



Interstate Compact on Educational Opportunity for Military Children

Ben Rasmussen – Utah Commissioner

“[A] child in a military family is the only individual that did not volunteer for their circumstances, but without doubt must bear the strains and sacrifices that such high mobility entail.”

Colonel Steven Hogan
Former Exec. Director MIC3



Key Issues Affecting Military Students

- Typical student experiences between 6-9 transitions
- Adjustment to New School Setting
- Transfer of Services for Special Education
- Incompatible Graduation Requirements
- Redundant / Missed Testing
- Transfer of Coursework and Grades
- Transfer of Records
- Exclusion from Extra-curricular Activities



Key Issues Affecting Military Students

- Social and Emotional Needs - New Friends/Peers
- Typical deployments vary from 45 days – 1+ yrs
- Deployments can be sudden / no notice
- Recent AF survey showed that even parents who don't deploy cope more poorly due to increased work load
- Issues can also begin during reintegration when the military member returns



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Legislative Response to Protect Military Impacted Students

- Developed by the Department of Defense, with assistance from the Council of State Governments
- Input and assistance from national associations, federal and state officials, and departments of education and superintendents
- Adopted by all 50 states, and the District of Columbia



What is an interstate compact? (And why should you care?)

- A compact is an enforceable agreement between two states authorized by Article I of the United States Constitution.
- A compact can be used for:
 - Cooperative effort
 - Mutual Assistance
 - Management
 - Regulation of public policy matters by the states, which transcend the boundaries of one state
- A compact is adopted by statute, and is law for everyone in the state.



UTAH

- Utah Code Ann. § 53A-1-1001, et seq.
- Updated in the 2017 Legislative Session
- The Interstate Compact is Law for Utah LEAs.



Major Issues

- The Interstate Compact on Educational Opportunity for Military Children is first and foremost designed to address recognized issues in transitioning for military impacted students
- The compact was not designed to impact local curriculum or educational standards.
- The compact recognizes the authority of local educational agencies to educate their students.
- The compact requires certain protections for certain students.



Who is protected by the Compact?

Children of:

- Active duty members of the uniformed services, including the National Guard and Reserve
- Injured or disabled servicemembers or veterans for one year after medical discharge or retirement
- Members who die in service on active duty for one year after death



Utah protects a broader group of servicemembers than other members of the compact!



What specific protections does the compact provide for students?

Articles IV through VII



ARTICLE IV - ENROLLMENT

1. Unofficial Records
2. 10 Days for Transcripts
3. 30 Days for Immunizations
4. Kindergarten Entrance Age



ARTICLE V - PLACEMENT

1. Initially Honoring Placement in Courses and Programs
2. IEP and 504 Plans
3. Flexibility in waiving course prerequisites
4. Additional Excused Absences
5. Subsequent Testing and Evaluation



ARTICLE VI - ELIGIBILITY

1. Special Power of Attorney for Enrollment
2. No Charging Local Tuition to a Transitioning Military Impacted Student
3. Transitioning Military Impacted Student May Continue to Attend
4. Facilitate a Transferring Student's Participation in Extracurricular Activities



ARTICLE VII - GRADUATION

1. Similar Coursework
2. Exams and Testing
3. Ensure the Receipt of a Diploma



CASE STUDY #1

1. The family in question moved from IL to NJ. The son was transferring senior and an exceptional student. His mother contacted the new school about his classes in April 2010. His class schedule was finalized in July requiring him to give up a Science class for a required yearly PE/Health credit even though he had 21.25 credits in PE/Health & only 16 were required to graduate!
2. NJ also required the student to repeat Personal Finance and take an additional Practical Arts course, which required him to drop two more classes after school had been in session for 3 weeks. Although he completed a nearly identical Personal Finance class in IL because it was 1/2 instead of full semester course he was required to repeat it.
3. His parents wanted the LEA to waive the rest of the Personal Finance class if he had to complete another Practical Arts course so it did not interfere with his continuity of education in his core classes, band, or Spanish.



RESOLUTION #1

After receiving this complaint, the Commission contacted the school principal explaining what the Compact provided for, in this instance Article V – Placement and Attendance, specifically flexibility. The school was very accommodating and subsequently agreed to work with the child's parents to ensure that the child's State mandated requirements were met.



CASE STUDY #2

A student was registered into kindergarten in a state with a Dec 1 cutoff date. The child's birthdate is Oct 15. The child never attended kindergarten and has now moved to a state with an Oct 1 cutoff date. Does the receiving state have to allow the student to attend kindergarten even though he doesn't meet the age requirement?



RESOLUTION #2

The receiving state does not have to allow the student to enroll in kindergarten. If the student had already started attending school in the state with the Dec 1 cutoff date the receiving district would be required to allow the student to continue in kindergarten. Likewise, if a transferring student has previously completed kindergarten but does not meet the attendance age for first grade in the receiving state, the receiving state should allow the student to attend first grade regardless of the date.



CASE STUDY #3

A student has numerous absences and is on an attendance plan. The father is returning from a deployment and wants to take his child to see his family. The trip will be for two weeks and is the same time as the state assessments. Is the district required to excuse the absences?



RESOLUTION #3

The Compact is very clear on this issue. The district is not required to excuse absences during testing or if the child already has attendance issues. The final decision on excusing the absences rests with the superintendent of the district. The expectation is that districts allow five days per year for families to deal with deployments and redeployments unless during state assessments or if the student already has attendance issues.



CASE STUDY #4

A student moves to a new district during the summer. She wants to try out for cheerleading but tryouts were held at the end of the prior school year. The school says she will have to wait until the next year. What should the school do?



RESOLUTION #4

The Compact encourages schools to provide opportunities for students who miss timelines to participate in extracurricular activities. This does not mean that a student must be removed from a team that they made in order to make room for a new military student. The school should explore ways for the student to participate in cheerleading or any other extracurricular activity. This could include saving 'slots' for students that arrive after the selection timeline; increasing the number of team participants; allowing students to try out when they enroll in the new school; or allowing them to practice if there is not a reasonable solution is found.



CASE STUDY #5

A student played high school soccer in Maryland during the fall, then was transferred to Utah when his father was deployed to HAFB. In Utah, soccer players generally play with private clubs during the fall and the high school team plays during the spring? UHSAA rules only allow one season of eligibility per sport per year and student was disqualified for the spring season because he had eligibility for a season in Maryland during the fall. Student appealed to the MIC3 commissioner for assistance in resolving the issue.



RESOLUTION #5

The Commission does not interpret the compact language to govern high school activity associations. Even though the UHSAA is comprised primarily of public schools subject to the compact, the UHSAA was not required to alter its rules or make an exception.



CASE STUDY #6

An Air Force family was transferring from a Sending state to a receiving state and are forced to take temporary housing while waiting to close on their new home. Temporary housing is zoned for a different school than the family's future home. The son, a 7th grader, was not being allowed to register for the school zoned for the new home because he does not reside in the area for that school. Does the Compact guarantee the family the ability to register for school where their home will be?



RESOLUTION #6

Not directly. Under Article II of the Interstate Compact, "Transition" means:

- 1) the formal and physical process of transferring from school to school or*
- 2) the period of time in which a student moves from one school in the sending state to another school in the receiving state.*

The military family needs to show the receiving school district that their temporary housing situation is part of the military move and not a choice. Contacting the receiving school district to determine what documentation is needed is recommended.



CASE STUDY #7

Student moved from Texas to Utah along with parent's deployment to HAFB. In Texas, student was enrolled in a gifted and talented program. Student asked to be enrolled in the Utah gifted and talented program, even though the states had different entrance standards for the program and the testing periods for placement had past. What was the Utah receiving school's obligation.



RESOLUTION #7

The Utah receiving school was required by the compact to "initially honor" the placement the student received in the Texas schools. This does not preclude the Utah school from conducting subsequent assessments to determine if the student meets the criteria required for continued placement.



Coordination of Compact

Each state is required:

- To Appoint a Commissioner
- To Establish a State Council



Role of State Commissioner

- Compact mission & purpose are promoted
- Appointment is compliant with Statute
- State Council is functioning
- Adequate Resources are available
 - Staff
 - Training
 - Capabilities/ Technology



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Role of State Commissioner

- Dues are paid
- Informal disputes are handled
- Working relationships are developed and maintained with:
 - National Office
 - Education Departments
 - State Council Members
 - School Liaison Officers
 - Other Commissioners
 - Military Installations



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State Council Responsibilities

- Designed to serve as an advisory and advocacy body
- May be tasked with development of policy concerning operations and procedures of the compact within that state.
- Assist the State Commissioner with their responsibilities.
- Promote and advocate the Interstate Compact to school administrators



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MIC3 Website
www.MIC3.net

- #1 communication/resource center
- Updated frequently
- Directory of State Compact Offices
- Discussion Forums



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Questions?


