

***Overview of Virginia Law:
Interstate Compact on
Educational Opportunity
for Military Children***

Compact Overview & Introduction

The Compact became part of Virginia law on July 1, 2009.

- **The goal is to streamline the transfer of children of military families into Virginia public schools.**
- **The Compact defines children of military families as children enrolled in grades K-12 within the household of an active duty member. The active duty member has to be in full-time duty status and can be a member of the National Guard or Reserves.**
- **The Virginia Compact contains 18 articles.**

The Virginia Council on the Interstate Compact on Educational Opportunity for Military Children also became part of state law on July 1, 2009, and serves to support the compact.

Compact Articles I-III

Article I – Statement of General Purpose

(addresses timely enrollment and placement, information sharing among member states)

Article II – Definition of Terms

(such as educational records and extracurricular activities)

Article III – Applicability

(which children are covered by the Compact – includes children of active duty members and children of members or veterans who are medically discharged or who die while on active duty)

Compact Article IV

Records & Enrollment

- **If needed for transfer purposes, a parent can receive a set of unofficial educational records containing uniform information as determined by the Compact.**
- **Upon receipt of this unofficial record, a receiving school shall immediately enroll the student.**
- **A sending school must provide official records within 10 days or within a reasonable time frame as determined under Compact rules.**
- **Member states shall give 30 days from the date of enrollment or within such time as determined by the Compact for students to obtain any required immunizations.**

Compact Article IV

Records & Enrollment (continued)

- **Transferring students shall be allowed to continue their enrollment at the grade level in the receiving state commensurate with the grade level in the sending state, regardless of any minimum age requirement.**
- **A student who has satisfactorily completed the prerequisite grade level in the sending state shall be eligible for enrollment in the next highest grade level in the receiving state, regardless of any minimum age requirement.**
- **A student transferring after the start of the school year shall enter the school in the receiving state on the level validated by the sending state.**

Compact Article V

Placement & Attendance

- **The receiving school shall initially honor placement of the student in educational courses based on the student's enrollment in the sending state and/or educational assessment conducted at the school in the sending state.**
 - ✓ **Course placement includes, but is not limited to, honors, International Baccalaureate (IB), advanced placement (AP), vocational, technical, and career pathways courses.**
- **The receiving school shall initially honor placement of the student in educational programs based on current educational assessments in the sending state. Such programs include, but are not limited to, gifted programs and English as a Second Language (ESL) programs.**

Compact Article V

Placement & Attendance *(continued)*

- Continuing the student's course or program from the sending school is a priority – but it does not preclude the receiving school from performing subsequent evaluations to ensure appropriate placement.
- In compliance with federal requirements, the receiving state shall initially provide comparable services to a student with disabilities and the receiving state shall make reasonable accommodations and modifications to address the student's needs. This does not preclude the receiving school from performing subsequent evaluations to ensure appropriate placement.
- School divisions have flexibility in waiving course/program prerequisites or other preconditions for placement in courses/programs offered under their jurisdiction.

Compact Article VI

Eligibility

- **Children will be enrolled provided that documentation as required by Virginia law is provided.**
- **School divisions are prohibited from charging tuition where the child is in the care of a non-custodial parent or is in the care of a person standing in loco parentis. Such children may also continue to attend the school in which they were enrolled while residing with the custodial parent.**
- **State and local agencies shall facilitate opportunities for children to participate in extracurricular activities.**

Compact Article VII

Graduation

- **School divisions shall waive specific courses required for graduation if similar coursework has been completed.**
- **Should a waiver not be granted to a student who would qualify to graduate from a sending school, the school division shall provide an alternative means of acquiring required coursework.**

Compact Article VII

Graduation (continued)

- **States shall accept:**
 - ✓ exit or end-of-course exams required for graduation from the sending state;
 - ✓ national norm-referenced achievement tests, or
 - ✓ alternative testing acceptable to a receiving state.
- **Should a military student transferring in the senior year be ineligible to graduate from the receiving school division after all alternatives have been exhausted, then the sending school division shall ensure receipt of a diploma, provided that the student meets the requirements for graduation of the sending school division.**

Compact Article VIII

State Coordination

- **Each member state shall create a State Council or use an existing body to coordinate its work for the Compact. Council membership must include at least:**
 - ✓ **State Superintendent**
 - ✓ **A superintendent of a school district with a high concentration of military children**
 - ✓ **One representative from a military installation**
 - ✓ **One representative each from the legislative and executive branches of government; and**
 - ✓ **Other offices and stakeholder groups as deemed appropriate.**
- **Each state shall employ a military family education liaison.**

Compact Articles IX-XVIII

- **Article IX & X – Powers and Duties of the Compact**
(includes rulemaking, dispute resolution, and composition)
- **Article XI – Organization and Operation of the Compact**
(scheduling of meetings and establishment of committees)
- **Article XII – Rulemaking Functions of the Compact**
(administrative procedures)
- **Article XIII – Oversight, Enforcement, and Dispute Resolution**
(general operations)
- **Article XIV – Financing of the Compact**
(assessment of dues)
- **Articles XV-XVIII – Other General Operations**
(relates to issues such as compact amendments and withdrawal/dissolution)

The Virginia Council

- **The Virginia Council on the Interstate Compact on Educational Opportunity for Military Children serves to support the Compact.**
- **According to Virginia law, the Council “may consider any and all matters related to the Interstate Compact on Educational Opportunity for Military Children or the general activities and business of the organization and shall have the authority to represent the Commonwealth in all actions of the Compact.”**
- **The law also requires that the Council submit an annual report to the Governor and to the General Assembly. The next report is due prior to the commencement of the 2011 General Assembly session.**