



Nancy S. Grasmick  
State Superintendent of Schools

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**MEMORANDUM**

**TO:** Members of the Maryland State Board of Education  
**FROM:** Nancy S. Grasmick *Nancy*  
**DATE:** July 15, 2008  
**SUBJECT:** COMAR 13A.08.01.01C (AMEND)  
General Regulations – Attendance  
ADOPTION

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**PURPOSE:**

The purpose of this action is to seek adoption of an amendment to Section C under COMAR 13A.08.01.01 Attendance to provide for transfers to public kindergarten of age-eligible kindergarten students attending nonpublic kindergarten programs. This proposal is included as Attachment A. This amendment has no economic impact.

**BACKGROUND:**

In May 2005, the State Board of Education adopted COMAR 13A.08.01.01C, which permits a child who attends a nonpublic kindergarten program in this State for part of the year to transfer to a public kindergarten. The proposed amendment to Regulation .01C clarifies that a student transferring from a nonpublic kindergarten program must meet the minimum age requirement for admission to a public school kindergarten program, as set forth at COMAR 13A.08.01.02B(2).

**SUMMARY:**

The Department requests permission to amend existing COMAR 13A.08.01.01C. This amendment is intended to clarify language regarding the transfers of children from nonpublic kindergarten to public kindergarten in this State. No public comments were received.

**ACTION:**

I am recommending State Board adoption of the revised regulation (.01C) under COMAR 13A.08.01.01

Attachment



G. [License reinstatement] *Reinstatement* processing fee (payable by licensee after failure to renew in conjunction with the current [license] *renewal* fee) — \$200;

H. — J. (text unchanged)

K. Penalty for returned checks — \$25[.];

L. *Failure to notify the Board of change of address* — \$25;

M. *Supervisor registration fee* — \$10;

N. *Individual record retrieval fee* — \$30.

JOHN M. COLMERS  
Secretary of Health and Mental Hygiene

## Title 11 DEPARTMENT OF TRANSPORTATION

### Subtitle 17 MOTOR VEHICLE ADMINISTRATION — DRIVER LICENSING AND IDENTIFICATION DOCUMENTS

#### 11.17.06 Identification Cards

Authority: Transportation Article, §§12-104(b) and 12-301,  
Annotated Code of Maryland

#### Notice of Proposed Action

[08-143-P]

The Administrator of the Motor Vehicle Administration proposes to amend Regulation .11 under COMAR 11.17.06 **Identification Cards**.

#### Statement of Purpose

The purpose of this action is to make the regulation consistent with the policy changes regarding proof of residence for obtaining an identification card.

#### Comparison to Federal Standards

There is no corresponding federal standard to this proposed action.

#### Estimate of Economic Impact

The proposed action has no economic impact.

#### Economic Impact on Small Businesses

The proposed action has minimal or no economic impact on small businesses.

#### Impact on Individuals with Disabilities

The proposed action has no impact on individuals with disabilities.

#### Opportunity for Public Comment

Comments may be sent to Carolyn Decker, Regulations Coordinator, Motor Vehicle Administration, 6601 Ritchie Highway N. E., Room 200, Glen Burnie, Maryland 21062, or call 410-424-3105, or email to cdecker@mdot.state.md.us, or fax to 410-768-7506. Comments will be accepted through June 23, 2008. A public hearing has not been scheduled.

#### .11 Proof of Residence, Age, and Identity.

A. — B. (text unchanged)

C. Proof of Residence. The following documents are considered as proofs of Maryland residence, if they show the applicant's current address:

(1) — (15) (text unchanged)

(16) Probation court order[, order of parole, or order of mandatory release]; or

(17) (text unchanged)

D. Statement of Residence. The Administration may accept the following statements as proof of a Maryland residence, *if they show the applicant's current address*:

(1) — (2) (text unchanged)

(3) In the case of a resident of a nursing home, a statement from the nursing home manager written on nursing home letterhead; [or]

(4) In the case of an offender incarcerated in a State Public Safety and Correctional Services facility scheduled to be released within 60 days, an address certification form issued by the Administration and signed by a designated official of the correctional facility or other designated official of the Department of Public Safety and Correctional Services[.];

(5) *Order of parole; or*

(6) *Order of mandatory release.*

E. — G. (text unchanged)

JOHN T. KUO  
Administrator  
Motor Vehicle Administration

## Title 13A STATE BOARD OF EDUCATION

### Subtitle 08 STUDENTS

#### 13A.08.01 General Regulations

Authority: Education Article, §§2-205, 7-101, 7-101.1, 7-301, 7-303 — 7-305,  
7-307, 7-308, and 8-404,  
Annotated Code of Maryland;  
Federal Statutory Reference: 20 U.S.C. §§1232g and 7912

#### Notice of Proposed Action

[08-141-P]

The Maryland State Board of Education proposes to amend Regulation .01 under COMAR 13A.08.01 **General Regulations**. This action was considered by the Maryland State Board of Education at its March 25 and 26, 2008 meeting.

#### Statement of Purpose

The purpose of this action is to provide for transfers to public kindergarten of age-eligible kindergarten students attending nonpublic kindergarten programs.

#### Comparison to Federal Standards

There is no corresponding federal standard to this proposed action.

#### Estimate of Economic Impact

The proposed action has no economic impact.

#### Economic Impact on Small Businesses

The proposed action has minimal or no economic impact on small businesses.

#### Impact on Individuals with Disabilities

The proposed action has no impact on individuals with disabilities.

**Opportunity for Public Comment**

Comments may be sent to Michael Cockey, Specialist, Early Learning Branch, Division of Early Childhood Development, Maryland State Department of Education, 200 W. Baltimore Street, Baltimore, MD 21201, or call 410-767-0602, or email to mcockey@msde.state.md.us, or fax to 410-333-6226. Comments will be accepted through June 23, 2008. A public hearing has not been scheduled.

**Open Meeting**

Final action on the proposal will be considered by the Maryland State Board of Education during a public meeting to be held on July 15 and 16, 2008, at 200 W. Baltimore Street, Baltimore, MD 21201.

**.01 Attendance.**

A. — B. (text unchanged)

C. A child who resides in this State and attends a non-public kindergarten program for part of the year may transfer to a public kindergarten if the child meets the minimum age requirement for admission to a public school kindergarten program, as set forth in Regulation .02B(2) of this chapter.

D. — E. (text unchanged)

NANCY S. GRASMICK  
State Superintendent of Schools

Baltimore Street, Baltimore, MD 21201, or call 410-767-0335, or email to rgrafwal@msde.state.md.us, or fax to 410-333-6226. Comments will be accepted through June 23, 2008. A public hearing has not been scheduled.

**.02 Definitions.**

A. (text unchanged)

B. Terms Defined.

(1) — (8) (text unchanged)

[(9) "Montessori" means an educational program that is accredited by the American Montessori Society or by American Montessori International.]

[(10)] (9) — [(14)] (13) (text unchanged)

**.08 Child Records.**

A. — C. (text unchanged)

D. Age of Admission.

(1) Except as provided by §D(2) of this regulation, by the 2006 — 2007 school year and thereafter, a child shall be 2 years old, 3 years old, or 4 years old on or before September 1 of a school year to be age-eligible for admission during that school year to a nonpublic nursery school program approved under this chapter.

(2) (text unchanged)

NANCY S. GRASMICK  
State Superintendent of Schools

**Subtitle 14 CHILD AND FAMILY DAY CARE**

**13A.14.13 Educational Programs in Nonpublic Nursery Schools**

Authority: Education Article, §§2-206 and 2-303; Family Law Article, §§5-570 and 5-573; Annotated Code of Maryland

**Notice of Proposed Action**

[08-140-P]

The State Superintendent of Schools proposes to amend Regulations .02 and .08 under COMAR 13A.14.13 Educational Programs in Nonpublic Nursery Schools.

**Statement of Purpose**

The purpose of this action is to repeal an unnecessary definition of "Montessori" and to make the minimum age for admission to a nursery school consistent with the definition of "nursery school" under this chapter.

**Comparison to Federal Standards**

There is no corresponding federal standard to this proposed action.

**Estimate of Economic Impact**

The proposed action has no economic impact.

**Economic Impact on Small Businesses**

The proposed action has minimal or no economic impact on small businesses.

**Impact on Individuals with Disabilities**

The proposed action has no impact on individuals with disabilities.

**Opportunity for Public Comment**

Comments may be sent to Rolf Grafwallner, Assistant State Superintendent, Division of Early Childhood Development, Maryland State Department of Education, 200 W.

**Title 14**

**INDEPENDENT AGENCIES**

**Subtitle 09 WORKERS' COMPENSATION COMMISSION**

**14.09.01 Procedural Regulations**

Authority: Health-General Article, §4-303; Labor and Employment Article, §§9-309, 9-314, 9-689, 9-701, 9-709, 9-710, 9-711, 9-731; Annotated Code of Maryland

**Notice of Proposed Action**

[08-142-P]

The Maryland Workers' Compensation Commission proposes to adopt new Regulation .06, and amend Regulation .08 under COMAR 14.09.01 Procedural Regulations. This action was considered at a public meeting, held on April 10, 2008, notice of which was given by publication in 35:6 Md. R. 723 (March 28, 2008), pursuant to State Government Article, §10-506(c), Annotated Code of Maryland.

**Statement of Purpose**

The purpose of this action is to implement the requirements of Senate Bill 600, Ch. 167, Acts of 2007, which requires the Commission to adopt regulations for the purpose of requiring that an Authorization for Release of Medical Information accompany every claim filed with the Commission.

**Comparison to Federal Standards**

There is no corresponding federal standard to this proposed action.

**Estimate of Economic Impact**

The proposed action has no economic impact.