



ADMINISTRATIVE PROCEDURE

INFORMAL CARE ARRANGEMENTS AND THE ENROLLMENT NON-RESIDENT STUDENTS

5118.1
Procedure No.

August 1, 2015
Date

- I. **PURPOSE:** To provide procedures for the enrollment of resident and non-resident students by individuals other than a parent or court-appointed guardian, the determination of school assignments for such students, and establishing a requirement for tuition payments for non-resident students, unless a tuition waiver is granted.

This procedure is outlined as follows:

	Section	Page
I.	Purpose	1
II.	Background information	2
III.	Definitions	2
IV.	Procedures <ul style="list-style-type: none"> A. Committee on Informal Kinship Care/Tuition Waivers B. Designation of Informal Caretaker C. Permission to Enroll a Non-Resident Student D. School Assignment 	3-8
V.	Tuition Requirements <ul style="list-style-type: none"> A. Students not required to pay tuition B. Students required to pay tuition, unless waiver is granted C. Tuition fees D. Waiver of tuition fees E. Guardianship F. Appeals of waiver denial 	8-13
VI.	School Registration Process (for PGCPS personnel)	13
VII.	Legal References	14
VIII.	Related Procedures	15
IX.	Maintenance and update of these procedures	15
X.	Cancellations and supersedures	15
XI.	Effective date	15



ADMINISTRATIVE PROCEDURE

INFORMAL CARE ARRANGEMENTS AND THE ENROLLMENT NON-RESIDENT STUDENTS

5118.1
Procedure No.

August 1, 2015
Date

II. **BACKGROUND INFORMATION:**

Typically, only a birth parent or court-appointed adult is permitted to enroll a child in Prince George's County Public Schools and registration is limited to parent(s) / guardians who are residents of the County. This procedure provides for the enrollment of a student by someone other than a parent or court appointed guardian. Upon application, students will be conditionally enrolled for a period of up to 30 days, pending verification of all required documents.

In accord with Board Policy 5118, this procedure also establishes a Committee on Informal Kinship Care / Tuition Waiver to act as the Chief Executive Officer's designee on matters of Informal Kinship Care, tuition waivers and authorization to enroll by a County resident who is not the parent or guardian of a student.

Unless a waiver of tuition is granted as detailed below, tuition must be paid on behalf of all non-resident tuition students.

III. **DEFINITIONS:** The following definitions apply to the content of these procedures:

- A. Bona Fide Residents – Any parent(s) or court-appointed guardian(s) actually residing and maintaining their principal residence in Prince George's County. The actual residence must be maintained in good faith and does not include a temporary residence or a superficial residence established for the purpose of school attendance.
- B. Committee – The Committee on Informal Kinship Care/Tuition Waiver, which acts as the Chief Executive Officer's designee on matters involving the enrollment of non-resident students; the designation of a non-parent, non-guardian county resident as an informal caretaker; the determination of eligibility for Informal Kinship Care as defined in State law; and the waiver of tuition, when appropriate.
- C. Court appointed guardian – Any individual who has been authorized by a court order to be the legal guardian for a student.
- D. Foreign Exchange Student – A student who is not a U.S. Citizen and who is participating in a foreign exchange program recognized by the Board of Education.
- E. Foster Home – Family home in which the child is placed in foster care by another government agency, such as a licensed placement agency, by a local Department of Social Services, by the Secretary of the Department of Health and Mental Hygiene, by the Juvenile Services Administration or by a Court of competent jurisdiction.



ADMINISTRATIVE PROCEDURE

INFORMAL CARE ARRANGEMENTS AND THE ENROLLMENT NON-RESIDENT STUDENTS

5118.1
Procedure No.

August 1, 2015
Date

- F. Group Home – A licensed residential facility for children in need of supervision, who have been placed in the custody of the State Department of Juvenile Services by appropriate Court Orders.
- G. Informal caretaker – An adult who has informally assumed responsibility for a child for purposes of enrollment and educational decision-making in PGCPS. The adult may or may not meet the criteria for “Informal Kinship Care” as defined in State law.
- H. Informal Kinship Care – A living arrangement in which a relative of a child, who is not in the care, custody, or guardianship of the local department of social services, provides for the care and custody of the child due to a serious family hardship as defined in State law.
- I. International student - A student who was born outside of the United States, has school records from outside of the United States, or whose native language is not English.
- J. Non-resident Student: A student whose parent(s) or court-appointed guardian(s) are not bona fide residents of Prince George’s County, regardless of whether the student actually lives with friends or relatives who do live within the County.
- K. Pre-adoptive home: A home where students are awaiting adoption following placement by a licensed agency recognized by the State and the filing of an adoption petition.
- L. Serious Family Hardship – As defined in State law, this term means the parent or legal guardian of the child is (1) deceased; (2) seriously ill; (3) drug addicted; (4) incarcerated; (5) absent due to abandonment of the child; or (6) assigned to active military duty. In accord with State law, documentation supporting the claimed hardship shall be provided and verified by the Committee in making the determination.

IV. **PROCEDURES:**

A. **Committee on Informal Kinship Care/Tuition Waivers**

- 1. The Committee on Informal Kinship Care / Tuition Waivers (the Committee) will implement the procedures for enrollment of non-resident students. The Committee shall consist of representatives of the Office of Pupil Accounting and School Boundaries, the Office of General Counsel, the Division of Student Services or other professional staff as deemed appropriate by the Chief Executive



ADMINISTRATIVE PROCEDURE

INFORMAL CARE ARRANGEMENTS AND THE ENROLLMENT NON-RESIDENT STUDENTS

5118.1
Procedure No.

August 1, 2015
Date

Officer or his designee. The Committee will be chaired by the Director of Pupil Accounting and School Boundaries.

2. Adverse decisions by the Committee may be appealed to the Office of Appeals acting for the Chief Executive Officer as detailed in Section F. below.

B. Designation of Informal Caretaker

1. Enrollment of a student by an adult other than the parent or court appointed guardian requires the designation as an informal caretaker by the Committee. In addition, the consent of the parent or court appointed guardian most recently in charge of the student is also required, unless the Committee determines that obtaining such consent would be impractical. Once approved by the Committee, the informal caretaker may act in lieu of the parent as an educational decision maker.
2. It is the responsibility of the informal caretaker to inform the Committee within two weeks of any change in the care, custody or guardianship circumstances of the student.
3. Several circumstances may result in the Committee terminating the informal caretaker status, including, but not limited to:
 - a) The parent or court-appointed guardian exerting his/her authority over the student;
 - b) Award of permanent guardianship or custody to the informal caretaker by a Court of competent jurisdiction; or
 - c) A change in the informal caretaker's care or living arrangement.
4. Upon authorization by the Committee, a student living with an informal caretaker may be enrolled in PGCPS provided that:
 - a) The student is residing in the County with the designated informal caretaker; or
 - b) The student is residing in an adjacent jurisdiction within commuting distance and approval was issued to complete the school year or the terminal year;
 - c) Proper enrollment forms are completed with supporting documentation; and



ADMINISTRATIVE PROCEDURE

INFORMAL CARE ARRANGEMENTS AND THE ENROLLMENT NON-RESIDENT STUDENTS

5118.1
Procedure No.

August 1, 2015
Date

- d) Tuition is paid where required by these procedures.
5. Upon application, students will be conditionally enrolled for a period of up to 30 days, pending verification of all required documents.
6. Designation as an informal caretaker expires at the end of each school year. In approving a request for recognition as an informal caretaker, the Committee shall determine if subsequent approval(s) will require a new application and interview or if approval may be granted with a streamlined process without an interview.
7. Informal caretaker status is intended to address short term circumstances when the parent is unavailable and is not intended to be a substitute for obtaining formal guardianship or pursuing a student transfer by the parent. Permission to act as an informal caretaker for enrollment is not automatic.

C. Permission to enroll a non-resident student

1. Any bona fide resident of the County serving as an informal caretaker may request recognition as such or as an Informal Kinship Care provider and will automatically be considered for a waiver of tuition if the parent(s), court-appointed guardian(s) or relative(s) are County residents. Proof of county residence by the applicant shall be submitted at the time of the application.
2. Application process for recognition as an informal caretaker or Informal Kinship Care provider:
 - a) Complete an Application to Enroll a Non-Resident Student;
 - b) Complete an interview with a Committee member;
 - c) Submit an original birth certificate and any relevant court documents concerning the guardianship or custody of the student. If only a copy of the birth certificate is available at the time of the interview, the Committee may continue considering the merits of the request.
 - d) Submit documentation or proof that supports a claim of hardship.
 - e) Include a notarized statement from the parent in whose care the student was most recently under, if the applicant is not a parent of the child and does not have a permanent court appointed guardianship. The Committee may waive that



ADMINISTRATIVE PROCEDURE

INFORMAL CARE ARRANGEMENTS AND THE ENROLLMENT NON-RESIDENT STUDENTS

5118.1
Procedure No.

August 1, 2015
Date

requirement if it determines that obtaining such consent is impractical.

3. School personnel should assist the applicant in arranging for an interview appointment with the Office of Pupil Accounting and School Boundaries. Interviews of applicants on behalf of international students may be conducted by the International Student Counseling Office.
4. When considering the renewal of a previously granted recognition, the Committee may waive the requirement for an interview.
5. Following the interview, the applicant may be afforded a limited time to supplement the information provided in support of the application in advance of a decision by the Committee. In instances where the interview and supplied documentation is sufficient for the Committee to make a determination, the Committee may issue a decision letter without granting additional time or a temporary authorization to enroll.
6. If an immediate determination cannot be made by the Committee, a temporary authorization to enroll shall be conditionally granted for a period up to thirty (30) days while the applicant obtains additional documentation or the Committee verifies required documentation to support the request.
7. The applicant is advised that he/she will receive a letter from the Chairperson of the Committee stating whether the recognition as an informal caretaker or Informal Kinship Care provider is approved or denied and whether tuition shall be required. Whenever possible, any letter issued to an individual under this procedure will be provided in a home language the parent/guardian or applicant can understand. The International Student Counseling Office and the Office of Interpreting and Translation (OIT) will assist with interpreting and translation of letters, where needed.
8. If the request for enrollment is approved, the applicant and the assigned school will be provided a letter authorizing the student's enrollment by the applicant. Any limitation on the duration of the enrollment will be noted in the authorization letter. With the letter, the applicant and the student may report to the school and follow the registration procedure as outlined in Administrative Procedure 5111.
9. If the request for enrollment is denied, the Committee's decision will be communicated in writing and the applicant will be advised of the right to appeal the Committee's decision under Section F below.



ADMINISTRATIVE PROCEDURE

INFORMAL CARE ARRANGEMENTS AND THE ENROLLMENT NON-RESIDENT STUDENTS

5118.1
Procedure No.

August 1, 2015
Date

D. School Assignment:

1. Upon designation of a county resident as an informal caretaker, the Committee will identify the neighborhood school in which the student will be allowed to enroll without additional permission.
2. The neighborhood school for a nonresident student shall be assigned as follows:
 - a) A student residing within the County with an informal caretaker whose parents / guardians are not County residents is assigned to the neighborhood school serving the residence of the informal caretaker.
 - b) Any student residing outside of the County is assigned to the school nearest his/her residence, subject to the following exceptions:
 - i. A student who moves out of County but desires to complete the school year may be permitted to continue enrollment at the school in which the student was enrolled immediately prior to the relocation, subject to the conditions below.
 - ii. A student whose parents provide a notarized statement and supporting documentation indicating that they will assume occupancy of a property in the County within thirty (30) days may be approved to enroll at the neighborhood school serving the intended residence.
 - c) Where the school which would normally be assigned according to the above does not offer the program required, or the assignment would otherwise adversely affect other school system goals, another school assignment may be offered by the Committee.
 - d) With the exception of children in an approved Informal Kinship Care arrangement, nonresident children living in a pre-adoptive home or children in the care of a foster home or group home, are not permitted to apply for admission to a charter school or other specialty program, which are reserved by law for County residents only.



ADMINISTRATIVE PROCEDURE

INFORMAL CARE ARRANGEMENTS AND THE ENROLLMENT NON-RESIDENT STUDENTS

5118.1
Procedure No.

August 1, 2015
Date

V. Tuition Requirements

A. Students not required to pay tuition :

1. Students who are bona fide residents between 18 years – 21 years of age by the first day of school and have not received a high school diploma.
2. Students who are adults and who establish their own legal residence in the County independent and separate from their parents, provided they submit proof of residency in the County.
3. Students who are under the age of 18 but have been emancipated by marriage or the action of a Maryland Court, have not received a high school diploma, and who establish their own legal residence in the County. These students must provide proof of residency in the County, in addition to a marriage certificate or court order, as appropriate.
4. A Student who has completed Grade 11 in a Prince George's County public school, and whose parent(s) document that they were bona fide residents of the County at the end of the school term and have since left the County, may be admitted as a nonresident Student in Grade 12 tuition free providing:
 - a. Student is in temporary custody and care of another adult bona fide resident of Prince George's County, and it would be an educational advantage to the Student to graduate from the high school previously attended; or
 - b. Student who has moved to a neighboring County in the State of Maryland and within commuting distance of the high school previously attended and that it would be an educational advantage to the Student to graduate from the high school previously attended.
5. Students who are foreign exchange students sponsored by an approved exchange program recognized by the Board of Education.
6. Students living with relatives due to a serious family hardship in an Informal Kinship Care arrangement as defined by State law and approved by the Committee.



ADMINISTRATIVE PROCEDURE

INFORMAL CARE ARRANGEMENTS AND THE ENROLLMENT NON-RESIDENT STUDENTS

5118.1
Procedure No.

August 1, 2015
Date

7. Students placed by a Prince George's County agency into a county foster care, group home or pre-adoptive home.

B. Students required to pay tuition, unless a waiver is granted:

1. Students residing with a designated informal caretaker who does not meet the standard for Informal Kinship Care under State law, but who was given permission to enroll the student in a Prince George's County Public School.
2. Students whose families do not provide written documentation establishing their residence in the PGCPS school boundary area within thirty (30) calendar days after date of entry.
3. Students placed by an out of county or out of state agency into a Prince George's County foster care, group home or pre-adoptive home.
4. All Students Kindergarten through Grade 11 whose families move outside of Prince George's County during the school year may complete the school year in a County school with the payment of tuition beginning at the time the family moves. Students in Grade 12 will be required to pay tuition beginning at the time the family moves if they move outside of the State of Maryland.
5. Students living outside of Prince George's County in adjacent Counties within the State of Maryland, and where a Prince George's County public school is their nearest school may be admitted upon approval of the local superintendent from the home school system. Tuition is required by the sending County.
6. Students, whose parent(s) or guardian(s) is/are not residents of Prince George's County, who are patients at hospitals, sanatoria, or convalescent homes, located in Prince George's County may be admitted.

C. Tuition Fees

1. Tuition rates for nonresident Students shall be established by the Board of Education. Such rates shall be adjusted annually upon recommendation of the Chief Executive Officer.



ADMINISTRATIVE PROCEDURE

INFORMAL CARE ARRANGEMENTS AND THE ENROLLMENT NON-RESIDENT STUDENTS

5118.1
Procedure No.

August 1, 2015
Date

2. Parent(s) or guardian(s) of all nonresident Students will be required to pay the full tuition rate for one school year unless waived by the Committee. The tuition fee is prorated on a daily basis (180 school days) and adjusted accordingly for the period of enrollment for any Student enrolled for less than one school year.
3. The tuition rate for Students whose parent(s) or guardian(s) are residents of another state or country is the total cost of educating a Student based on the current year's estimated expenditures and the estimated enrollment for the year, adjusted for student specific program requirements.
4. The tuition rate for Students whose parent(s) or guardian(s) are residents of Maryland, but not Prince George's County, is the County cost of educating a Student based on the estimated expenditures and the estimated enrollment for that year, adjusted for student specific program requirements.

D. **Waiver of tuition fees**

The Committee may approve a waiver of tuition upon one of the following:

1. Circumstances involving extreme financial hardship of parent(s) or guardian(s), such as:
 - a. Financial conditions of parent(s) or guardian(s) prohibit them from providing adequately for the Student. It must be proven to the satisfaction of the Committee that the Student cannot live at home. Documentation of financial conditions may be required.
 - b. Financial hardship caused by illness or death in the Student's home must be proven to the satisfaction of the Committee that the Student cannot live at home. Medical reports substantiating the hardship may be required.
2. Circumstances involving extremely poor or untenable conditions in home of parent(s) or guardian(s) or a serious family hardship, such as:
 - a. Physical or medical condition of parent(s) or guardian(s) is such that they cannot provide care and supervision for Student. It must be to the satisfaction of the Committee that the Student cannot live at home. Documentation and/or medical reports may be required.



ADMINISTRATIVE PROCEDURE

INFORMAL CARE ARRANGEMENTS AND THE ENROLLMENT NON-RESIDENT STUDENTS

5118.1
Procedure No.
August 1, 2015
Date

- b. Inadequate or undesirable physical conditions of the home must be proven to the satisfaction of the Committee that the Student cannot live at home. Documentation may be required.
 - c. Unstable family relationships or conditions having a detrimental effect on the Student must be proven to the satisfaction of the Committee that the Student cannot live at home. Statements or reports from knowledgeable parties within the community may be required.
 - d. Home conditions as a result of death, illness, addiction, incarceration, temporary removal of the Student by parent(s) or guardian(s) or the abandonment of the Student by parent(s) or guardian(s) must be proven to the satisfaction of the Committee that the Student cannot live at home. Documentation may be required.
3. No waiver of tuition may be granted for any of the following conditions:
- a. Where adequate financial support is provided to the custodian of the Student pursuant to Court Order, Separation Agreement, parent(s) or guardian(s), financial hardship cannot be claimed.
 - b. Where quality of education is primary reason for Student's change of residence.
 - c. Where conditions of Student's former school district, such as, achievement levels, racial balance or overcrowding is primary reason for move.
 - d. Where factors are related to the convenience of any of affected parties.
 - e. Where providing assistance to Student in natural home would be as effective and beneficial as a change in residence for Student.
 - f. Where factors related to Student's previous school or Court records indicate that appropriate placement cannot be provided in County public schools.
3. No waiver of tuition shall be granted for a period exceeding the current school year in which a tuition waiver is granted.



ADMINISTRATIVE PROCEDURE

INFORMAL CARE ARRANGEMENTS AND THE ENROLLMENT NON-RESIDENT STUDENTS

5118.1
Procedure No.

August 1, 2015
Date

E. Guardianship:

1. If financial hardship or home conditions are such that custody of a student is transferred from one parent to a guardian, or from one guardian to another guardian, such action must be proven by an Order of the Court. Notarized Statements are not acceptable. Proof of final action must be furnished to the Chairperson of the Tuition Waiver Committee.
2. In such a circumstance where guardianship proceedings are initiated, but not completed, conditional enrollment in school may be granted for a period not to exceed 120 calendar days. Additional extensions may be granted, up to the current school year, for extenuating circumstances if the individual satisfactorily demonstrates to the Committee his/her efforts to comply with the court's request(s) to obtain documentation needed to complete the guardianship petition.
3. In the event guardianship is denied or has not been obtained within 120 calendar days, or by any extended deadline from the Committee, tuition will be charged from the date of entry.

F. Appeals of Waiver Denial

1. If the Committee denies a request to enroll or determines that tuition must be paid, the decision must be in writing and include: (a) information regarding the party's appeal rights; and (b) a statement in English and Spanish explaining that interpreting and translation assistance may be available from the International Student Counseling Office or the Office of Interpreting and Translation to help the party understand the contents of the Committee's letter.
2. The party's appeal must be sent in writing to the Office of Appeals, acting as the Chief Executive Officer's designee. The Office of Appeals must receive appeals within ten (10) days of the date of the decision letter from the Committee. The appeal must specify the extenuating circumstances that warrant granting a tuition waiver.
3. The Office of Appeals will notify the Committee upon receipt of a written appeal regarding informal kinship care or tuition waivers. A currently enrolled student may not be withdrawn while the appeal is pending before the Office of Appeals.
4. The Office of Appeals shall consult with the Committee in considering the merits of the appeal and will issue its decision in writing. A copy of the Office of Appeals decision will be provided



ADMINISTRATIVE PROCEDURE

INFORMAL CARE ARRANGEMENTS AND THE ENROLLMENT NON-RESIDENT STUDENTS

5118.1
Procedure No.

August 1, 2015
Date

to the applicant and the Committee.

5. An appeal from the decision of the Office of Appeals to the Board of Education must be made in writing and received by the Board office within thirty (30) days of the date on the Office of Appeals' decision letter. If there is additional information presented by appellant in the appeal to the Board, the Office of Appeals will be given the opportunity to respond in writing, and shall provide a copy of its response to appellant, before the Board considers the appeal.
6. The Board's final decision will be rendered in writing and will be provided to the applicant, the Office of Appeals and the CEO.

VI. **School Registration Process (for PGCPS personnel):**

The following should be accomplished in the registration and enrollment of non-resident student(s):

- A. School Registrars should have the parent(s), guardian(s), or other sponsor(s), as may be appropriate, complete the Registration Form (PA-14) and collect the standard proof of age, immunization and most recent school records.

The Application for Enrollment of a Non-resident Student (PA-26) and the payment of tuition unless explicitly waived must be submitted along with the normal proof of residence to complete the enrollment at a neighborhood school. Charter Schools, dedicated program schools may not accept non-resident students without a letter of approval for the current school year from the Office of Pupil Accounting and School Boundaries, the Office of Appeals or the Board of Education.

- B. The appropriate amount of tuition to be charged can be determined by referring to the current NON-RESIDENT TUITION RATE SCHEDULE. Applicant may pay the total cost at the time of registration, but the minimal payment schedule would be on a quarterly basis.
- C. Send the Application to Enroll Non-resident Tuition Student (PA-26/27) and the check for tuition to the Treasurer's Office with a copy to the Office of Pupil Accounting and School Boundaries. Each document should clearly indicate the family member / student identification number(s) to which the form and payments apply.



ADMINISTRATIVE PROCEDURE

INFORMAL CARE ARRANGEMENTS AND THE ENROLLMENT NON-RESIDENT STUDENTS

5118.1
Procedure No.

August 1, 2015
Date

- D. Students who are under the guardianship of a public agency may be enrolled after authorization by the Office of Pupil Accounting and School Boundaries, completion of an Application to Enroll a Non-Resident Student (PA-26/27), the standard proof of age, residence, immunization and most recent school records.
- E. School personnel are responsible for collecting the tuition fees for students not under the guardianship of a public agency. Checks should be made out to the Prince George's County Public Schools and should clearly indicate time period and the student identification number(s) to which the payments apply. Do not accept cash for payment of tuition fees.

All regular, subsequent payments should be collected according to the non-resident tuition rate schedule, which is published each year. These subsequent payments should also be forwarded to the Treasurer's Office and should clearly indicate the time period and student identification number(s) to which the payments apply.

All tuition fees must be kept in a current status or withdrawal and exclusion from school by the principal is required. Therefore, all tuition fees must be paid by the start of the fourth quarter.

For any student whose tuition account is not paid in full, records cannot be released to any other school. Student may not be re-admitted to any County school.

- G. Assign Tuition Status Code: For students where tuition is required, the school should indicate in the Student Information System (SchoolMax) the appropriate tuition code. In general, the codes are used in combination with the residence of student's parents / guardians, the student's grade level and Individualized Education Plan (IEP) if one exists to determine the appropriate tuition. Specific guidance for schools on the use of tuition codes is available from Student Accounting and School Boundaries.

- VII. LEGAL REFERENCES:** Maryland Code, Education Article, sections 4-122.1 (Education of child in informal kinship care relationship); 7-101 (Admission of students; location; kindergarten programs); 7-102 (Disclosure affidavits for parents of children entering Prince George's County schools); COMAR 13A.02.06.02 (Local School Administration); and COMAR 13A.08.05 *et seq.* (Informal kinship care)



ADMINISTRATIVE PROCEDURE

INFORMAL CARE ARRANGEMENTS AND THE ENROLLMENT NON-RESIDENT STUDENTS

5118.1
Procedure No.

August 1, 2015
Date

-
- VIII. **RELATED PROCEDURES:** Board Policy 5118, Nonresident Students; Administrative Procedure 5111, Registration and Withdrawal of Students and Administrative Procedure 5112, Foreign Exchange Students.
- IX. **MAINTENANCE AND UPDATE OF THESE PROCEDURES:** These procedures originate with the Office of Pupil Accounting and School Boundaries and will be updated as needed.
- X. **CANCELLATIONS AND SUPERSEDURES:** This procedure supersedes AP 5118.1, dated September 7, 1982 and AP 5118.2, dated September 1, 1986. This procedure further cancels AP 5118.2, Tuition Waivers for Non-Resident Students, dated September 1, 1986.
- XI. **EFFECTIVE DATE:** August 1, 2015.

Distribution: All Administrative Handbook Holders