RESOLVING STUDENT TRANSFER ISSUE VIA THE MILITARY INTERSTATE COMPACT

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Pre-Survey: https://tinyurl.com/premic
Expected Outcomes

- Initiate or expand your level of knowledge about the Interstate Compact
  - What it covers
  - Who to contact for assistance and more information
- Identify issues military families and their children face that can effect a healthy transition.
- Determine what needs to be done to better communicate
- How the Commission can most effectively benefit all parties involved.
What is a Compact?

* An enforceable state statute and an agreement between two or more states for:
  * Cooperative effort
  * Mutual assistance
  * Management
  * Regulation of public policy matters by the states, which transcend the boundaries of one state.

* Authorized under Article I of the U.S. Constitution
* Created to address a wide variety of issues that arise among the states.
Background and Status

* 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
State Governance

* State coordination is governed by Article VIII of the Interstate Compact.
* Each State has:
  ➢ The LA State Commissioner is TBD
  ➢ State Council
  ➢ Military Family Education Liaison
The Compact addresses key educational transition issues encountered by military families including enrollment, placement, attendance, eligibility and graduation.

- Children of active duty members of the uniformed services, National Guard and Reserve on active duty orders, and members or veterans who are medically discharged or retired for one year are eligible for assistance under the Compact.
**Major Points**

- Compact is designed to resolve recognized education *transition* issues

- Compact is not intended to impact curriculum or local standards of education
  - Recognizes the authority and responsibility of states and local education agencies
  - Would have been a major obstacle in obtaining state membership
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

Interpersonal Issues Affecting Performance

- 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
Compact Content

* Article I – Purpose
* Article II – Definitions
* Article III – Applicability
* Article IV – Enrollment
* Article V – Placement and Attendance
* Article VI – Eligibility
* Article VII – Graduation
* Article VIII – State Coordination
* Article IX – Interstate Commission
Educational Records - Simultaneous with the enrollment and conditional placement of the student, the school in the receiving state shall request the student’s official education record from the school in the sending state. Upon receipt of this request, the school in the sending state will process and furnish the official education records to the school in the receiving state within ten (10) days or within such time as is reasonably determined under the rules promulgated by the Interstate Commission.

Immunizations - Compacting states shall give thirty (30) days from the date of enrollment or within such time as is reasonably determined under the rules promulgated by the Interstate Commission, for students to obtain any immunization(s) required by the receiving state.

Entrance Age (Kindergarten) - Students shall be allowed to continue their enrollment at the grade level in the receiving state commensurate with their grade level (including Kindergarten) from a local education agency in the sending state at the time of transition, regardless of age.
Article V - Placement and Attendance

MIC3 Rules – Chapter 500

Louisiana Statue

* Course and 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. The receiving state school shall initially honor placement of the student in educational programs based on current educational assessments conducted at the school in the sending state or participation/placement in like programs in the sending state. Such programs include, but are not limited to gifted and talented programs and English as a second language (ESL). This does not preclude the school in the receiving state from performing subsequent evaluations to ensure appropriate placement of the student.

* Placement Flexibility - Louisiana 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 Related to Deployment - A Louisiana 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 relative to such leave or deployment of the parent or guardian.
Special education services. 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). In compliance with the requirements of Section 504 of the Rehabilitation Act, 29 U.S.C.A. Section 794, and with Title II of the Americans with Disabilities Act, 42 U.S.C.A. Sections 12131-12165, 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.
Article VI – Eligibility
MIC3 Rules – Chapter 600
Louisiana Statute

Eligibility for enrollment.

* 1. 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.

* 2. A Louisiana local education agency shall be prohibited from charging local tuition to a transitioning 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.

* 3. A transitioning 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.

* B. Eligibility for extracurricular participation - State and local education agencies shall facilitate the opportunity for transitioning military children's inclusion in extracurricular activities, regardless of application deadlines, to the extent they are otherwise qualified.
A. 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.

B. Exit exams. States shall accept exit or end-of-course exams required for graduation from the sending state, national norm referenced achievement tests, or alternative testing, in lieu of testing requirements for graduation in the receiving state.

C. Transfers during senior year. Should a military student transferring at the beginning or during 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.
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?

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 #2

* 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?

* 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.
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?

Absence as related to deployment activities for Louisiana Students. 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 relative to such leave or deployment of the parent or guardian.
QUESTIONS?
Contact

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