

REGULATION MONTGOMERY COUNTY PUBLIC SCHOOLS

Related Entries: JEA-RB, JED, JED-RE, JEE-RA
Responsible Office: Chief of Teaching, Learning, and Schools

Enrollment and Placement of International and Foreign Students

I. PURPOSE

To set forth the procedures for enrolling and placing exchange, foreign, and international students in a Montgomery County public school, in alignment with Policy JEA, *Residency, Tuition, and Enrollment, and Regulations*, JEA-RB, *Enrollment of Students*, and JEA-RE, *Tuition-based Enrollment*.

II. DEFINITIONS

A. International students are defined as –

1. Students from countries other than the United States and its territories with bona fide residency in Montgomery County who have not attended school in the United States or a U.S. school system (e.g., a Department of Defense school or an accredited American International school in a foreign country) at any time during the prior two years.
2. U.S. citizens who attended a foreign school outside the United States for more than two years. This does not include students who attended schools operated by the United States government, such as the U.S. Department of Defense, or an accredited American international school.

B. A foreign student is defined as any person of school age who comes to the United States with visa status to study.

1. An exchange student holds a J-1 Visa (J-1) and is under an approved exchange program.
2. A nonimmigrant student holds an F-1 Visa (F-1) and must be approved by the U.S. Citizenship and Immigration Services (USCIS).

III. BACKGROUND

- A. The International Admissions and Enrollment Office (IAE) is the only unit in MCPS authorized to start and monitor compliance with procedures and regulations for the admission of nonimmigrant visitor status (F-1) and exchange students (J-1).
- B. The following students must be referred to the IAE prior to enrollment in MCPS:
 - 1. International students
 - 2. U.S. citizens who have not attended a U.S. school, an accredited American International school, or a school run by the U.S. government at any time during the prior two years
 - 3. Foreign students, including nonimmigrant students (F-1) and exchange students (J-1)
- C. A student who has attended a U.S. school system during the prior two years may enroll at his or her home school or consortia office.
- D. The IAE will assist with the interpretation of documentation, including educational records.
- E. The IAE will evaluate foreign transcripts according to the Metropolitan Area Foreign Student Advisors (MAFSA) National Grading Scales for grade placement and credit-awarding purposes.

IV. PROCEDURES

- A. Parent/Guardian/Sponsor responsibilities
 - 1. Contact the IAE for an intake appointment, which shall require the presence of the student(s).
 - 2. Complete MCPS Form 560-24, *New Student Information*.
 - 3. Present enrollment documents as delineated in Regulation JEA-RB, *Enrollment of Students*, to the IAE.
 - 4. Present final official school records (with official translations as needed), including partial and current school years and national test scores as delineated below.
 - a) For elementary and middle school-aged students, official school

records are required for the last year the student attended school.

- b) For high school-aged students, official school records are required for the last three years the student attended school.
- c) Copies are not accepted; however, schools may send records directly to the IAE either via email as a PDF attachment or via regular mail.
- d) High school students who are old enough to have graduated, but cannot provide school records, must provide a letter from the Ministry of Education or a comparable level of authority in the district the student last attended that confirms the student has not graduated.
- e) Note that transcripts of high school students who may have completed the equivalent of a U.S. high school diploma (such as through the Cambridge Assessment and International Education programs, a transcript review, or a national examination) may be subject to further evaluation before an enrollment decision is made.

B. IAE Processing Responsibilities:

1. Procedures for processing the enrollment of international students:

- a) Verify each student's birth date and immunization record, parent/guardian's identity, and residency and review the student's visa status, if applicable.
- b) Review each student's educational history; evaluate academic credentials; evaluate final/official school records; recommend awarding of official school credits, according to Maryland state and MCPS regulations; determine school assignment; and recommend grade placement.
- c) Assess and determine whether or not a student has completed the equivalent of a U.S. high school diploma in another school system, which impacts their eligibility for enrollment in MCPS.
- d) Review each student's record for special education documentation, including an Individualized Education Program or equivalent or a psychological or educational assessment for the purpose of consideration for special education services

If such documentation is found, the IAE supervisor will notify the

principal of the school where the student is eligible to enroll as well as the special education cluster supervisor assigned to that school.

- e) Identify information shared during the intake process that may lead a school team to monitor a student for possible referral for screening for special education services.

The IAE supervisor will report this information to the principal of the school where the student is eligible to enroll as well as to the special education cluster supervisor assigned to that school.

- f) Identify, screen, and refer ESOL students with limited or no previous education to the Multidisciplinary Education Training and Support (METS) Program.
- g) Complete the IAE Intake and Referral process.
- h) Inform the parent/guardian of the next steps to be taken regarding residency and tuition, if applicable.

2. Procedures for processing the enrollment of exchange students:

- a) MCPS provides free education to exchange students who enter the United States through an exchange program organization to reside in Montgomery County with a confirmed host family for a maximum of two academic semesters.
- b) If requested, MCPS may provide unofficial records, such as report card printouts, to exchange students, their parents/guardians, host families, or student exchange organization.
- c) The maximum number of exchange students will not exceed 50 students in MCPS and no more than 5 students at any single MCPS high school per academic school year.
- d) The IAE supervisor determines an applicant's eligibility and grants approval, subject to the applicant meeting all of the following conditions:
 - (1) The exchange program organization must be approved by the Council on Standards for International Educational Travel.
 - (2) The exchange program organization must adhere to federal

regulations issued by the United States Department of State.

- (3) The exchange program organization must adhere to applicable MCPS regulations and guidelines for the admission and enrollment of exchange students.
- (4) The authorized representative of the exchange program organization must live within a 120-mile geographic radius of Montgomery County. This person is responsible for students placed in MCPS.
- (5) The applicant must be enrolled in a secondary school program in the country of residency and must be at least 15 years old and no older than 17 at the time of enrollment in MCPS.
- (6) The applicant must not have completed the equivalent of a high school program. Exchange students are not eligible for a diploma, graduation, or credit evaluation.
- (7) The exchange program organization must have arranged for the applicant to have a current J-1 visa for the duration of school attendance and to live with a confirmed host family that has bona fide residency in Montgomery County.
 - (a) Host families must have successfully completed a criminal background check before the application can be approved.
 - (b) MCPS will not approve applications for students who reside with temporary host families. If an extreme circumstance/hardship situation results in a change in the host family, the foreign exchange program organization is responsible for finding a new host family that is able to support the student's continued enrollment in the original school of enrollment within the same school cluster. The student will be referred to the school serving the community where the new host family resides.
- (8) The period of enrollment may range from one to two full academic semesters. Exchange students coming from a country with an academic calendar opposite to that of MCPS may attend two consecutive academic semesters in two

different academic calendar years.

- (9) The applicant's current visa status and immunization compliance must be verified.
 - (10) The applicant's school records must indicate a B or better grade average, or the equivalent.
 - (11) The applicant must present school recommendations that affirm the applicant's good behavior and ability to adapt to a different school environment.
 - (12) The applicant must demonstrate, via an approved English proficiency assessment, the ability to function academically in English without ESOL support.
- e) Applications and supporting documentation for exchange students are accepted only from April 15 to June 30 for the next academic year, and from October 15 to December 15 for the second semester of the current year. (Refer to MCPS Form 335-66, *Application for Admission of Exchange Students in MCPS*)
 - f) The IAE Guidelines for the Admission and Enrollment of Exchange Students in MCPS are available on the MCPS website.
3. Procedures for processing foreign student status applicants for I-20, Certificate of Eligibility for Nonimmigrant F-1 Student Status (I-20 Form):
- a) Foreign students who reside in another country and come (or intend to come) to the United States with the sole intention to study are considered nonresident students in MCPS and their admission in school is subject to the completion of the I-20 Form by the IAE.
 - b) The following conditions must be met in order to obtain an I-20 Form in MCPS:
 - (1) The applicant's parents do not reside in the United States.

The IAE verifies the applicant's immunization compliance, visa status, and bona fide Montgomery County residency of the applicant's sponsor.

 - (2) The applicant must be at least 15 years old and no older than 17 years old and must have completed at least the equivalent

of eighth grade.

- (3) The receiving school is not overutilized and is available according to the factors in MCPS Regulation JEE-RA, *Transfer of Students*.
 - (4) The applicant has demonstrated, via approved English proficiency assessment, the ability to function academically in English without ESOL support.
 - (5) The applicant's school records indicate a B or better grade average, or the equivalent.
 - (6) The applicant presents school recommendations that affirm the student's good behavior and ability to adapt to a different school environment.
 - (7) The applicant's sponsor pays school tuition in advance for the duration of the projected stay, as indicated on the I-20 Form.
 - (8) The applicant's sponsor provides evidence of financial capability to provide the student with a means of support.
 - (9) The applicant's sponsor provides a notarized custody letter from the applicant's parents.
- c) The period of enrollment may range from one full semester to a maximum of one academic year.
 - d) Applications for I-20 Forms are accepted only from April 15 to June 30 for the next academic year, and from October 15 to December 15 for the second semester of the current year.
 - e) The IAE is responsible for assisting students who are required to complete an I-20 Form in complying with U.S. Department of Homeland Security (DHS) regulations pertaining to their nonimmigrant student status.

C. Local School Principal/Designee Responsibilities

- 1. Direct inquiries and forward all documentation from public and private organizations and individuals regarding the processing, enrollment, and placement of international and foreign students, including exchange (J-1)

and nonimmigrant students (F-1), and U.S. citizens who have not attended a U.S. school at any time during the prior two years, to the IAE for review and response.

2. Do not sign any immigration forms. IAE is the only unit in MCPS authorized by the DHS to sign those forms.
3. Enroll international, exchange, and immigrant students after processing has been completed by the IAE. If the IAE Intake Form is stamped "BEFORE STUDENT CAN BE ENROLLED TUITION MUST BE PAID OR TUITION WAIVER MUST BE APPROVED BY IAE," the student must not be enrolled until additional notification is received from the Division of Controller that tuition has been paid or a tuition waiver letter has been received from the IAE.
4. Withdraw exchange students and nonimmigrant students at completion of their approved academic program.

D. Enrollment Appeal Procedures

The parent/guardian or eligible student may appeal the decision of the director of the IAE within 15 calendar days directly to the superintendent of schools/designee, as set forth in MCPS Regulation KLA-RA, *Concerns, Complaints, and Appeals to the Superintendent of Schools*, section IV.D.

Related Sources: Code of Maryland Regulations §13A.03.02.09

Regulation History: Formerly part of Regulation 560-1 and JED-RA; established as a new, separate regulation August 26, 1987; revised May 2, 1995; revised July 6, 2001; revised September 15, 2003; revised February 24, 2005; revised November 21, 2006; revised April 19, 2011; revised March 5, 2021; revised June 5, 2024.

MCPS NONDISCRIMINATION STATEMENT

Montgomery County Public Schools (MCPS) prohibits illegal discrimination based on race, ethnicity, color, ancestry, national origin, nationality, religion, immigration status, sex, gender, gender identity, gender expression, sexual orientation, family structure/parental status, marital status, age, ability (cognitive, social/emotional, and physical), poverty and socioeconomic status, language, or other legally or constitutionally protected attributes or affiliations. Discrimination undermines our community's long-standing efforts to create, foster, and promote equity, inclusion, and acceptance for all. The Board prohibits the use of language and/or the display of images and symbols that promote hate and can be reasonably expected to cause substantial disruption to school or district operations or activities. For more information, please review Montgomery County Board of Education Policy ACA, *Nondiscrimination, Equity, and Cultural Proficiency*. This Policy affirms the Board's belief that each and every student matters, and in particular, that educational outcomes should never be predictable by any individual's actual or perceived personal characteristics. The Policy also recognizes that equity requires proactive steps to identify and redress implicit biases, practices that have an unjustified disparate impact, and structural and institutional barriers that impede equality of educational or employment opportunities. MCPS also provides equal access to the Boy/Girl Scouts and other designated youth groups.*

It is the policy of the state of Maryland that all public and publicly funded schools and school programs operate in compliance with:

- (1) Title VI of the federal Civil Rights Act of 1964; and
- (2) Title 26, Subtitle 7 of the Education Article of the Maryland Code, which states that public and publicly funded schools and programs may not
 - (a) discriminate against a current student, a prospective student, or the parent or guardian of a current or prospective student on the basis of race, ethnicity, color, religion, sex, age, national origin, marital status, sexual orientation, gender identity, or disability;
 - (b) refuse enrollment of a prospective student, expel a current student, or withhold privileges from a current student, a prospective student, or the parent or guardian of a current or prospective student because of an individual's race, ethnicity, color, religion, sex, age, national origin, marital status, sexual orientation, gender identity, or disability; or
 - (c) discipline, invoke a penalty against, or take any other retaliatory action against a student or parent or guardian of a student who files a complaint alleging that the program or school discriminated against the student, regardless of the outcome of the complaint.**

Please note that contact information and federal, state, or local content requirements may change between editions of this document and shall supersede the statements and references contained in this version. Please see the online version for the most up-to-date information at www.montgomeryschoolsmd.org/info/nondiscrimination.

For inquiries or complaints about discrimination against MCPS students***	For inquiries or complaints about discrimination against MCPS staff***
Director of Student Welfare and Compliance Office of District Operations Student Welfare and Compliance 15 West Gude Drive, Suite 200, Rockville, MD 20850 240-740-3215 SWC@mcpsmd.org	Human Resource Compliance Officer Office of Human Resources and Development Department of Compliance and Investigations 45 West Gude Drive, Suite 2500, Rockville, MD 20850 240-740-2888 DCI@mcpsmd.org
For student requests for accommodations under Section 504 of the Rehabilitation Act of 1973	For staff requests for accommodations under the Americans with Disabilities Act
Section 504 Coordinator Office of School Support and Improvement Well-Being and Student Services 850 Hungerford Drive, Room 257, Rockville, MD 20850 240-740-3109 504@mcpsmd.org	ADA Compliance Coordinator Office of Human Resources and Development Department of Compliance and Investigations 45 West Gude Drive, Suite 2500, Rockville, MD 20850 240-740-2888 DCI@mcpsmd.org
For inquiries or complaints about sex discrimination under Title IX, including sexual harassment, against students or staff***	
Title IX Coordinator Office of District Operations Student Welfare and Compliance 15 West Gude Drive, Suite 200, Rockville, MD 20850 240-740-3215 TitleIX@mcpsmd.org	

*This notification complies with the federal Elementary and Secondary Education Act, as amended.

**This notification complies with the Code of Maryland Regulations Section 13A.01.07.

***Discrimination complaints may be filed with other agencies, such as the following: U.S. Equal Employment Opportunity Commission (EEOC), Baltimore Field Office, GH Fallon Federal Building, 31 Hopkins Plaza, Suite 1432, Baltimore, MD 21201, 1-800-669-4000, 1-800-669-6820 (TTY); Maryland Commission on Civil Rights (MCCR), William Donald Schaefer Tower, 6 Saint Paul Street, Suite 900, Baltimore, MD 21202, 410-767-8600, 1-800-637-6247, mccr@maryland.gov; Agency Equity Officer, Office of Equity Assurance and Compliance, Office of the Deputy State Superintendent of Operations, Maryland State Department of Education, 200 West Baltimore Street, Baltimore, MD 21201-2595, oeac.msde@maryland.gov; or U.S. Department of Education, Office for Civil Rights (OCR), The Wanamaker Building, 100 Penn Square East, Suite 515, Philadelphia, PA 19107, 1-800-421-3481, 1-800-877-8339 (TDD), OCR@ed.gov, or www2.ed.gov/about/offices/list/ocr/complaintintro.html.

This document is available, upon request, in languages other than English and in an alternate format under the *Americans with Disabilities Act*, by contacting the MCPS Office of Communications at 240-740-2837, 1-800-735-2258 (Maryland Relay), or PIO@mcpsmd.org. Individuals who need sign language interpretation or cued speech transliteration may contact the MCPS Office of Interpreting Services at 240-740-1800, 301-637-2958 (VP) mcpsinterpretingservices@mcpsmd.org, or MCPSInterpretingServices@mcpsmd.org.