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TO: Members of the Maryland State Board of Education
FROM: Nancy S. Grasmick *Nancy*
DATE: May 27-28, 2009
SUBJECT: COMAR 13A.08.05 (AMENDED)
Informal Kinship Care
ADOPTION

PURPOSE:

To adopt amendments to COMAR 13A.08.05 Informal Kinship Care (**ATTACHMENT I**).

BACKGROUND/HISTORICAL PERSPECTIVE:

In its 2002 session the Maryland General Assembly amended §7-101 of the Education Article, Annotated Code of Maryland, to address the enrollment in school of children receiving informal kinship care. As originally enacted, the law allowed children who were Maryland residents to attend public schools in the counties where the children were living with relatives providing informal kinship care. The law addressed only those children who were living with relatives in counties different from the ones where the children were domiciled with their parents or legal guardians. It did not address school enrollment for children living with a relative in the same county.

To fix this gap in the law, the Maryland General Assembly during the 2008 session amended §7-101 to allow for school enrollment of children in informal kinship care who are living with a relative in the same county in which the child is domiciled with the parent or legal guardian, but in a different school attendance zone within that county to attend the school associated with the district in which the relative lives. Section 7-101 (c)(2)(i)(2) not only effects the change above but also amends the form of the affidavit used to verify the informal kinship care relationship.

EXECUTIVE SUMMARY:

COMAR 13A.08.05 contains the implementing State regulations for informal kinship care. The proposed amendment aligns the COMAR provisions with the new requirements of §7-101. 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. As of this date, no comments have been received.



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ACTION:

I am recommending the Board adopt these amendments to COMAR 13A.08.05 Informal Kinship Care.

NSG:JM:crt

Attachment