcement of or compliance with Federal legal requirements that relate to those programs)
- Financial aid personnel, if needed to determine eligibility for financial aid
- Accrediting organizations, to carry out accrediting functions
- Judicial order or subpoena (see page R-8)
- An agency caseworker or other representative of a state or local child welfare agency, when the agency or organization is legally responsible for the care and protection of the student.
  - In order to obtain a student's records, a staff member from Child Welfare Services must present school staff members with identification and a letter from their supervisor, notifying MCPS about the specific student(s) for whom they are the case manager and are requesting access to education records.
  - Place a copy of the case worker's request for records in a confidential folder.

## STUDENT RECORDS

- To organizations conducting studies for, or on behalf of, the school (with approval from the Office of Shared Accountability) in order to
  - Develop, validate, or administer predictive tests;
  - Administer student aid programs; or
  - Improve instruction
- To parents/guardians of an eligible student if the student is a dependent for Internal Revenue Service Tax Purposes.

### Special Circumstances

- Records of **substance abuse** treatment or effort to get treatment **may not** be sent without written consent of student, even if student is a minor.
- MCPS **psychological reports** may be sent by the school after confirmation with Psychological Services that the report being sent is the most current one available.
- Unless there is a court order or legally binding agreement in the student's cumulative folder to the contrary, **the non-custodial parent** is entitled to:
  - receive copies of report cards, test scores, school newsletters, interim reports, and other important information that is available to the parent with sole legal custody and that pertains to the child's education and educational progress.
  - Additional information about non-custodial parent rights can be found in section AR-1.
- The non-custodial parent should:
  - submit written request and provide, if requested by the school, self-addressed envelopes for sending this material;
  - pay a reasonable fee for copying and mailings unless a notarized statement indicates the parent is unable to pay the fee.
- The school should:
  - notify the custodial parent when such a request has been made.

### Retention of Students

A student may only be retained according to [Regulation JEB-RA, Placement, Promotion, Acceleration, and Retention of Students](#). In accordance with the regulation, [MCPS Form 272-42, Educational Management Team Program Plan for Students Being Retained](#), must be filled out for the school year in which the retention is to occur. The retention must also be recorded in the student information system.

**QUICK GUIDE TO TRANSFERRING RECORDS TO OTHER SCHOOLS**

Parental consent is not required to release records to a school in which a student seeks to enroll.

Records transferred to:	Type of Request		What to Send		What to Keep	
	Verbal	Written	Original	Copy	Original	Copy
Any MCPS school	OK	OK	Cumulative Health Confidential			
Any Maryland public school		Required	Cumulative Health Confidential	SR cards Official transcript ( <i>High School Only</i> )	Residency documentation	SR cards Immunizations IEP/ SpEd documentation Birth certificate
Any non-public school or any out-of-state public school		Required		SR cards Immunizations IEP/SpEd documentation Suspension Official transcript ( <i>High School Only</i> )	Cumulative Health Confidential	

**RELEASE OF DIRECTORY INFORMATION 240-740-5600 (OFFICE OF THE GENERAL COUNSEL)**

The “Family Educational Rights and Privacy Act” (FERPA) requires schools to define directory information and inform parents/guardians how they can prevent such information from being given out.

MCPS defines directory information to include the following items: Student’s and/or parent’s name, address, e-mail address, and telephone number; student’s date of birth, major field of study, grade level, participation in officially recognized activities and sports, degrees and awards received (including honor roll); most recent school attended; dates of attendance; photograph, or other likeness; the weight and height of members of athletic teams; and other similar information.

The [Annual Notice for Directory Information and Student Privacy \(MCPS Form 281-13\)](#), or [MCPS Form 281-13ISC for Innovative School Year Calendar Schools](#) and the [Protection of Pupil Rights Amendment \(PPRA\) document](#) should be provided to the parent/guardian of all students at the beginning of the school year. The parent/guardian of a student enrolling after the start of the school year also must be given the opportunity to request withholding of directory information by completing MCPS Form 281-13 or MCPS Form 281-13ISC. If the form is returned with requests to withhold all or some directory information. The information of directory withholding must be entered in the “Directory Withholding” screen in the SIS by September 30 of the current school year for traditional schools and by Friday of the first week of August for the Innovative Schools.

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**Office of the General Counsel – Processing of Subpoenas**

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**All subpoenas for student/staff records and for MCPS staff to serve as witnesses must** be sent to the Office of the General Counsel (OGC) for legal review prior to providing a response. Please send a copy of the subpoena via e-mail to [OGCIntake@mcpsmd.org](mailto:OGCIntake@mcpsmd.org) or (240) 740-5600. After OGC staff have reviewed the subpoena, they will respond to the school principal and administrative secretary via e-mail with specific subpoena processing instructions.

Questions or concerns about the due date for the subpoena or otherwise should be directed to OGC at 240-740-5600.

It is critical to immediately forward the subpoena to OGC in advance of responding because there will be circumstances in which more extensive legal review is required, and subpoenas often have short deadlines. Also, the subpoena may involve a legal matter related to MCPS that is already pending and, thus, compliance with the subpoena needs to be carefully coordinated. In some cases, either OGC attorneys, on behalf of MCPS, or one of the parties may object to the subpoena, or they may file a motion to quash the subpoena.

Subpoenas may be filed by parties in civil cases (such as custody disputes) or criminal cases (such as state prosecutions for criminal offenses that may or may not be related to conduct on school property). Subpoenas may seek records of MCPS staff or students. Subpoenas typically seek information about an individual who is a party to a case, but sometimes they request information about those who are witnesses or even victims.

When student records are subpoenaed there are two broad categories of requests:

- ***Student Records Subpoenas:*** These are requests for some or all documents in a student's record or other materials pertaining to a student that MCPS may have on file.
- ***Incident Records Subpoenas:*** These are requests for records related to a particular incident in a school, typically involving student misconduct.

Each subpoena requires a case-by-case analysis to determine the appropriate legal response, and OGC staff will provide detailed instructions for processing. In general, OGC staff will work with school personnel to complete the following checklists:

**Student Records Subpoenas – Checklist**

**(Consult with OGC for specific instructions before completing these steps)**

1. Before complying with the subpoena, notify the parents/guardians that a subpoena has been received and the school system will be complying within four or five business days. If a student is 18 years or older (eligible student), the letter would need to be sent to the student. The only time you would not notify the parent/guardian or eligible student is if the subpoena directs that the existence and/or content of the subpoena must not be disclosed.
2. In the log of requests to inspect the student's record, document (in writing) the attempt to contact the parent/guardian, whether successful or not.

## STUDENT RECORDS

3. Remove or redact the names of any other students listed in any record of the student for whom the subpoena is issued. No records should be released that contain the names of other students.
4. If the student has a psychological report on file, contact the Office of Student and Family Support and Engagement, psychological services director (240-740-5640), to confirm that the report being sent is the most current one available.
5. Copy all other student records. Do not copy or provide accident reports or witness statements without review by OGC.
6. Complete the Certification of Records form that confirms the processes that the school utilized to gather the records requested by the subpoena.
7. Send or deliver the responsive documents, including a copy of the Parent Notice letter and the original Certification of Records form, to OGC. The OGC will send or deliver the documents to the requesting party or court, as appropriate.
8. Subpoena paperwork should be kept in a separate, secure, file in the administrative office and should be retained for five years.

### **Incident Reporting Subpoenas – Checklist**

**(Consult with OGC for specific instructions before completing these steps)**

1. All records of the incident need to be obtained and copied.
2. Before complying with the subpoena, notify the parents/guardians of all students making statements (including the student(s) named in the subpoena) that a subpoena has been received and the school system will be complying within four or five business days. If a student is 18 years or older, the letter would need to be sent to the student. The only time you would not notify the parent/guardian or eligible student is if the subpoena directs that the existence and/or content of the subpoena must not be disclosed.
3. Complete the Certification of Records form that confirms the processes that the school utilized to gather the records requested by the subpoena.
4. Send or deliver the responsive documents, including a copy of any Parent Notice letters and the original Certification of Records form, to OGC. OGC will send or deliver the documents to the requesting party or court, as appropriate. Questions should be directed to [OGCIntake@mcpsmd.org](mailto:OGCIntake@mcpsmd.org) or (240) 740-5600.

### **Witness Subpoenas**

In addition to requests for records, subpoenas may require school staff to testify as witnesses in court proceedings. All such requests—unless they are unrelated to the staff member’s MCPS work duties—must be sent to OGC. The OGC staff often work with court personnel and the attorneys in the case to narrow requests for witnesses to avoid significant disruption to school activities.



## RECORD RETENTION

### Withdrawn Students

Records of withdrawn students are kept at the last school of enrollment for four years.

- Records of summer withdrawals should be kept at the last school attended.
- File summer withdrawal records with prior school year records.

Annually, records that are four years old are sent to Central Records for scanning and permanent retention. Once scanned, the records are destroyed, unless retained for a litigation matter. Central Records is responsible for the permanent retention and responding to requests for information from these records.

### Graduates

Records of students awarded a diploma or certificate are retained at the home school for four years after graduation and then sent to Central Records for permanent retention using the schedule on page (R-13). The records cannot be sent through the PONY.

Four years after graduation, student's complete cumulative, health and confidential (if applicable) records are forwarded to Central Records at which time Central Records assumes responsibility for permanent retention and responding to record requests.

#### Record Retention Schedule for Records Prescribed by MCPS

Record Title, Description or Form	Retention Period
New Student Information Form (560-24)	Student – Age 21
Student Age and Identity Documentation	Student – Age 21
Identity of Parent/Guardian Enrolling Student (legal documentation) and Proof of Relationship to Student (proof of custody/guardianship)	Student – Age 21
Proof of Residency in Montgomery County	Student – Age 21

#### Record Retention Schedule for Records Prescribed by the MSDE

Form Number	Record Title or Description	Retention Period
SR 1	Personal Data	Permanent
SR 2	Annual School Performance Data Summary, Grade Level Prek-8	Student – Age 21
SR 3	Annual Secondary School Performance Data Summary, Grade Levels 9-12	Permanent
SR 3A	Supplemental	Student – Age 21

**STUDENT RECORDS**

<b>Form Number</b>	<b>Record Title or Description</b>	<b>Retention Period</b>
SR 3B	High School Assessment Performance Summary	Student – Age 21
SR 4	Test Information	Student – Age 21
SR 5	Health Screening, Examinations and Evaluations	Student – Age 21
DHMH 896	Immunization Records	Five Years or Age 21 (whichever is later)
DHMH 4260	Blood Lead Certificate	Five Years or Age 21 (whichever is later)
SR 7	Maryland Student Transfer	3 Years
Discipline Records		Graduation or Completion of High School Program or Age 21
Information Required for English Language Learners		Graduation or Completion of High School Program or Age 21

**Information Required for Students with Disabilities**

<b>Record Title or Description</b>	<b>Retention Period</b>
Individualized Education Program (IEP)/Individualized Family Service Plan (IFSP) (Including progress reports)	6 Years
Special Service Information Systems (SSIS) Form	6 Years
Assessment Reports	6 Years
IEP/IFSP Team Meeting Summary Sheets and Notes	6 Years
Medical Assistance Records	6 Years

**Quick Guide to Sending Records to Central Records**

<b>WHEN</b>	<b>STUDENTS WHO WITHDREW:</b>	<b>STUDENTS WHO GRADUATED:</b>	<b>FILES TO SEND</b>
June 2022	September 2017 - June 2018 Summer 2018	2018	Cumulative, Health, Confidential
June 2023	September 2018 - June 2019 Summer 2019	2019	Cumulative, Health, Confidential
June 2024	September 2019 - June 2020	2020	Cumulative, Health, Confidential

**STUDENT RECORDS**

	Summer 2020		
June 2025	September 2020 - June 2021 Summer 2021	2021	Cumulative, Health, Confidential
June 2026	September 2021 - June 2022 Summer 2022	2022	Cumulative, Health, Confidential
June 2027	September 2022 - June 2023 Summer 2023	2023	Cumulative, Health, Confidential
June 2028	September 2023 - June 2024 Summer 2024	2024	Cumulative, Health, Confidential
June 2029	September 2024 - June 2025 Summer 2025	2025	Cumulative, Health, Confidential
June 2030	September 2025 - June 2026 Summer 2026	2026	Cumulative, Health, Confidential
June 2031	September 2026 - June 2027 Summer 2027	2027	Cumulative, Health, Confidential



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## RECORDING STUDENT ATTENDANCE

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See MCPS Regulation JEA-RA, *Student Attendance*

<http://www.montgomeryschoolsmd.org/departments/policy/detail.aspx?recID=258&policyID=JE A-RA&sectionID=10>

### **Students Scheduled For a Full or Partial Day**

A student's attendance is recorded based on the following:

- Less than 50% of the scheduled school day absent equals a full day present
- Between 50%-89% of the scheduled school day absent equals a half day of absence
- Greater than 89% of the scheduled school day absent equals a full day of absence

### **Student Attendance for School Activities**

A student is counted present if at school or at another place at a school activity sponsored by the school and personally supervised by a member(s) of the school staff. Students are marked absent by the teacher to record that they are not in the classroom, but the reason code assigned by the attendance secretary prevents the absence from counting on state and local reports. This may include authorized independent study, work study programs, field trips, athletic events, contests, music festivals, student conventions, interim instructional services, and similar activities when officially authorized under policies of the local school board. It does not include "making up" school work at home, or activities supervised or sponsored by private groups or individuals.

**(Lawful and unlawful absences are both counted as an absence.)**

### **Out-of-School Suspensions, In-School Suspensions, and In-School Interventions**

It is very important to maintain communication with administrators and special education staff in order to assure accurate recording of attendance for suspended students. Please ask anyone who provides you with information that a student has been suspended to make sure that you are notified if any changes to the number of days or type of suspension (in-school suspension, out-of-school suspension, or in-school intervention), so that you can correct the attendance. There are specific absence codes for out-of-school and in-school suspensions. However, for students assigned to an in-school intervention, please use "ACI – Other academic-IN school." (Please refer to the absence codes listed on pages A-4 through A-9).

It is also important to record the correct absence reason for suspended students who have been placed in a 45-day alternative setting for a portion of their suspension. Students enrolled at Alternative Programs will have attendance recorded at that location.

### **Pregnancy and Parenting Needs**

See MCPS Regulation IOE-RA, *Guidelines for the Continuing Education of Pregnant and Parenting Students* and MCPS Regulation JEA-RA, *Student Attendance*.

As of July 1, 2017, pregnancy and parenting needs are excused absences and should be recorded as ILL, Illness of Student, or HHT, Home/Hosp Teaching, if the student is participating in Interim Instructional Services.

## ATTENDANCE

1. Federal law, Montgomery County Board of Education Policy ACA, *Nondiscrimination, Equity, and Cultural Proficiency*, and Board Policy ACF, *Sexual Harassment*, prohibit discrimination or harassment on the basis of sex, including pregnancy and parental status, in educational programs and activities.
  - a) Schools may not *exclude* a student from participating in any class or part of an educational program, such as physical education, advanced placement or honors classes, extracurricular programs, interscholastic sports, honor societies, or opportunities for student leadership, on the basis of the student's pregnancy or parenting status.
  - b) Schools should *excuse* a student from participating in class for a physical or emotional condition related to pregnancy or parenting in the same way they excuse other students from participating in class for a physical or emotional condition.
  - c) Schools may only require documentation from a student's health care provider to *allow* a pregnant or parenting student to participate in classes and extracurricular activities if they also require documentation from a health care provider from all students who have a physical or emotional condition requiring treatment.
  - d) To ensure a pregnant student's access to its educational program, when necessary, a school must make adjustments to the regular program that are reasonable and responsive to the student's temporary pregnancy status (e.g., a school might be required to provide a larger desk, allow frequent trips to the bathroom, or permit temporary access to elevators).

In addition, students who miss school due to pregnancy or childbirth may be provided Interim Instructional Services under the same terms as other MCPS students who miss school because they have a temporary medical condition.

A student's absence due to pregnancy or parenting needs is a lawful absence under federal and state law, as set forth in [MCPS Regulation JEA-RA, \*Student Attendance\*](#).

2. In addition to strategies set forth above, schools shall allow the pregnant or parenting student to make up the work that the student missed in a time period that equals at least as many days that the student was absent and direct the student to alternatives, as appropriate, to make up work that the student missed to include but not limited to the following:
  - a) Retake a semester
  - b) Participate in an online course credit recovery program
  - c) Allow the student to continue at the same pace and finish at a later date

Should the student seek to withdraw during pregnancy or parenting, school staff members should make every attempt to –

- a) assist students to adjust course requirements before recommending withdrawal from school,

## ATTENDANCE

- b) convene a problem-solving meeting with the student, parents/guardians, the student's health care provider, advocates, teachers, counselors, pupil personnel workers, and administrative staff, as appropriate,
- c) conduct an educational interview by completing MCPS Form 565-4a, *Educational Interview for Withdrawal Prevention*, as appropriate, and
- d) follow additional procedures for withdrawal prevention and documentation as set forth in [MCPS Regulation JEC-RA, \*Student Withdrawal from Classes and School\*](#).

## Absence Codes

MCPS CODE	TITLE	TYPE	WHEN TO USE THIS CODE	MCPS Status	State Status
ACI	Other academic InSch	School Activity	<b>Examples:</b> student is receiving instruction, testing, doing school work, or school intervention/suspension, academic in-school field trip.	Excused	No send
ACO	Other academic Out	School Activity	<b>Example:</b> academic field trips, report attendance for seniors after the last official day of school for seniors.	Excused	No send
CAI	Class Activity InSch	School Activity	<b>Examples:</b> Primarily for MS use. Student did not miss class, because the grade level classes did not meet. For example, Outdoor Ed. Absence does not show on report card for the grade level classes not attended.	Excused	No send
CAO	Class Activity Out	School Activity	<b>Examples:</b> Primarily for MS use. Student did not miss class, because the grade level classes did not meet. For example, Outdoor Ed. Absence does not show on report card for the grade level classes not attended.	Excused	No send
COR	Court summons	Excused	Court documentation is required.	Excused	Send
DNC	Do Not Call - Unexc	Unexcused	Same as UAB and any other unexcused absence, but no call/email is sent home	Unexcused	Send
DTH	Death in Imm Family	Excused		Excused	Send
EDE	Early Depart - Exc	Excused	Intended for end of the day (or sometimes for end of period)	Excused	No send
EDU	Early Depart - Unexc	Unexcused	Intended for end of the day (or sometimes for end of period)	Unexcused	No send
EMR	State emergency	Excused	<b>To be used as directed by CESC.</b>	Excused	Send
EXC	Exc Oth: Out of Schl	Excused	<b>Examples:</b> Visits to college campuses and participation in college orientation programs. Principal/designee should accept as lawful when requested five school days in advance in writing from the parent/guardian/eligible student.	Excused	Send



## ATTENDANCE

MCPS CODE	TITLE	TYPE	WHEN TO USE THIS CODE	MCPS Status	State Status
HHT	Home/Hosp Teaching	School Activity	<b>Example:</b> Students who are receiving Interim Instructional Services	Excused	No send
HLT	Health Exclude-DHHS	Excused	<b>Examples:</b> lacking required immunizations, any communicable disease per CDC guidelines (including head lice ... need communication from health room)	Excused	Send
ILL	Illness/Med Appt	Excused		Excused	Send
OSS	Susp - Out of School	Excused		Excused	Send
QUA	Quarantined	Excused		Excused	No Send
REL	Religious Observance	Excused	See <a href="https://www.montgomeryschoolsmd.org/students/rights/">Guidelines for Respecting Religious Diversity</a> at <a href="https://www.montgomeryschoolsmd.org/students/rights/">https://www.montgomeryschoolsmd.org/students/rights/</a>	Excused	Send
SSI	Supervision - In Sch	School Activity	<b>Examples:</b> any location in school other than classroom (counselor, health room, media center)	Excused	No send
SSO	Supervision - Out	School Activity	<b>Examples:</b> sports, non-academic field trips	Excused	No send
TE	Tardy Exc - Teacher	Excused Tardy		Excused	No send
TRN	No Auth Transport	Excused	Conditions or circumstances that prevent MCPS from providing transportation to students authorized to receive transportation services. This does not include students denied MCPS authorized transportation for disciplinary reasons. Not to be used if parent or student car breaks down.	Excused	Send
TRU	Truancy	Unexcused		Unexcused	Send
TU	Tardy Unexc-Teacher	Unexcused Tardy		Unexcused	No send
TYE	Tardy Excused	Excused Tardy	Intended for beginning of day (or sometimes for beginning period)	Excused	No send
TYU	Tardy Unexcused	Unexcused Tardy	Intended for beginning of day (or sometimes for beginning period)	Unexcused	No send
UAB	Other Unlawful Abs	Unexcused	Used when attendance code DNC is not appropriate.	Unexcused	Send
WRK	Schl Approved Work	Excused	<b>Examples:</b> Scheduled interviews with prospective employers.	Excused	Send

**ATTENDANCE**

<b>MCPS CODE</b>	<b>TITLE</b>	<b>TYPE</b>	<b>WHEN TO USE THIS CODE</b>	<b>MCPS Status</b>	<b>State Status</b>
			Short-term full-time work assignments for students not enrolled in a cooperative education program. Principal/designee should accept as lawful when requested five school days in advance in writing from the parent/guardian/eligible student.		
WTH	Hazardous Weather	Excused	Weather conditions that would endanger the health or safety of the student when in transit to and from school.	Excused	Send
<b>Attendance Codes to be used only as directed by CESC.</b>					
PRO	Present - Other		This code is to be used when a student/parent/guardian has attested to their child having accessed the recorded lesson after school hours. The students' absence will be changed to Present-Other.		No send
VIR	Virtual		Student attended class virtually but was scheduled to be in the school building for instruction.		No send

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## MCPS GUIDANCE ON CHILD CUSTODY AND RELATED MATTERS

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The following guidance outlines various custody arrangements and helps clarify the approach that Montgomery County Public Schools (MCPS) uses to address child custody and related matters. Parents are the natural guardians of their children under the law and have equal rights and responsibilities for their children, including:

**Physical custody**, which is the physical care and supervision of a child (such as where a child lives) and includes day-to-day decision making; and

**Legal custody**, which is the right and obligation to make long-range decisions involving education, medical care, and other matters of major significance concerning a child's life and welfare, including special education.

These rights may be modified when parents live apart, are separated, or are divorced. Most frequently, parental rights are modified either by an agreement between the parents (such as in a written separation agreement) or by a court order, but sometimes there is neither an agreement nor an order.

When questions about child custody matters arise, school staff should ask parents for a copy of the most recent agreement, custody documentation, restraining order, court order, or other legal paperwork, if any, for review. (Out-of-court agreements can serve as guidance in determining such questions as where the child is living during the week, or what the visitation arrangements are, but MCPS requires court orders as a basis for legal changes to rights of parents.) Copies of custody documentation should be grouped together and retained in the child's cumulative file. The school should make the school health staff, school counselor and other staff who work with the child as appropriate aware of custody concerns.

The "guardian alert/custody concern" indicator should be marked in the myMCPS Administrative Portal, for sole custody situations or when there is a custody-related dispute between the parents identified by either parent or staff. After you add an alert, a Guardian Alert/Custody Concern icon will be shown next to the title of pages in the student's portal records. Also, when this indicator is marked, the student's parent(s) will not be able to access and update student emergency information online, but instead they must contact the school office staff to make changes to the student's emergency information.

If there are questions after initial review of an order or agreement, please contact the Office of School Support and Improvement (OSSI) at 240-740-3100, which will consult with the Office of the General Counsel (OGC), as needed. For guidance regarding subpoenas for records or school staff to appear as witnesses in contested custody proceedings, please see the document entitled *Guidance for Subpoena Processing*, available in the principals' handbook and this *Manual*.

On the following pages, we describe some common issues raised when custody concerns arise.

## I. Shared or Joint Custody

Parents who are not living together may share physical and/or legal custody of their children. Sometimes parents may have shared physical custody but not shared legal custody (or vice versa).

### A. Joint Physical Custody

- Joint physical custody is awarded to parents in many circumstances. It can include a custody schedule to define which parent is responsible for the child on any given day.
  - When parents come to an agreement or there is a court-ordered custody schedule on file at the school, staff should endeavor to follow that agreement/order—provided that it is clear and the staff are reasonably able to do so without disrupting school operations. In lieu of a clear agreement, at the end of the school day, children are generally expected to return to the parent’s home from which they came that morning.
  - When a joint physical custodian arrives at school to pick up a child early, the joint custodian should be permitted to do so, so long as it does not conflict with a physical custody schedule that the school has on file. School staff should call the other joint custodian in circumstances where the pickup is inconsistent with typical dismissal practices for the child or where there is an ongoing custody issue.
- **It is important to recognize that the parents—and not MCPS—are responsible for enforcing visitation and/or custody schedules.** School staff should not intervene in disagreements between joint custodian parents about the meaning or intention of schedules that are complex or difficult to interpret. Rather, school staff should ask parents to let them know once they have come to an agreement. If parents cannot agree, school staff should encourage parents to seek assistance from the court or a mediator in resolving the matter and avoid taking sides. If the disagreement persists, schools may need to adopt protocols consistent with sound educational judgment to avoid disrupting school operations (for example, the school could follow the *status quo* if a dismissal routine has been established, or the school could revert to the standard practice of sending children home at the end of the day to the location they came from in the morning). If both parents arrive at school to pick-up a child and cause a disturbance, the School Resource Officer (SRO) or other law enforcement should be called, and school staff should strive to minimize the disruptive impact for the child.

**Note:** If there is an emergency regarding a student whose parents have joint custody, the school’s efforts to notify emergency contacts are not limited by custody schedules.

### B. Joint Legal Custody

- Joint legal custody means that both parents have an equal voice in making decisions involving education and other matters of major significance concerning their child’s life. The parents have an equal say, and neither parent’s rights are superior to the other.

- When parents have joint legal custody, problems can arise if they do not agree on educational decisions (such as enrollment at a particular school or the provision of special education). In some cases, the agreement or court order may specify that one parent has “tie breaking” authority. If no parent has tie-breaking authority and a disagreement between parents arises, school staff should contact their OSSI director for guidance. If parents cannot agree, school staff should encourage parents to seek assistance from the court or a mediator in resolving the matter and avoid taking sides.
- If there are disagreements between parents with joint legal custody concerning school/home communications or emergency contact forms, school staff should urge the parents to reach an agreement. When parents have joint legal custody, school staff should comply with requests for both parents to receive report cards, disciplinary notices, special education notices such as invitations to Individualized Education Program (IEP) meetings or Section 504 meetings, and other significant paperwork from school. It is advisable that both parents with joint legal custody are included in emails from school staff.

## **II. Sole Custody**

A parent may have sole physical custody (meaning the child lives only with that parent), but may share legal custody (which means that both parents may participate in educational decision-making). The reverse also can be the case (shared physical and sole legal custody), or one parent may have both sole legal and physical custody. Each order/agreement is unique and should be carefully reviewed.

### **A. Sole Physical Custody**

- When a parent is identified as the sole physical custodian through agreement or order, the child will typically live with this parent, come to school in the morning from this parent’s home, and return to this home at the end of the school day. This parent also is responsible for making day-to-day decisions for the child while in their care.
- When one parent has sole physical custody, the other parent should not be permitted to take the child home or away from school unless there is a custody order or agreement that specifies a schedule for visitation by the other parent and pickup is during those times, or the custodial parent consents (preferably in writing). Written consents should be filed in the child’s cumulative folder.

### **B. Sole Legal Custody**

- The parent who is identified as the sole legal custodian should be consulted for educational decisions.
- School correspondence, report cards, and other documentation regarding school-related needs should be directed to the sole legal custodian. The rights of the other non-custodial parent are set forth in the following section.

### C. Noncustodial Parent

- Unless there is a legally binding document that specifically restricts access to school related information or terminates parental rights, a parent without legal or physical custody is still entitled to: (1) attend Individualized Education Program (IEP) and Section 504 meetings; (2) reasonable opportunities to meet with the child’s teachers and school staff consistent with regular school practices; and (3) receive copies of report cards, school newsletters, interim reports, and other important information that is available to the parent with sole legal custody and that pertains to the child’s education and educational progress.
- The noncustodial parent’s request for information or to attend meetings must be made in writing to the principal or designee; the request should specify the noncustodial parent’s name, address, and the type of information/meeting desired. The custodial parent should be notified when such a request has been made by a noncustodial parent. Schools may ask the noncustodial parent to provide self-addressed envelopes for sending informational materials or to pay a reasonable fee at the beginning of the school year for copying and mailing unless the noncustodial parent signs a notarized statement that they are unable to pay the fee. Alternatively, records can be picked up from the school. Parents without sole or joint legal custody do not have access to the myMCPS Parent Portal, except with written approval of the parent with legal custody.

**Note:** At the discretion of the principal or designee, parents (including noncustodial parents) may be permitted to participate in classroom observations, volunteer at school, meet or speak with school staff, or chaperone field trips. However, schools are not a place for visitation and parents may not use the school for this purpose, even if a court order grants “reasonable visitation.” Parents who volunteer at their child’s school or chaperone a field trip should be expected to provide support to staff and other students, and not just to focus on their own child or become a distraction or disrupt school activities. It may be helpful for the principal or designee to lay out clear written expectations for noncustodial parents in these circumstances. However, if a court order requires that a parent’s access to a student needs to be supervised, the parent generally should not be permitted to engage in such activities.

## III. Special Circumstances

### A. Protective Orders

- In situations where a court has issued a protective order, MCPS staff should carefully review the contents to determine which parent is subject to the order, the time period covered by the order, and what the order requires (for example, the order could indicate that the parent may not contact their child, or it could state that the parent may not contact the other parent). Such orders may take temporary precedence over custody orders or agreements that are otherwise applicable. **If there is a protective order and both parents cannot attend a meeting at a school, one may attend by phone.**
- When parents have protective orders against each other that do not involve their children in any way, it is the responsibility of the parents, not the school, to enforce the protective

orders. For example, if there is a protective order stating that one parent stay away from the other, and both parents show up at school for graduation, the school does not have to monitor the parents' interaction. If the parents cause a disturbance, schools should contact their SRO or other law enforcement for assistance.

**B. Primary Care Parent**

- In some situations where parents live apart, there is neither a formal agreement between the parents, nor a court order awarding joint or sole custody of the child to a particular parent. In these cases, the pupil personnel worker and the principal or designee may determine which of the two parents is providing a home on a regular basis for the child. This parent then becomes identified by MCPS as the primary care parent for school purposes.
- The child arrives at the school from the home of the primary care parent in the morning and shall generally return to this same home at the end of the school day (unless the primary care parent provides the school with written consent for an alternative arrangement).
- Prior to release of the child to the non-primary care parent or any person with whom the school is unfamiliar, the school must contact the primary care parent to inform them about the situation and to obtain any additional information regarding recent court orders affecting parental rights. A child should not be released to the non-primary care parent during the day except for valid reasons, such as medical or dental appointments and court proceedings. Requests for release of the child to the non-primary care parent should be made in writing and maintained in the child's cumulative folder.
- Day-to-day communication, correspondence, report cards, and other school-related information should be directed to the primary care parent. However, in lieu of any court order indicating otherwise, the non-primary care parent also has the right to receive copies of any documents that the primary care parent receives similar to noncustodial parents.

**C. Guardians and Surrogates**

- A court may, by order, designate someone to act as guardian for a child, such as when the natural parents are deceased, disabled, or otherwise unable to fulfill their roles as parents.
- The court-appointed guardian is entitled to all of the rights of a parent unless otherwise specified by court order or prohibited by law. If a public agency is appointed as guardian for a child, the agency representative cannot make educational decisions for the child with respect to special education. In such public agency cases where a child has been identified as eligible to receive services under the *Individuals with Disabilities Education Act* (IDEA) or is suspected of having a qualified disability, a surrogate decision maker should be appointed by the superintendent of schools or designee to represent the child in matters related to the identification, evaluation, placement, and provision of a free and appropriate public education. For assistance with the appointment of a surrogate decision maker, please

contact the Resolution and Compliance Office in the Office of Special Education at 240-740-3230.

D. Informal Kinship Care

- Informal Kinship Care applies when a child who is already a resident of the State of Maryland lives with a close relative due to a specific family hardship. There is no formal court order or guardianship in these cases. It may be helpful to enlist the help of the school's pupil personnel worker in these matters.
- The relative taking care of the child should complete MCPS Form 334-17, *Affidavit: Children in Informal Kinship Care*, in order to enroll and make educational decisions for the child. *See this Manual* for additional guidance.

E. Best Interest Attorneys and Child Advocates

- Courts may appoint Best Interest Attorneys and Child Advocates to represent children in an action involving custody, visitation, child support, and/or child abuse cases.
  - A *Best Interest Attorney* (also known as a Guardian *ad Litem*) is appointed by the court to make an assessment of the best interest of the child and then to advocate for that position in legal proceedings (even if it is not what the child wants).
  - *Child Advocates*, conversely, are appointed to provide a child with independent legal representation and advocate for the child's wishes.
- The extent of the duties of Best Interest Attorneys and Child Advocates is set forth by the court in the order appointing them. If the Best Interest Attorney or Child Advocate requests access to student records, schools must request a copy of the court order appointing them. If the court order provides for such access, either explicitly or such access is necessary to the court-ordered duties of that person, then schools should take reasonable steps to comply, including speaking with the best interest attorney or child advocate. If you have questions concerning your interactions with someone purporting to be a court-appointed Advocate or Best Interest Attorney, questions should be directed to [OGCIntake@mcpsmd.org](mailto:OGCIntake@mcpsmd.org) or (240) 740-5600.

IV. Enrollment

Enrollment issues require additional analysis in the context of child custody disputes. School staff are encouraged to consult with OSSSI and/or the International Admissions and Enrollment Office in the Office of Student and Family Support and Engagement at (240) 740-4500, regarding child custody related enrollment issues.

- Absent evidence to the contrary, for purposes of enrollment, MCPS will consider the student's *bona fide* residence to be either the residence of the parent to whom sole custody



is awarded, or the parent with whom the student regularly resides if sole custody has not been awarded.

- As families enter a myriad of arrangements to meet the needs of both children and parents, determination of where a student regularly resides is a fact-based analysis that takes into consideration where the student is living on school days, as well as any agreement or court order. For example:
  - If a student spends only alternating weekends at Parent A's home, Parent A's home would not likely be considered the *bona fide* residence.
  - If a student's time is split evenly between the parents (e.g., in the 1st & 3rd week, the student stays for four days at Parent A's house and three days at Parent B's house; in the 2nd & 4th week, the student stays three days at Parent A's house and four days at Parent B's house), either home likely could be identified as the *bona fide* residence, absent other relevant circumstances.
  - If a student spends all weekdays at Parent A's home and all weekends at Parent B's house, Parent A's home would likely be considered the *bona fide* residence.
- When families' schedules are less consistent than the examples above or there are multiple children within a family who do not keep the same schedule, it is important to be able to carefully and fully assess the totality of the circumstances in making the determination as to where students regularly reside.

**Related Sources:**

Board of Education Policy JEA, *Residency, Tuition and Enrollment*; MCPS Regulations ABC-RA, *Parent and Family Involvement*; MCPS Regulation JEA-RB, *Enrollment of Students*; MCPS Regulation JOA-RA, *Student Records*; *MCPS Student Record Keeper Manual*; *Family Educational Rights and Privacy Act*, 20 U.S.C. § 1232g; 34 C.F.R. § 99; *Individuals with Disabilities Education Act* (IDEA), 20 U.S.C. § 1400, *et seq.*; Section 504 of the Rehabilitation Act of 1973, 29 U.S.C. § 794; *McCarty v. McCarty*, 807 A.2d 1211(2002); *Taylor v. Taylor*, 508 A.2d 964(1986); Md. Code Ann., *Family Law* §§ 1-202, 4-505, 5-203 and 5-325; Md. Code Ann., *Education* § 8-412; *Code of Maryland Regulations* 13A.08.02, *et seq.* and 13A.08.05.01, *et seq.*

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**BOARD POLICIES AND MCPS REGULATIONS WEBSITE**

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All Board Policies and MCPS Regulations are available on the MCPS website, and many are translated to Spanish, French, Chinese, Vietnamese, Korean, and Amharic. To access the website,

- Go to the MCPS home page at <http://www.montgomeryschoolsmd.org/>
- Search Policy

This will take you to the Policy and Regulation site at  
<http://www.montgomeryschoolsmd.org/departments/policy/>

From this site, you can search for policies and regulations by key words or if you know the specific policy or regulation, you can access it through the index.

This website will always have the most current version of all policies and regulations. If you have a hard copy of a policy or regulation, please check the website to make sure it is the most up-to-date version as policies and regulations are subject to change.

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## **BOARD POLICIES AND MCPS REGULATIONS REGARDING ATTENDANCE, ENROLLMENT, AND RECORDS**

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[Board Policy JEA, \*Residency, Tuition, and Enrollment\*](#)

[MCPS Regulation JEA-RA, \*Student Attendance\*](#)

[MCPS Regulation JEA-RB, \*Enrollment of Students\*](#)

[MCPS Regulation JEA-RC, \*Enrollment and Placement of International and Foreign Students\*](#)

[MCPS Regulation JEA-RD, \*Enrollment of Homeless Student\*](#)

[MCPS Regulation JEA-RE, \*Tuition-based Enrollment\*](#)

[Board Policy JEB, \*Early Entrance to Prekindergarten, Kindergarten, and First Grade\*](#)

[MCPS Regulation JEB-RA, \*Placement, Promotion, Acceleration, and Retention of Students\*](#)

[Board Policy JEC, \*Placement, Promotion, Acceleration, and Retention\*](#)

[MCPS Regulation JEC-RA, \*Student Withdrawals from Classes and School\*](#)

[Board Policy JEE, \*Student Transfers\*](#)

[MCPS Regulation JEE-RA, \*Student Transfers and Administrative Placements\*](#)

[MCPS Regulation JEG-RA, Home Instruction](#)

[MCPS Regulation JOA-RA, Student Records](#)

### **Board Policies and MCPS Regulations on Other Pertinent Topics**

[MCPS Regulation IOE-RA, Guidelines for the Continuing Education of Pregnant or Parenting Students](#)

[MCPS Regulation IOE-RB, Interim Instructional Services](#)

[MCPS Regulation IOH-RA, Mental Health Referrals](#)

[MCPS Regulation IOI-RA, Placement Procedures for Alternative Programs](#)

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### **MCPS FORMS WEBSITE**

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To access the forms website,

- Go to the MCPS home page at <http://www.montgomeryschoolsmd.org/>
- Search Forms

This will take you to the Forms site at

<http://www.montgomeryschoolsmd.org/departments/forms/>.

From this site, you can search for forms by the form number, title, part of the title, or by keywords.

If you have a hard copy of a form, please check the website to make sure it is the most up-to-date version as forms are subject to frequent changes.

If you have questions about forms, email: [mcpsforms@mcpsmd.org](mailto:mcpsforms@mcpsmd.org)

A significant number of forms are available on the MCPS website in electronic format in Adobe Acrobat Portable Document Format (PDF) on the Web, and many are translated to Spanish, French, Chinese, Vietnamese, Korean, and Amharic. All forms are interactive fill-in forms and may be printed as regular documents. This service will continue to expand as forms are developed and updated. Please note that the forms can only be accessed using Acrobat Reader 8.0 or higher.

## OUTLOOK CONFERENCES FOLDERS

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To access Outlook Conferences Folders,

- Go to Outlook
- Click on Public Folders, All Public Folders, and Conferences
- Click on Employee Association, you will see under Employee Association, Admin. Secretaries, Attendance Secretaries, click on each and then right click and add to favorites.

To access Students Records Managements Folder,

- Under Conferences, click on Management Functions
- Then click on Student Records Management, right click and add to favorites

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## MCPS FORMS INVOLVING ENROLLMENT, WITHDRAWALS, AND RECORDS

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[MCPS Form 560-24, \*New Student Information\*](#)

[MCPS Form 565-1, \*Student Emergency Information \(Yellow Card\)\*](#)

[MCPS Form 335-74, \*Shared Housing Disclosure\*](#)

[MCPS Form 560-34, \*Documentation of Residency Through Home Visit\*](#)

[MCPS Form 334-17, \*Affidavit: Children in Informal Kinship Care\*](#)

[MCPS Form 560-35, \*Enrollment of Child in Maryland State-Supervised Care and Transfer of Educational Records\*](#)

[MCPS Form 335-77, \*Homeless Status\*](#)

[MCPS Form 335-77B, \*Homeless Student Transportation Action Request \(HSTAR\)\*](#)

[MCPS Form 550-2, \*Authorization to Request/Release Student Records\*](#)

[MCPS Form 560-21, Secondary Student Withdrawal/Clearance Form](#)

[MCPS Form 560-20, Elementary Student Withdrawal/Clearance](#)

[MCPS Form 565-4, Student Permanent Withdrawal](#)

[MCPS Form 281-13, Annual Notice for Directory Information and Student Privacy](#)

[MCPS Form 226-7, Student Records Review and Update Verification Certification Statement](#)

[MCPS Form 226-19, Verification of Enrollment](#)

[MCPS Form 336-32, Authorization for Release/Exchange of Confidential Information](#)

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## MCPS HELP DESK

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The Help Desk provides technology support including operational and maintenance services, information and assistance. For immediate assistance or emergencies call 301-517-5800 Monday-Friday, 7 am to 5 pm.

To access the Help Desk website:

- Go to the MCPS home page at <http://www.montgomeryschoolsmd.org/>
- Click the “Staff” tab at the top of the page
- Click the “Resources” tab under the picture
- In the center of the page under “Help and Support”, click “Help Desk”

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## HOMELESS GUIDELINES 240-740-4511

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To access the Homeless Student Enrollment website:

- Go to the MCPS home page at <http://www.montgomeryschoolsmd.org/>
- Click the “Parents” tab at the top of the page
- Click the “Resources” tab under the picture, click “How to Enroll General Information”
- Under Step 2: Identify and contact the school, click “Enrolling homeless students”

## MSDE

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The Student Services and Strategic Planning Branch (SSSP) of MSDE is responsible for providing leadership and technical assistance to local school systems with the implementation of programs and initiatives to facilitate the emotional, mental, social, and physical health of all students. These programs and initiatives include school counseling and career development, school psychology, pupil personnel, school social work, school health services, safe and drug-free schools, dropout prevention and alternative programs, home instruction, and initiatives to reduce disruption and violence, address at-risk behaviors, and facilitate achievement. The branch works collaboratively with other agencies, community organizations, and stakeholder groups around these initiatives. To access the SSSP website, click the link below:

<http://marylandpublicschools.org/about/pages/dsfss/sssp/index.aspx>

- *The Maryland Student Records System Manual* is produced by the Maryland State Department of Education and incorporated by reference into the Code of Maryland Regulations.

To access the manual,

- Go to <https://marylandpublicschools.org/about/Documents/OCP/Publications/2020-Maryland-Student-Records-System-Manual.pdf>

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## TEMPLATE LETTERS

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SCHOOL LETTERHEAD

DATE

PARENT/GUARDIAN  
ADDRESS  
ADDRESS

RE: **Student Name**  
Student ID: **XXXXXX**

Dear Mr./Ms.:

This letter is to inform you that **STUDENT NAME is not eligible to continue attending SCHOOL NAME** because it has come to my attention that you do not maintain a bona fide residence within the established attendance area of **SCHOOL NAME**. According to Montgomery County Public Schools (MCPS) Regulation JEA-RB, *Enrollment of Students*, bona fide residence is one's principal residence, maintained in good faith, and does not include a residence established for convenience or for the purpose of free school attendance in MCPS. School staff has made numerous attempts to document your residency at **X ADDRESS. PROVIDE A SUMMARY OF THE EFFORTS MADE WHICH SHOULD INCLUDE A HOME VISIT TO THE ADDRESS.**

Because we are unable to document your residency within our school established attendance area, your student will be withdrawn from **SCHOOL** on **DATE (15 CALENDAR DAYS FROM DATE OF LETTER)**.

You may appeal the decision to withdraw your student from **SCHOOL**, in accordance with the procedures outlined in KLA-RA, *Responding to Inquiries and Complaints from the Public*. For further information on the appeal process, please contact the Division of Appeals team at 240-740-4130 or [DivisionofAppeals@mcpsmd.org](mailto:DivisionofAppeals@mcpsmd.org).

Sincerely,

Principal

Copy to:  
File  
Appeals/Transfers Team  
International Admissions and Enrollment

TEMPLATE PERMISSION TO COMPLETE THE SCHOOL YEAR LETTER

SCHOOL LETTERHEAD

DATE

PARENT/GUARDIAN

ADDRESS

ADDRESS

RE: **Student Name**

Student ID: **XXXXXX**

Dear **Mr./Ms.:**

You have informed me that your family has moved out of Montgomery County as of DATE. Because this move has taken place during the fourth quarter of the school year, Montgomery County Public Schools (MCPS) will permit STUDENT NAME to remain enrolled at **SCHOOL** until the end of the current school year. Once the school year is completed, you must withdraw **STUDENT NAME** from MCPS.

I wish your student a successful completion of the school year.

Sincerely,

Principal

Copy to:

File

International Admissions and Enrollment



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## STANDBY GUARDIANSHIP LAW

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- On May 15, 2018, Governor Larry Hogan signed a new standby guardianship law for parents in adverse immigration actions, designed to allow parents in danger of being detained or deported, to designate standby guardians for their children.
- The Maryland State Department of Education recently shared guidance regarding the law. The written designation of the standby guardianship may be signed by the parent or someone else directed by the parent to sign. The powers and duties of the standby guardian include:
  - Providing food and shelter;
  - Making educational decisions and taking educational actions such as picking children up from school; and Making medical treatment decisions and consulting with health care providers.
- Please see the following information including the Parental Designation and Consent to the Beginning of Standby Guardianship, Standby Guardianship Frequently Asked Questions, and a Standby Guardianship Timeline.

## STANDBY GUARDIANSHIP FREQUENTLY ASKED QUESTIONS

The state law allows a parent who is subject to an adverse immigration action to privately designate another adult to care for minor children. The Standby Guardian for a minor child serves for a period of 6 months from the date that the parent experiences an adverse immigration action and has signed the Parental Designation and Consent to the Beginning of Standby Guardianship form (hereinafter: "Designation and Consent form"). The parents at all times retain all of their parental rights and may revoke the standby guardianship at any time. If the Standby Guardian needs to serve more than 6 months he/she must file a petition for judicial appointment of standby guardianship with the Circuit Court or orphans court in the county in which the child is living before the end of the 6 month Standby Guardianship period.

This law is important because it allows parents to do emergency planning in order to safeguard the future of their children and to make provisions for their children to be in the care of someone they trust. The Standby Guardian can be authorized to apply for SNAP (food stamps), medical insurance or other benefits for the child as well as enroll the child in school, make domestic and international travel arrangements for the child and manage the child's health and educational well-being.

Contact the International Admissions and Enrollment office, at 240-740-4500; or Mr. Steve Neff, director, Pupil Personnel and Attendance Services, at 240-740-5620 or via email.