

HOUSE BILL 384

F3
HB 977/11 – W&M

2lr1534

By: **Delegates Olszewski, Boteler, Bromwell, Burns, DeBoy, Frank, Impallaria,
Minnick, Szeliga, and Weir**

Introduced and read first time: February 1, 2012

Assigned to: Ways and Means

A BILL ENTITLED

1 AN ACT concerning

2 **Baltimore County Public Schools – Enrollment and Transfer – Parental**
3 **Decision**

4 FOR the purpose of authorizing the parent or guardian of a student eligible for
5 enrollment in Baltimore County public schools to decide to enroll the student in
6 a public school in the county other than the public school to which the student
7 was assigned by the Baltimore County Board of Education beginning in a
8 certain school year; requiring the county board to publish certain classroom seat
9 information each year; requiring certain classroom seats to be open to certain
10 students on a space–available basis; requiring certain schools to enroll and
11 admit certain students on a lottery basis under certain circumstances; requiring
12 the county board to develop and adopt a certain process on or before a certain
13 date; authorizing certain students to attend certain schools for a certain period
14 of time; authorizing the county board to develop a certain policy that requires a
15 certain parent or guardian to sign a certain form regarding the transportation
16 of a certain student; providing that certain provisions of law may not be
17 construed to affect certain students who enroll or transfer schools under other
18 provisions of law or a certain federal law; and generally relating to a parent’s or
19 guardian’s decision to enroll or transfer a student in Baltimore County public
20 schools.

21 BY repealing and reenacting, with amendments,
22 Article – Education
23 Section 4–109
24 Annotated Code of Maryland
25 (2008 Replacement Volume and 2011 Supplement)

26 BY adding to
27 Article – Education
28 Section 4–110

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1 Annotated Code of Maryland
2 (2008 Replacement Volume and 2011 Supplement)

3 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF
4 MARYLAND, That the Laws of Maryland read as follows:

5 **Article – Education**

6 4–109.

7 (a) Subject to approval by the State Superintendent and in accordance with
8 the applicable bylaws, rules, and regulations of the State Board, a county board may
9 establish a public school if, in its judgment, it is advisable.

10 (b) On approval by the State Superintendent, any school established under
11 this section becomes a part of the State program of public education.

12 (c) With the advice of the county superintendent **AND SUBJECT TO § 4–110**
13 **OF THIS SUBTITLE**, the county board shall determine the geographical attendance
14 area for each school established under this section.

15 **4–110.**

16 **(A) THIS SECTION APPLIES IN BALTIMORE COUNTY ONLY.**

17 **(B) BEGINNING IN THE 2013–2014 SCHOOL YEAR AND IN ACCORDANCE**
18 **WITH THIS SECTION, THE PARENT OR GUARDIAN OF A STUDENT ELIGIBLE FOR**
19 **ENROLLMENT IN A PUBLIC SCHOOL IN THE COUNTY MAY DECIDE TO ENROLL**
20 **THE STUDENT IN A PUBLIC SCHOOL IN THE COUNTY OTHER THAN THE PUBLIC**
21 **SCHOOL TO WHICH THE STUDENT WAS ASSIGNED BY THE BALTIMORE COUNTY**
22 **BOARD OF EDUCATION.**

23 **(C) (1) (I) EACH YEAR, THE COUNTY BOARD SHALL PUBLISH THE**
24 **NUMBER OF AVAILABLE CLASSROOM SEATS AT EACH PUBLIC SCHOOL IN THE**
25 **COUNTY.**

26 **(II) THE AVAILABLE CLASSROOM SEATS PUBLISHED UNDER**
27 **SUBPARAGRAPH (I) OF THIS PARAGRAPH SHALL BE OPEN TO ALL STUDENTS IN**
28 **THE COUNTY ON A SPACE–AVAILABLE BASIS.**

29 **(2) A PUBLIC SCHOOL SHALL ENROLL STUDENTS AND ADMIT**
30 **TRANSFER STUDENTS ON A LOTTERY BASIS IF MORE STUDENTS APPLY THAN**
31 **CAN BE ACCOMMODATED WITHIN A SCHOOL’S AVAILABLE SPACE.**

1 **(3) ON OR BEFORE JULY 1, 2013, THE COUNTY BOARD SHALL**
2 **DEVELOP AND ADOPT A PROCESS TO IMPLEMENT THE STUDENT ENROLLMENT**
3 **AND TRANSFER REQUIREMENTS OF THIS SECTION.**

4 **(D) A STUDENT WHO HAS ENROLLED OR TRANSFERRED TO A SCHOOL**
5 **UNDER THIS SECTION MAY CONTINUE TO ATTEND THE SCHOOL UNTIL THE**
6 **STUDENT COMPLETES ALL GRADES OF THE SCHOOL.**

7 **(E) THE COUNTY BOARD MAY DEVELOP A POLICY THAT REQUIRES A**
8 **PARENT OR GUARDIAN WHO DECIDES TO ENROLL OR TRANSFER A STUDENT**
9 **UNDER THIS SECTION TO SIGN A FORM REQUIRED BY THE COUNTY BOARD**
10 **ACKNOWLEDGING THAT THE PARENT OR GUARDIAN ASSUMES THE**
11 **RESPONSIBILITY AND COST OF TRANSPORTATION OF THE STUDENT TO AND**
12 **FROM SCHOOL.**

13 **(F) THIS SECTION MAY NOT BE CONSTRUED TO AFFECT STUDENTS WHO**
14 **ENROLL OR TRANSFER UNDER OTHER PROVISIONS OF LAW OR THE FEDERAL**
15 **NO CHILD LEFT BEHIND ACT.**

16 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
17 October 1, 2012.