

A RESOLUTION DECLARING THE INTENT FOR THE INTERSTATE COMPACT ON  
EDUCATIONAL OPPORTUNITY FOR MILITARY CHILDREN.

WHEREAS many military children face barriers to educational success because of frequent moves and deployment by their parents.

WHEREAS many states and districts are in need of assistance to ensure a timely enrollment so that children of military families are not placed at a disadvantage due to difficulty in the transfer of education records from a previous school district(s).

WHEREAS a streamlined, consistent procedure for facilitating the student placement process through which children of military families are not disadvantaged by variations in attendance requirements, scheduling, sequencing, grading, course content or assessment is needed;

WHEREAS it would be in the best interest of the dependent children to provide for the uniform collection and sharing of information between and among member states, schools and military families under this compact

WHEREAS it is important that family members of the military have the same access to procedures that will assist in facilitating the qualification and eligibility for enrollment, educational programs, and participation in extracurricular academic, athletic, and social activities.

WHEREAS children of the military face unique challenges with differing requirements for graduation, it is imperative that there be assistance and coordination in facilitating the on-time graduation of these students.

NOW, THEREFORE, BE IT RESOLVED that the Colorado State Board of Education stands in support of the Interstate Compact on Educational Opportunities for Military Children, as it will promote flexibility and cooperation between the educational system, parents and the student in order to achieve educational success for the military student.

Section 1. Educational Records. the new compact provides that schools must share records in a timely manner in order to expedite the proper enrollment and placement of students. If the sending school cannot provide the parent a copy of the official record, an unofficial copy will be provided that may be hand carried to the school in lieu of the official record. This unofficial record can then be used for preliminary placement while the school sends for the official record. Once requested, the sending school has 10 days to provide the official record to the receiving school.

Section 2. Immunizations. The new compact provides for specific timelines, in this case 30 days from the date of enrollment, for students to obtain required immunizations in the receiving state.

Section 3. Age of Enrollment/Course Continuation. The compact requires, absent a new enrollment in Kindergarten, that a student shall be allowed to continue their enrollment at grade level in the receiving state commensurate with their grade level from the sending state. For example, if a student is enrolled and attends Kindergarten at the age of 5 in State A and transfers to State B, the student would be allowed to continue in Kindergarten despite State B's

entrance age of 6 years. Further, the compact allows for such continuity of enrollment when a student has completed Kindergarten and is ready for enrollment in First Grade. For example, if a student has completed Kindergarten in State A and transfers to State B, the student would be allowed to enter First Grade despite State B's entrance age of 6 or 7 years.

Section 4. Eligibility.

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

Tuition - a local education agency shall be prohibited from charging local tuition to a military child placed in the care of a non-custodial parent or other person standing in loco parentis who lives in a jurisdiction other than that of the custodial parent.

Non-custodial parents - a military child, placed in the care of a non-custodial 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 he/she was enrolled while residing with the custodial parent.

Extracurricular activities - state and local education agencies shall facilitate the opportunity for military children's inclusion in extracurricular activities to the extent they are otherwise qualified.

Section 5. Placement.

Course placement / Educational Program placement - when the student transfers before or during the school year, the receiving state school shall initially honor placement of the student in educational courses based on the student's enrollment in the sending state school and/or educational assessments conducted at the school in the sending state if the courses are offered. Course placement includes but is not limited to Honors, International Baccalaureate, Advanced Placement, vocational, technical and career pathways courses. Continuing the student's academic program from the previous school and promoting placement in academically and career challenging courses should be paramount when considering placement. This does not preclude the school in the receiving state from performing subsequent evaluations to ensure appropriate placement and continued enrollment of the student in the course(s).

Special Education Services – 1) In compliance with the federal requirements of the Individuals with Disabilities Education Act (IDEA), 20 U.S.C.A. Section 1400 et seq, the receiving state shall initially provide comparable services to a student with disabilities based on his/her current Individualized Education Program (IEP); and 2) In compliance with the requirements of Section 504 of the Rehabilitation Act [insert federal statutory reference] and with Title II of the Americans with Disabilities Act [insert federal statutory reference] the receiving state shall make reasonable accommodations and modifications to address the needs of incoming students with disabilities, subject to an existing 504 or Title II Plan, to provide the student with equal access to education. This does not preclude the school in the receiving state from performing subsequent evaluations to ensure appropriate placement of the student.

Placement Flexibility. Local education agency administrative officials shall have flexibility in waiving course/program prerequisites, or other preconditions for placement in courses/programs offered under the jurisdiction of the local education agency.

Absence as related to deployment activities . A student whose parent or legal guardian is an active duty member of the uniformed services, as defined by the compact, and has been called to duty for, is on leave from, or immediately returned from deployment to a combat zone or combat support posting, shall be granted additional excused absences at the discretion of the local education agency superintendent to visit with his or her parent or legal guardian prior to leave or deployment of the parent or guardian.

Section 6. Graduation.

Waiver requirements – local education agency administrative officials shall waive specific courses required for graduation if similar course work has been satisfactorily completed in another local education agency or shall provide reasonable justification for denial. Should a waiver not be granted to a student who would qualify to graduate from the sending school, the local education agency shall provide an alternative means of acquiring required coursework so that graduation may occur on-time.

Exit exams - states shall accept: 1) exit or end-of-course exams required for graduation from the sending state; 2) national norm-referenced achievement tests or 3) alternative testing, in lieu of testing requirements for graduation in the receiving state. Within 12 months of the effective date of this compact, the Interstate Commission shall adopt a rule addressing the acceptance of exit exams.

Transfers during Senior year – Should a military student transferring in his or her Senior year be ineligible to graduate from the receiving local education agency after all alternatives have been considered, the sending and receiving local education agencies shall ensure the receipt of a diploma from the sending local education agency, if the student meets the graduation requirements of the sending local education agency. In the event that one of the states in question is not a member of this compact, the member state shall use best efforts to facilitate the on-time graduation of the student.

Section 7. This Resolution shall take effect immediately upon its introduction and approval.

Dated this 14<sup>th</sup> Day of February, 2008.



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Pamela J. Suckla, Chairman  
3<sup>rd</sup> Congressional District



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Bob Schaffer, Vice-Chairman  
4<sup>th</sup> Congressional District




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Evie Hudak  
2<sup>nd</sup> Congressional District



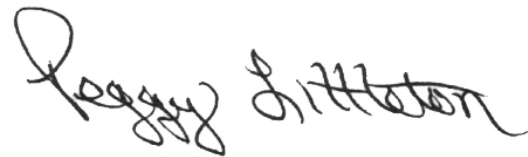
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