

Overview of the Interstate Compact on Educational Opportunity for Military Children

What is the Interstate Compact? The Interstate Compact is state law, § 22.1-360 of the *Code of Virginia*, with the purpose of removing barriers to educational success imposed on children of military families because of frequent moves and deployment of their parents.

Summary: In 2009, Virginia joined the Interstate Compact on Educational Opportunity for Military Children which addresses key transition issues encountered by military families including enrollment, placement, attendance, eligibility and graduation. Provisions in the Compact provide for a consistent policy across state lines for transitioning military students. While large military populations exist in Hampton Roads, Northern Virginia, and Central Virginia, there may be military-connected students in every school division across the Commonwealth whether they are living with a grandparent while a parent is deployed, or their parent serves in the Guard or Reserve.

Why the Interstate Compact? Most military children attend schools in six to nine different school divisions from kindergarten to 12th grade, and on average, a military student transfers more than twice during high school.

Who is eligible for the Interstate Compact? Children of active duty members of the uniformed services including members of the National Guard and Reserve on active duty orders, and children of veterans for up to one year. The provisions of the Interstate Compact only apply to public schools.

Key Components of the Interstate Compact (§ 22.1-360 of the Code of Virginia):

| <i>What is Covered?</i> | <i>What is not Covered?</i> |
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| Educational Records | |
| Parents can receive a copy of unofficial records | |
| Receiving school must accept the unofficial records to enroll and place the student pending validation by official records | |
| Sending school must send official records within 10 business days of receiving a request from the receiving school | |
| 30 day grace period for immunizations | Waiver of physical or TB test |
| Kindergarten and First Grade Entrance Age | |
| A student can continue in the same grade in the receiving state regardless of entrance age requirements if he or she has enrolled (registered) in kindergarten or 1st grade in a public school in the sending state and as long the student meets age requirements in the sending state | A student who has not registered for kindergarten, even though they are of eligible age to have started |
| A student may enroll in the next grade regardless of age requirements, if he or she has successfully completed the prerequisite grade level in the sending state | |
| Course and Educational Program Placement | |
| Receiving school shall initially honor placement in courses or programs based on the student's enrollment/participation/placement in like programs in the sending school and/or educational assessments conducted in the sending school | Although the receiving school must demonstrate reasonable accommodation, there is no requirement to create a program or additional space |
| Receiving school may subsequently perform an evaluation to ensure the appropriate placement and continued enrollment | Guarantee of continued enrollment if not appropriate |

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| Special Education Services | |
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| Receiving school shall initially provide comparable services identified in the students' IEP or 504 from the sending school | A requirement to provide the <u>exact</u> programs as sending school |
| Receiving state may subsequently perform an evaluation to ensure the appropriate placement of the student | Anything above the requirements in the IDEA |
| Placement Flexibility and Absences | |
| Allowing flexibility to the school division to waive course or program prerequisites or other preconditions for placement | Mandatory waivers of prerequisites or preconditions |
| Additional excused absences, at the discretion of the superintendent, due to parent's deployment | |
| Eligibility | |
| School division cannot charge tuition to military children placed in care of a non-custodial parent or person serving "in loco parentis" | |
| Special power of attorney for guardianship is sufficient for enrollment and all other actions requiring parental participation or consent | |
| Student can continue to attend his or her current school even if living with a non-custodial parent or person serving "in loco parentis" | |
| State and school division shall facilitate opportunities for military children's inclusion in extracurricular activities regardless of application deadlines | State student athletic associations |
| Graduation | |
| School divisions shall waive courses required for graduation if similar course work has been completed in sending school, or if denied, must provide an alternative means for acquiring course work so graduation may occur on time | Mandatory waivers of course work |
| School divisions shall accept sending state's exit or end of course exams, national achievement tests, or alternative testing in lieu of testing requirements for graduation in the receiving state | National achievement tests which do not have an established "cut" score, or non-passing scores on exit or end of course exams |
| For transfers during senior year when student is ineligible to graduate from receiving school, allowing the student to receive a diploma from the sending school if sending state graduation requirements have been met | Changing graduation requirements in the receiving school division |

Resources:

Military Interstate Children's Compact Commission: www.mic3.net

Virginia Department of Education: www.doe.virginia.gov/support/student_family/military

School Liaison Officers: www.doe.virginia.gov/support/student_family/military/school_liaison_officers/

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