

13A.02.06.02

## **.02 Definitions.**

A. In this chapter, the following terms have the meanings indicated.

B. Terms Defined.

(1) "Age 3" means that the student is 3 years old on the date specified in COMAR 13A.08.01.02.

(2) "Age 5" means that the student is 5 years old on the date specified in COMAR 13A.08.01.02.

(3) "Age 6" means that the student is 6 years old on the date specified in COMAR 13A.08.01.02.

(4) "Age 21" means that the student has not received a high school diploma and is not 21 years old on the first day of the school year.

(5) "Attendance" means that a student is present at school on a regular school day and includes participation in school-sponsored activities as specified in COMAR 13A.08.01.01.

(6) Bona Fide Resident.

(a) "Bona fide resident of Maryland" means a student who:

(i) Is living with a parent or guardian who resides in Maryland;

(ii) Has been determined to be a bona fide resident of Maryland in accordance with local school system policies and procedures;

(iii) Is from another country and attending school in Maryland under a program approved by the Department which provides for a tuition waiver; or

(iv) Is homeless as defined by 42 U.S.C. §1302.

(b) "Bona fide resident of Maryland" does not include a student who:

(i) Lives in another state, but attends a public school in Maryland under a cooperative agreement with the local school system;

(ii) Does not have a parent or legal guardian residing in Maryland, but is temporarily living in Maryland for the primary purpose of attending a public school, with such determination being made on a case-by-case basis by the local school superintendent; or

(iii) Is a resident of another state, but is placed in a foster care home or residential facility in Maryland by an out-of-state agency, which is financially responsible for the student's education under Education Article, §4-122(e), Annotated Code of Maryland.

(7) "Department" means the Maryland State Department of Education.

(8) "Disabled student" means a student requiring special education services, as defined by the federal Individuals with Disabilities Education Act.

(9) "Documented retention and dropout prevention interventions" means documented actions taken by the local school system to keep the student in school.

(10) "Eligible for free and reduced price meals" means qualified for free or reduced price meals based on eligibility requirements established by the United States Department of Agriculture.

(11) "Foundation program" means the product of the annual per pupil foundation amount and a local school system's full time equivalent enrollment as specified in Education Article, §5-202, Annotated Code of Maryland.

(12) "Full-time equivalent student" means a student eligible for inclusion in the enrollment count of a local school system for calculation of State financial assistance through the foundation program.

(13) "Limited English proficient student" means a student requiring English language acquisition services, as defined under Title III of the federal Elementary and Secondary Education Act.

(14) "Local school system" means the public school system of a county and includes the Baltimore City Public School System.

(15) "Regular day program" means both the general education and special education programs operated by a local school system.

(16) "Special education student" means a student requiring special education services, as defined in the federal Individuals with Disabilities Education Act.