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1 Military Compact Waiver

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3 The State of Montana is one of numerous states across the country that is a member of the
4 Interstate Compact on Educational Opportunity for Military Children. As a school district within
5 the State of Montana subject to the laws of the State of Montana, the District shall follow the
6 requirements of the Compact for students who enroll at the District for whom the Compact
7 applies.

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9 Purpose

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11 The purpose of the Interstate Compact on Educational Opportunity for Military Children is to
12 remove barriers to educational success for children of military families due to frequent relocation
13 and deployment of their parents. The Compact facilitates educational success by addressing
14 timely student enrollment, student placement, qualification and eligibility for programs
15 (curricular, co-curricular, and extra-curricular), timely graduation, and the facilitation of
16 cooperation and communication between various member states' schools.

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18 Applicability

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20 This Compact applies only to children of:

- 21
- 22 1. Active duty members of the uniformed services as defined in the Compact, including
23 member of the national guard and reserve on active duty orders pursuant to 10 U.S.C.,
24 12301(d) and 12304;
 - 25
26 2. Members of the veterans of the uniformed services who are severely injured and
27 medically discharged or retired for a period of 1 year after medical discharge or
28 retirement; and
 - 29
30 3. Members of the uniformed services who die on active duty or as a result of injuries
31 sustained on active duty for a period of 1 year after death.

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33 Educational Records and Enrollment

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- 35 1. **Hand Carried/Unofficial Educational Records:** In the event that official educational
36 records cannot be released to a parent for the purpose of school transfer, the custodian of
37 records from the sending school shall prepare and furnish to the parent a complete set of
38 unofficial educational records containing uniform information as determined by the
39 Interstate Commission.

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41 Upon receipt of the unofficial educational records, the District shall enroll and
42 appropriately place the student based upon the information the school receives in the
43 unofficial educational records, pending validation by the official records, as soon as
44 possible.

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- 2. **Official Educational Records/Transcripts:** At the time of enrollment and conditional placement of a qualifying student at the District, the District shall request the student’s official educational records from their last school of attendance.

A school receiving such a request shall process the official educational records request and furnish such within a period of ten (10) days, or within the timeline determined to be reasonable by the Interstate Commission.

- 3. **Immunizations:** The District shall provide a period of thirty (30) days from the date of enrollment, or such other time frame as determined by the rules of the Interstate Commission, within which students may obtain any immunizations required by the District. Where the District’s requirements include a series of immunizations, initial vaccinations must be obtained within thirty (30) days, or within the timeline determined to be reasonable by the Interstate Commission.

- 4. **Entrance Age:** Students shall be allowed to continue their enrollment at grade level at the District, commensurate with their grade level from their receiving school, including kindergarten, at the time of transition. However, the provisions of Montana Code 20-5-101 regarding trustees enrolling a child in kindergarten or in first grade whose fifth (5th) or sixth (6th) birthday occurs on or before the tenth (10th) day of September of the school year in which the child is to enroll but is not yet 19 years of age, shall continue to apply.

A student who has satisfactorily completed the prerequisite grade level in the sending school shall be eligible for enrollment in the next highest grade level in the District, at the receiving school, regardless of age.

A student who is transferring into the District after the start of the school year shall enter the District on the student’s validated grade level from an accredited school in the sending state.

Placement and Attendance

- 1. **Course Placement:** Upon transfer of a qualifying student, the receiving District shall place the student in courses consistent with the student’s courses in the sending school and/or the school’s educational assessments.

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 requirement does not preclude the District from performing

1 subsequent evaluations to ensure appropriate placement and continued enrollment of the
2 student in the course(s).

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4 **2. Educational Program Placement:** The District shall initially honor placement of the
5 student in educational programs based on current educational assessments conducted at
6 the sending school or participation/placement in similar programs at the sending school.

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8 Educational program placement includes, but is not limited to, gifted and talented
9 programs and English as a second language. This requirement does not preclude the
10 District from performing subsequent evaluations to ensure appropriate placement of the
11 student.

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13 **3. Special Education Services:** In compliance with the federal requirements of the
14 Individuals with Disabilities Education Act, the District, as the receiving school, shall
15 initially provide comparable services to a student with disabilities based on his or her
16 current Individual Education Plan.

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18 In compliance with Section 504 of the Rehabilitation Act and with Title II of the
19 Americans with Disabilities Act, the District, as the receiving school, shall make
20 reasonable accommodations and modifications to address the needs of incoming students
21 with disabilities consistent with his or her existing 504 or Title II Plan.

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23 This does not preclude the District, as the receiving school, from performing subsequent
24 evaluations to ensure appropriate placement and/or accommodations are made for the
25 student.

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27 **4. Placement Flexibility:** The District’s Administration shall have the flexibility to waive
28 course/program prerequisites or other preconditions for placement in courses/programs
29 offered by the receiving District.

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31 **5. Absences Relating to Deployment Activities:** A student whose parent/legal guardian is
32 an active duty member of the uniformed services and has been called to duty for, is on
33 leave from, or immediately returned from deployment in a combat zone or combat
34 support position, shall be granted additional excused absences at the discretion of the
35 District’s Superintendent to visit with his or her parent/legal guardian relative to such
36 leave or deployment of the parent/guardian.

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38 Eligibility

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40 **1. Eligibility for Enrollment:** A Special Power of Attorney pertaining to the guardianship
41 of a student of a military family and executed under applicable law shall be sufficient for
42 the purposes of enrollment and all other actions requiring parental participation and
43 consent.
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1 The receiving District shall not charge tuition to a transitioning military student placed in
2 the care of a noncustodial parent or other person standing in loco parentis who lives in a
3 jurisdiction other than that of the custodial parent.
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5 A transitioning military student, placed in the care of a noncustodial parent or other
6 person standing in loco parentis who lives in a jurisdiction other than that of the custodial
7 parent, may continue to attend the school in which he or she was enrolled when residing
8 with the custodial parent.
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- 10 **2. Eligibility for Extra-Curricular Activity Participation:** The District shall facilitate the
11 opportunity for transitioning military students' inclusion in extracurricular activities,
12 regardless of application deadlines, to the extent the student is otherwise qualified.
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14 Graduation
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16 In order to facilitate the on-time graduation of children of military families, the receiving District
17 shall incorporate the following procedure:
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- 19 **1. Graduation Course Requirements – Waiver:** The receiving District's Administration,
20 through the Superintendent or designee, shall waive specific courses that are required for
21 graduation if similar coursework has been satisfactorily completed at another school.
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23 If the District does not waive the specific course requirement for graduation, the District
24 shall provide a reasonable justification for the denial. This justification shall be provided
25 to the parent/legal guardian in writing.
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27 If the receiving District does not waive the specific course requirement for graduation
28 and the student would have otherwise qualified to graduate from the sending school, the
29 receiving District shall provide an alternative means of acquiring required course work to
30 ensure that the student's graduation will occur on time.
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- 32 **2. Exit Exams:** In lieu of testing requirements required for graduation at the receiving
33 District, the District and the State of Montana shall accept any or all of the following:
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- 35 A. Exit exams or end-of-course exams required for graduation from the sending
36 school;
37 B. National norm-referenced achievement tests; or
38 C. Alternative testing.
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40 In the event the above alternatives cannot be accommodated by the receiving District for
41 a student transferring during his or her senior year, subsection 3, below, shall apply.
42

- 43 **3. Transfer During Senior Year of High School:** Should a military student transferring at
44 the beginning of or during the senior year be ineligible to graduate from the receiving

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1 District after all alternatives have been considered, the sending school and the receiving
2 District shall ensure the receipt of a diploma from the sending school if the student meets
3 the graduation requirements of the sending school.
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5 In the event that one of the states in question is not a member of this Compact, the
6 member state shall use best efforts to facilitate the on-time graduation of the student.
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8 Conflicts
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10 All state laws and District policies that conflict with this policy and/or in conflict with the
11 Compact are superseded to the extent of the conflict.
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13 Cooperation
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15 The receiving District, through its administration, shall timely cooperate with all state agency
16 inquiries and other District/school inquiries relating to a student who is covered by the Compact.
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19 Cross Reference: 2333 Participation in Commencement Exercises
20 2410 – 2410P High School Graduation Requirements
21 2413 Credit Transfer and Assessment for
22 Placement
23 3110 Entrance, Placement, and Transfer
24

25 Legal Reference: 20-1-230, MCA Enactment – interstate Compact on
26 Educational Opportunity for Military
27 Children - provisions
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29 Policy History:

30 Adopted on: March 2018

31 Revised on:

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33 *Revision Note:*