

**Policy**

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EDUCATIONAL OPPORTUNITY FOR MILITARY CHILDREN

In an effort to facilitate the placement, enrollment, graduation, data collection and provision of special services for students transferring into or out of the school district because of their parents being on active duty in the U.S. Armed Services or members of the National Guard and Reserve on active duty orders, the district supports and will implement its responsibilities as outlined in the Interstate Compact on Educational Opportunity for Military Children and in accordance with N.J.S.A 18A:75A-1 et seq. The board of education believes it is appropriate to remove barriers to educational success imposed on children of military families because of their parents' frequent moves and deployment.

Students Covered Under The Compact

- A. A student enrolled in grades K-12 in the household of a full-time duty status in the active uniformed service of the United States, including members of the National Guard and Reserve on active duty orders pursuant to 10 U.S.C. Section 1209 and 1211;
- B. Children of 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;
- C. Children of 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.

Students Not Covered Under The Compact

The compact does not apply to children of:

- A. Inactive members of the national guard and military reserves;
- B. Members of the uniformed services now retired not covered in the above;
- C. Veterans of the uniformed services not covered in the above;
- D. 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.

Eligibility for Enrollment

- A. Special power of attorney or relative with guardianship of child can enroll a child;
- B. The district shall not charge local tuition when a transitioning military child resides in a jurisdiction other than that of the custodial parent;
- C. Transitioning military child may continue to attend school in which he/she was enrolled;
- D. Transitioning military children shall have the opportunity to participate in extracurricular activities, if qualified, regardless of application deadlines.

EDUCATIONAL OPPORTUNITY FOR MILITARY CHILDREN (continued)Definitions

"Receiving State's School District": the State or district to which a child of a military family is sent, brought, or caused to be sent or brought.

"Sending State's School District": the State or district from which a child of a military family is sent, brought, or caused to be sent or brought.

Guidelines

The district's responsibilities to eligible children include the following:

- A. Sending schools must send either official or unofficial records with the moving students and district receiving schools must use those records for immediate enrollment and educational placement;
- B. Simultaneously, the receiving school must request official records and the sending schools shall respond within 10 days with the records;
- C. Immunization requirements of the district may be met within 30 days from the date of enrollment (or be in progress);
- D. ~~Receiving schools must honor placement of students in all courses from the sending school. These include, but are not limited to, Honors, International Baccalaureate, Advanced Placement, vocational-technical, and career pathway courses if those courses are offered in the receiving school~~ **shall place students at appropriate levels;**
- E. In compliance with federal law, special education students must be placed by the existing IEP with reasonable accommodations in the receiving school.
- F. The district will exercise, as deemed appropriate, the right to waive prerequisites for all courses and programs, while also maintaining its right to re-evaluate the student to ensure continued enrollment, as deemed appropriate;
- G. A student whose parent/guardian is an active duty member of the uniformed services, as defined by the N.J.S.A. 18A:75A-3(a), 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 superintendent to visit with his or her parent/guardian in relation to such leave or deployment of the parent/guardian; \*\*
- H. An eligible student living with a noncustodial parent or other person standing in loco parentis shall be permitted to attend the school in which he or she was enrolled while living with the custodial parent without any tuition fee imposed.

\*\* This is wording straight from the law, if your district wishes to be more detailed and descriptive you can replace with content such as:

- G. The district may grant up to five (5) days of excused absences for military student whose parent/guardian is an active duty member of the uniformed services, as defined by the N.J.S.A. 18A:75A-3(a), and has been called to duty for, is on leave from, or immediately returned from deployment to a combat zone or combat support posting.

The conditions under which the district may approve excused absences are:

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1. The absence is preapproved;
2. The student is in good standing;
3. The student has a prior record of good attendance;
4. Missed work is completed and turned in within the school's allotted time period; and
5. The absence is not during standardized testing dates.

Kindergarten and First Grade Entry Age

The receiving state's school district shall allow the student to continue their enrollment at grade level from the sending state's school district and promote a student that satisfactorily completed prerequisite grade level in the sending state, regardless of age.

A student transferring after the school year starts shall enter school at the same grade and course level from the accredited sending school state.

Graduation Waiver Requirements

Specific required courses shall be waived if similar course work has been satisfactorily completed. If a waiver is denied, the superintendent shall provide an alternative means of acquiring required coursework so child may graduate on time.

Exit Exams

The district shall accept:

- A. Exit or End-of-Course exams;
- B. National Norm-Referenced Achievement Test;
- C. Alternative Testing.

If the above alternatives cannot be accommodated then the sending and receiving state's school districts shall ensure the receipt of a diploma from the sending district, if the student meets the graduation requirements of the sending district.

Transferring Beginning or During Senior Year

If the student is ineligible to graduate after all alternatives have been considered, the sending and receiving state's school districts shall ensure the receipt of a diploma, if student meets graduation requirements of sending district.

If one of the states in question are not a member of the Compact, the member state shall use best efforts to facilitate the on-time graduation in accordance with the Waiver Requirements and Exit Exams.

Adopted:  
NJSBA Review/Update:  
Readopted:

Key Words

Interstate Compact on Educational Opportunity for Military Children, Military Children, Excused Absence for Military Children

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<b>Legal References:</b>	<u>N.J.S.A.</u> 18A:11-1	General mandatory powers and duties
	<u>N.J.S.A.</u> 18A:35-4.9	Student promotion and remediation; policies and procedures
	<u>N.J.S.A.</u> 18A:36-14, -15, -16	Religious holidays; absence of students on; effect ...
	<u>N.J.S.A.</u> 18A:36-19a	Newly enrolled students; records and identification
	<u>N.J.S.A.</u> 18A:36-24 through -26	Missing children; legislative findings and declarations ...
	<u>N.J.S.A.</u> 18A:38-25	Attendance required of children between six and 16; exceptions
	<u>N.J.S.A.</u> 18A:38-26	Days when attendance required; exceptions
	<u>N.J.S.A.</u> 18A:38-27	Truancy and juvenile delinquency defined
	<u>N.J.S.A.</u> 18A:38-31	Violations of article by parents or guardians; penalties
	<u>N.J.S.A.</u> 18A:40-7	Exclusion of students who are ill
	<u>N.J.S.A.</u> 18A:40-8	Exclusion of students whose presence is detrimental to health and cleanliness
	<u>N.J.S.A.</u> 18A:40-9	Failure of parent to remove cause for exclusion; penalty
	<u>N.J.S.A.</u> 18A:54-20	Powers of board (county vocational schools)
	<u>N.J.S.A.</u> 18A:75A-1 <u>et seq.</u>	Interstate compact on educational opportunity for military children
	<u>N.J.A.C.</u> 6A:8-5.1	Graduation requirements
	<u>N.J.A.C.</u> 6A:16-1 <u>et seq.</u>	Programs to support student development
	<u>N.J.A.C.</u> 6A:30-1.1 <u>et seq.</u>	Evaluation of the Performance of School Districts
	<u>N.J.A.C.</u> 6A:32-8.1 <u>et seq.</u>	Student Attendance and Accounting
	<u>N.J.A.C.</u> 6A:32-8.3	Student attendance

Wetherell v. Board of Education of Township of Burlington, 1978 S.L.D. 794

Wheatley v. Board of Education of City of Burlington, 1974 S.L.D. 851

C.R., on behalf of J.R., v. Board of Education of the Scotch Plains-Fanwood Regional School District, 1988 S.L.D. (June 22)

**Possible**

<b>Cross References:</b>	*5020	Role of parents/guardians
	*5111	Admission
	*5114	Suspension and expulsion
	*5124	Reporting to parents/guardians
	*5125	Student records
	*5141.2	Illness
	*5141.4	Child abuse and neglect
	*5142	Student safety
	*6146	Graduation requirements
	*6146.2	Promotion/retention
	*6147	Standards of proficiency
	*6147.1	Evaluation of individual student performance
	*6154	Homework/makeup work
	*6171.4	Special education
	*6173	Home instruction

\*Indicates policy is included in the Critical Policy Reference Manual.