Questions and Answers for Schools Concerning
The Interstate Compact on Educational Opportunities for Military Children

In 2008, the Florida Legislature enacted the Interstate Compact on Educational Opportunity for Military Children. The purpose of the compact is to enable member states to uniformly address educational transition issues faced by military families. The compact governs member states in several areas, including school placement, enrollment, records transfer, and graduation for children of active-duty military families. Currently, 43 states are members of the compact.

1. **What is an interstate compact?**

   It is an agreement between two or more states for cooperative effort, mutual assistance, management and regulation of public policy matters by the states, which transcend the boundaries of one state. Generally, interstate compacts fall into one of three categories: border compacts, advisory compacts or regulatory compacts.

2. **What does the Interstate Compact on Educational Opportunity for Military Children address?**

   The compact addresses perceived inequities facing students of military families when they relocate to school districts across state lines. It addresses issues such as eligibility, enrollment, placement and graduation requirements.

3. **What key terminology do we need to be aware of regarding the new compact?**

   - "Children of military families" means school-aged children, enrolled in kindergarten through twelfth grade, in the household of an active duty member.
   - "Active duty" means full-time duty status in the active uniformed services of the United States, including members of the National Guard and reserve on active duty orders.
   - "Sending state" means the state from which a child of a military family is sent, brought or caused to be sent or brought.
   - "Receiving state" means the state to which a child of a military family is sent, brought or caused to be sent or brought.

4. **What students are covered by the compact?**

   The compact applies to the children of:
   - Active duty members of the uniformed services, including members of the National Guard and reserve on active duty orders;
   - Members or veterans of the uniformed services who are severely injured and medically discharged or retired for a period of one year after medical discharge or retirement; and
   - Members of the uniformed services who die on active duty or as a result of injuries sustained on active duty for a period of one year after death.

   The compact does not apply to children of:
   - Inactive members of the National Guard and military reserves;
   - Members of the uniformed services now retired, unless retired as a result of severe injury/medical discharge as discussed above;
   - Veterans of the uniformed services, unless a veteran who was severely injured/medically discharged as discussed above; and

- Other U.S. Department of Defense personnel and other federal agency civilian and contract employees not defined as active duty members of the uniformed services.

5. **What educational records can we accept when a new military family enrolls their student?**

   If official education records cannot be released to the parents for the purpose of transfer, the custodian of the records in the school of the sending state shall prepare and furnish to the parent a complete set of unofficial education records. Upon the receipt of the unofficial education records by the school in the receiving state, the school shall enroll and appropriately place, as quickly as possible, the student based on the information provided pending validation by the official records.

6. **When should we expect to receive official records and transcripts from the sending school?**

   With the enrollment and conditional placement of a student, the school in the receiving state shall request the student's official education record from the school in the sending state. The school in the sending state, upon receipt of such request, must furnish the official education records to the school in the receiving state within ten days.

7. **What is the timeline for acquiring proof of immunizations for new students to the state of Florida?**

   A student is required to obtain any immunization required by the state of Florida within 30 days from the date of enrollment. If a series of immunization is required, the initial vaccinations must be obtained within the 30-day period.

8. **What is the procedure for allowing a student to enter kindergarten and/or first grade in Florida if the sending state has a different entrance age requirement?**

   Students shall be allowed to continue their enrollment at grade level in the school of the receiving state commensurate with their grade level from a school in the sending state at the time of transition, regardless of age.

9. **What grade level should a new student be placed in if they don't meet Florida's age requirement?**

   A student who has completed the prerequisite grade level in a school in the sending state shall be eligible for enrollment in the next highest grade level in a school in the receiving state, regardless of age. A student transferring after the start of the school year in a school in the receiving state shall enter the school on their validated level from a school in the sending state.

10. **What documentation must be provided if the parent is not present to enroll the military dependent child?**

    A special power of attorney, relative to the guardianship of a child of a military family, executed under applicable law is sufficient for the purposes of enrollment and all other actions requiring parental participation and consent.

11. Can a school district charge tuition to a transitioning military child?

No, a school district is prohibited from charging tuition to a transitioning military child placed in the care of a noncustodial parent who lives in a jurisdiction other than that of the custodial parent.

12. Can a transitioning military child continue enrollment in their zoned school even if they are placed in the care of a noncustodial parent who lives outside of the zoned school jurisdiction?

Yes, a transitioning military child, placed in the care of a noncustodial parent or other person standing in loco parentis, who lives in a jurisdiction other than that of the custodial parent, may continue to attend the school in which the child was enrolled while residing with the custodial parent.

13. Who provides the transportation for a transitioning military child to remain at their zoned school even though they are living outside of the zoned school jurisdiction?

If the transitioning military child now resides outside of the zoned school jurisdiction it is the responsibility of the noncustodial parent or other person standing in loco parentis to provide transportation for the transitioning military child to remain at their zoned school.

14. What is the procedure for new military children to enroll in magnet/charter schools?

Enrolling military children must be allowed to complete an application for a magnet school and they will be placed at the top of the waiting list for entry. Charter schools may give enrollment preferences to recently transferred children of active duty military personnel, but are not required to do so. Active duty military parents should contact the charter school to determine the school's enrollment procedures and preferences.

15. What educational courses should a transferring military child be placed in?

A student in the receiving state shall initially honor placement of a transferring student in educational courses, if such courses are offered, based on the student's enrollment in the sending state school. Course placement includes, but is not limited to, honors, international baccalaureate, advanced placement, vocational, technical and career pathways courses.

16. What is the procedure for placing a transferring military child in a class that has reached class size based on Florida's class size requirements?

The constitution of the state of Florida overrides the Interstate Compact. No student moving into this state should be placed in a class that causes that class to go over the class size for that grade thus placing that school out of compliance with the state law.

17. What are the requirements for placing a transferring military student in the gifted or English as a second language program?

A receiving state school shall **initially** honor placement of a student in education programs based on current education assessments conducted at a school in the sending state for programs such as gifted and talented and English as a second language. Further assessments may be conducted at the receiving school to determine eligibility for these programs in the state of Florida.

18. What are the requirements for providing services to students with a current Individual Education Plan (IEP)?

A school in a receiving state shall **initially** provide comparable services to a student with disabilities based on the student's current IEP and shall make reasonable accommodations and modifications to address the needs of that incoming student with disabilities in accordance with Federal law.

19. Can a school perform evaluations to determine appropriate placements in the state of Florida?

Yes, with respect to these **initial** placement issues (gifted, ELL, IEP), nothing precludes a school in the receiving state from performing subsequent evaluations to ensure appropriate placement of a student. Further, school districts shall have flexibility in waiving course or program prerequisites or other preconditions for placement.

20. What attendance issues are addressed by the compact?

A student whose parent or legal guardian is an active duty member of the armed forces and has been called to do duty for, is on leave from, or immediately returned from deployment to a combat zone shall be granted additional excused absences at the discretion of a school district's superintendent to visit with the student's parent/legal guardian relative to such leave or deployment.

21. What about extracurricular participation and eligibility?

State and local education agencies shall facilitate the opportunity for the inclusion of military children in extracurricular activities to the extent they are otherwise qualified, regardless of application deadlines.

22. What does a school need to do to facilitate on-time graduation for transferring military children?

- A school district shall waive specific courses required for graduation if similar course work has been satisfactorily completed in another school district or shall provide reasonable justification for denial. If a waiver is not granted to a student who would qualify to graduate from a school of the sending state, the school of the receiving state shall provide an alternative means of acquiring required coursework so that graduation may occur on time.
- States shall accept exit or end-of-course exams required for graduation from a school in the sending state or national norm-referenced achievement tests or alternative testing, in lieu of testing requirements for graduation in a school of the receiving state.
- If a transitioning student who transfers in his/her senior year is ineligible to graduate from a school in the receiving state after all alternatives have been considered, both the sending and receiving state schools shall ensure the receipt of a diploma from the sending state school if the student meets the graduation requirements of the sending state school.

23. If a student is transferring from a Department of Defense (DOD) school how will student records be sent?

DOD facilities give a copy of their child's records to hand carry. If the parent does not provide the information upon arrival, the receiving school can go to the DoDEA website (www.dodea.edu/datacenter/schools.cfm) for contact information of the sending DoD school. An email/mail/phone call can be sent/made to request a release of the records to the receiving school. DoDEA schools should be following the time frame in which to send the records to the gaining school.

24. How do receiving schools match courses taken from a sending DOD facility?

DoDEA provides a complete listing of course descriptions and codes at http://www.dodea.edu/curriculum/courses.cfm. Receiving schools may evaluate courses based on the Florida Course Code Directory at http://www.fldoe.org/articulation/CCD/ and Florida Course Descriptions available at http://www.fldoe.org/BII/curriculum/Course_Descriptions/.