



Nancy S. Grasmick
State Superintendent of Schools

200 West Baltimore Street • Baltimore, MD 21201 • 410-767-0100 • 410-333-6442 TTY/TDD

TO: Members of the Maryland State Board of Education
FROM: Nancy S. Grasmick *Nancy*
DATE: May 27-28, 2009
SUBJECT: COMAR 13A.05.09.02 (AMENDED)
Programs for Homeless Children
ADOPTION

PURPOSE:

To adopt amendments COMAR 13A.05.09.02 Programs for Homeless Children (ATTACHMENT I).

BACKGROUND/HISTORICAL PERSPECTIVE:

COMAR 13A.05.09 addresses the requirements to ensure that homeless students have access to education. A homeless student is a child or youth who lacks a fixed, regular, or adequate nighttime place of local residence. The question arose whether children awaiting foster care placement were considered homeless.

EXECUTIVE SUMMARY:

The federal McKinney-Vento Act of 2002 addresses the educational rights of homeless children/or unaccompanied youth. It provides examples of children who would fall under the definition of homeless which includes children “**awaiting foster care placement.**” In consultation with the Maryland Department of Human Resources and private advocacy groups, the attached regulation was developed to define which children in Maryland would be considered children awaiting foster care placement. The draft regulation was shared with the 24 local school superintendents for review and comment.

COMAR 13A.05.09.02, contains the implementing State regulations for Child Awaiting Foster Care Placement. The proposed regulation was published in the Maryland Register, Vol.36, Issue 8, Friday, April 10, 2009. The public had the opportunity to submit comments until May 11, 2009. Only one email was received and is attached.



Members of the Maryland State Board of Education
May 27-28, 2009
Page 2

The cost of transportation under McKinney-Vento Act of 2002 may increase due to including children “awaiting foster care placement. The cost of transportation is approximately \$294 per homeless student. These amendments will increase the number of eligible students by approximately 22.5 students statewide. This figure does not include the cost of homeless student transportation in Prince George’s County since there is a high number of homeless students and the nature of the county requires that transportation be furnished via private transportation (cabs).

ACTION:

I am recommending the Board adopt these amendments to COMAR 13A.05.09.02 Programs for Homeless Children.

NSG:JM:crt

Attachment