

# **Interstate Compact on Educational Opportunity for Military Children**

## **Summary of Transition Provisions**

### **I. Enrollment**

#### ***A. Educational Records***

When a family leaves a school district in a member state, they may request a copy of a complete set of unofficial records to carry to the new school. Some school districts may charge parents a reasonable amount for copying these unofficial records. The receiving school of a member state must accept the unofficial student records to enroll and place the student, pending receipt of official records. Once a student is enrolled, the new school will request official records. A school district in a member state must send these records within ten days of receiving a request.

#### ***B. Immunizations***

A child transferring from another state to a member state who needs additional immunizations is allowed to enroll and begin attending school. He or she is given thirty days to obtain the needed immunizations. If a series of immunizations is required, the series must be started within thirty days of enrollment. Tuberculosis (TB) testing is not covered under the Compact since the TB test is not an immunization but rather a health screening.

#### ***C. Kindergarten and First Grade Entrance Age***

A student who moves to a member state may continue in the same grade in the receiving state regardless of the entrance age requirements in that state if he or she has already started kindergarten or first grade in an accredited school in the sending state. This provision also allows children to go into the next grade level (first or second grade) regardless of age requirements if he or she has successfully completed kindergarten or first grade in the sending state.

### **II. Placement and Attendance**

#### ***A. Course and Educational Program Placement***

A receiving school district in a member state will initially honor placement of a student based on the student's enrollment in the sending state. For example, if a student was in AP Calculus in their previous school, they will be placed in AP Calculus in the receiving school. However, the Compact allows the school to subsequently perform an evaluation to ensure the child is placed appropriately according to the new school's requirements. This provision ensures prompt placement of a student but does not take away the new school's right to set their own criteria for placement in programs or courses. It will ensure that students will not be put in a "holding" class while they are awaiting assessment, thus missing out on valuable instruction.

The Compact does not guarantee continued enrollment in the course or program placement if the student does not meet local requirements. Also, the receiving school district is not required to create a course or program that is not currently offered or if space is not available. The Compact does require that the district demonstrate reasonable accommodation if space is not available in a particular course or program.

### ***B. Special Education Services***

The Compact does not require that school districts do anything beyond the requirements of the Individuals with Disabilities Education Act (IDEA). The receiving school must provide the services identified in the student's Individual Education Plan (IEP) from the sending state. The receiving state may subsequently perform an evaluation to ensure the appropriate placement of the student.

### ***C. Placement Flexibility***

The Compact allows local school districts flexibility in waiving course or program prerequisites or other preconditions if similar coursework has been completed in the sending school district. However, the Compact does not require waivers of prerequisites or preconditions. That is a decision to be made by the local school district.

### ***D. Absence Related to Deployment Activities***

The Compact allows students to request additional absences to visit with their parent or legal guardian during deployment. These absences will be excused absences. School districts are given some leeway in determining whether to grant these additional absences. If a child has excessive absences already, a district may feel additional time out of school would be educationally unsound.

## **III. Eligibility**

### ***A. Enrollment***

It is sometimes necessary for students to stay with an in loco parentis. If that person resides outside of the student's current school district, the new school district may not charge tuition to the student placed in the care of the in loco parentis. If the non-custodial parent or person serving in loco parentis lives outside of the student's current school geographic area and is willing to transport the student to the current school, the child may continue to attend his or her current school. This provision will help to provide much needed consistency for the child during a deployment. The power of attorney for guardianship given to the non-custodial parent or in loco parentis is sufficient for enrollment and all other actions requiring parental participation or consent.

### ***B. Extracurricular Participation***

A school district in a member state must provide the opportunity for inclusion in extracurricular activities regardless of the deadlines for application as long as the child is otherwise qualified. Although the receiving school must demonstrate that they are making reasonable accommodation for military students, they are not required to hold open or create additional spaces. Also, some state student athletic associations are run by private organizations. They do not fall under the umbrella of the Compact.

#### **IV. Graduation**

##### ***A. Course Waivers***

The Compact allows school districts to waive courses required for graduation if similar coursework has been completed in another local education agency (LEA). Such waivers are not mandatory under the Compact but an LEA must show reasonable justification for denial of a waiver.

##### ***B. Exit Exams***

LEAs are also asked to demonstrate flexibility in accepting sending state exit or end of course exams, national achievement tests, or alternative testing in lieu of testing requirements for graduation in the receiving state. Mandatory waiver of the exit exams or acceptance of alternative results is not required under the Compact. Each state may determine what they are willing to accept or require.

##### ***C. Transfers During Senior Year***

If a student moves in his or her senior year and the receiving state cannot waive graduation requirements for similar coursework or make accommodations in testing (A & B above), then the receiving school district is asked to work with the sending school district to obtain a diploma so the student can graduate on time. The student must have met the graduation requirements in the sending state. For example, consider a student moves from a state that requires two years of math to graduate. The new state requires three years of math and the student does not have time to complete that third year to be able to graduate on time. The new school district would work with the sending school district to get a diploma from the sending state.