

# SENATE OF VIRGINIA



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COMMITTEE ASSIGNMENTS:  
EDUCATION AND HEALTH  
GENERAL LAWS AND TECHNOLOGY  
REHABILITATION AND SOCIAL SERVICES  
TRANSPORTATION

February 25, 2011

The Honorable Robert F. McDonnell  
Governor of Virginia  
Patrick Henry Building, 3rd Floor  
1111 East Broad Street  
Richmond, Virginia 23219

Virginia General Assembly  
Members of the Virginia General Assembly  
General Assembly Building  
Richmond, Virginia 23219

Dear Governor McDonnell and Members of the General Assembly:

As chairman of the Virginia Council on the Interstate Compact on Educational Opportunity for Military Children and in accordance with § 22.1-361, *Code of Virginia*, I am pleased to submit an executive summary of the interim activity and work of the Virginia Council for calendar 2010.

The executive summary provides information regarding the three meetings that the Virginia Council convened between May 2010 and January 2011, as well as other actions that were taken during calendar year 2010 to disseminate information regarding the Interstate Compact on Educational Opportunity for Military Children to military families, school divisions, and other affected entities. Also enclosed with the executive summary are presentations made to the Council during 2010.

Should you have any questions concerning the Virginia Council, please do not hesitate to contact me at (804) 698-7501.

Sincerely,

A handwritten signature in black ink, appearing to read "John C. Miller". The signature is written in a cursive style with a large initial "J".

John C. Miller

Enclosures

## **Members - Virginia Council on the Interstate Compact on Educational Opportunity for Military Children**

**Dr. William C. Boshier, Jr.**, Distinguished Professor of Public Policy at the Wilder School of Government and Public Affairs at Virginia Commonwealth University

**Professor Marlena E. Bremseth**, military spouse and mother, Lorton

**The Honorable M. Kirkand Cox**, Virginia House of Delegates

**Dr. James G. Merrill**, Superintendent - Virginia Beach City Public Schools

**Ms. Susan McIntosh**, education services officer, Marine Corps Base Quantico (ex officio)

**The Honorable John C. Miller**, Senate of Virginia (Council Chairman)

**Dr. Winston O. Odom**, Superintendent – Hopewell City Public Schools

**Dr. Patricia I. Wright**, Superintendent of Public Instruction

# Virginia Council on the Interstate Compact on Educational Opportunity for Military Children

## Executive Summary

### ***Actions Undertaken in 2010 to Provide Information on the Compact***

#### **May 2010**

Dedicated Web Page. The Department of Education, on behalf of the Virginia Council, develops a Web page dedicated to the Military Compact at:  
[http://www.doe.virginia.gov/support/student\\_family/military/va\\_council/index.shtml](http://www.doe.virginia.gov/support/student_family/military/va_council/index.shtml). This Web page is in addition to the Web site that the Department had already established for military family support at:

[http://www.doe.virginia.gov/support/student\\_family/military/index.shtml](http://www.doe.virginia.gov/support/student_family/military/index.shtml).

School Division Links to Information. The public information officers of every school division were contacted by the Department, on behalf of the Council, and asked to provide a link to the Military Compact Web site on their school division Web pages.

First Meeting of the Virginia Council – May 25, 2010. At this meeting, Council staff provided a general overview of the provisions of the Compact and public comment has been received.

#### **August 2010**

Superintendent's Memorandum. This memorandum communicated to divisions superintendents information on the composition of the Virginia Council and information on the Compact regarding eligibility, enrollment, immunizations, placement and graduation.

Principals and Counselor's Memorandum. The Virginia Department of Education, on behalf of the Virginia Council, sent out to the same information provided to division superintendents to these specific groups.

School Liaison Officers. The Virginia Department of Education, on behalf of the Virginia Council, sent out to the same information provided to division superintendents to this group as well as to the other interested parties who were part of the Department's listserv.

School Liaison Officer Meeting. Virginia Department of Education staff, on behalf of the Virginia Council, attend a meeting a school liaison officers at Fort Belvoir to learn about issues surrounding the Compact and to answer questions.

## **October 2010**

Joint Military Services School Liaison Committee. Virginia Department of Education staff, on behalf of the Virginia Council, attend a joint meeting of military personnel, division superintendents, and school liaison officers in Norfolk, Virginia.

Second Meeting of the Virginia Council – November 10, 2010. At this meeting, Council staff provided a detailed overview of the provisions of the Compact and existing Virginia law and regulation and an overview of the current work and future plans. Public comment was also received.

## **November 2010**

Annual Meeting of the Military Interstate Children's Compact Commission. Virginia Department of Education staff, on behalf of the Virginia Council, attended this meeting along with representatives from other states that have enacted the Compact.

## **January 2011**

Third Meeting of the Virginia Council – January 5, 2011. At this meeting, the Council was provided with an overview of the Virginia High School League policies related to military students and with an overview of local school division issues related to military families. Council staff also provided an overview of efforts to procure legal advice from the Military Interstate Children's Compact Commission in Lexington, Kentucky regarding issues surrounding enrollment and the treatment of out-of-state tests.

## **Virginia Military Advisory Council**

Council Meetings. Virginia Department of Education staff attended the Virginia Military Advisory Council meetings in May, July, and November to provide the Council with updates on education issues upon request.

## ***2011 Planned Actions***

**Guidance from the Military Interstate Children's Compact Commission.** The Virginia Department of Education, on behalf of the Virginia Council, is seeking guidance from the national office in the following areas: 1) the treatment of out-of-state tests; 2) kindergarten enrollment; and 3) the treatment of federal Department of Defense (DOD) schools. The Commission has been very responsive to Virginia's requests and has indicated that Virginia is the first state to seek formal guidance.

**Presentations to Educational Organizations.** Information on the work of the Virginia Council will be presented this year at informational session/conferences for the following groups: 1) the Superintendent's Leadership Advisory Council; 2) the Virginia Schools Board Association; 3) the Virginia Association of School Superintendents; and 4) the Virginia Association of Secondary School Principals.

**Response to Inquiries.** On behalf of the Virginia Council, the Virginia Department of Education will continue to promptly respond to all inquiries from military families and other interested parties and distribute guidance from the Virginia Council and from the Military Interstate Children's Compact Commission.

## **APPENDIX**

***Background Information:***  
***Interstate Compact on***  
***Educational Opportunity***  
***for Military Children***

**Anne Wescott**

**May 25, 2010**

# Facts about Military Families

- There are nearly 2.0 million military-connected children (active duty, National Guard, and Reserve) worldwide.
- Nearly 1.0 million children have seen a parent deployed to Iraq or Afghanistan.
- Of the children with parents on active duty:
  - ✓ 40% are ages 0-5
  - ✓ 32% are ages 6-11
  - ✓ 24% are ages 12-18
  - ✓ 4% are ages 19+

*The Military Child Education Coalition, Living in the New Normal, September 2009*



# Facts about Military Families

- There are 79,042 students living in Virginia with one or both parents on active duty.
- Virginia has the largest number of students in military families of any state, followed by:
  - ✓ Texas - 76,264 children
  - ✓ California - 61,960 children
  - ✓ North Carolina - 47,459 children
  - ✓ Georgia - 40,594 children

*U.S. Department of Defense, June 2009*

# Need for Interstate Compact

- On average, a military student transfers to different school divisions more than twice during high school.
- Most military children attend schools in six to nine different school divisions from kindergarten to 12<sup>th</sup> grade.
- The Interstate Compact is designed to ease the transition as families move from one state to another.

# Interstate Compact

- **The Council of State Governments (CSG), in cooperation with the U.S. Department of Defense worked with a variety of stakeholders and drafted a model compact.**
- **Kansas and Kentucky were the first states to join the compact in April 2008.**
- **Virginia joined the compact in 2009, with the passage of HB 1727 (Cole).**

# Interstate Compact

- One representative from each state in the compact is appointed to the national Military Interstate Children's Compact Commission (MIC3).
- The commission provides guidance and technical assistance to the states.
- The commission members serve on one or more committees:
  - *Executive*
  - *Finance*
  - *Rules*
  - *Compliance*
  - *Training, Education, and Public Relations*

# **Virginia Board of Education Supports Military Families**

- **The Virginia Board of Education began addressing the needs of military families in its regulations even before to the enactment of the Interstate Compact.**
- **The regulations provide for the transfer of credits from schools in other states, so long as the courses “... generally match the description of or can be substituted for courses for which the receiving school gives standard credit ....”**

# Regulations Provide Flexibility for Transfer Students

- The Board of Education has approved AP, IB, and other tests administered on a multistate basis as substitutes for end-of-course tests required to earn verified credits.
- The Board has also approved tests administered as part of another state's accountability assessment program as substitute tests .
- The number of verified credits required for graduation may be reduced for students who enter a Virginia high school for the first time during or after the 10<sup>th</sup> grade.

# Virginia Department of Education Website Resources

[http://www.doe.virginia.gov/support/student\\_family/military/index.shtml](http://www.doe.virginia.gov/support/student_family/military/index.shtml)

The screenshot shows the Virginia Department of Education website page for Military Families. The page has a dark blue header with the VDOE logo and navigation links. A left sidebar contains a menu of site sections. The main content area is titled 'STUDENT & FAMILY SERVICES' and 'MILITARY FAMILIES'. It features a 'News & Announcements' section with two news items from May 2010. Below this is a paragraph about military children in Virginia, followed by a photo of a man and a child. The page also includes a section for the 'Virginia Council on the Interstate Compact on Educational Opportunity for Military Children' and a 'Resources' section with several links to legislative and administrative documents. A right sidebar contains a 'MAIN MENU' with various service categories. The browser's taskbar at the bottom shows 'Local intranet' and a zoom level of 75%.

VIRGINIA DEPARTMENT OF EDUCATION

Home » Student & School Support » Student & Family Services » Military Families

STUDENT & FAMILY SERVICES

MILITARY FAMILIES

News & Announcements ⓘ

May 12, 2010 – Governor McDonnell recognizes May as Military Appreciation Month. [See governor's news release.](#)

May 11, 2010 – The first meeting of the Virginia Council on the Interstate Compact on Educational Opportunity for Military Children will be held on May 25, 2010, at 10 a.m. at Langley Air Force Base. [Directions and more information...](#)

In nearly every community in Virginia, there are children with parents or guardians on active duty with the armed forces. In fact, Virginia leads the nation – with nearly 80,000 – in the number of students with military ties. Virginia's public schools are committed to the care and education of the children these brave men and women have left behind.

VDOE, in collaboration with a number of military authorities, provides resources concerning children of mobilized military personnel for families and educators.

Virginia Council on the Interstate Compact on Educational Opportunity for Military Children

The [Virginia Council on the Interstate Compact on Educational Opportunity for Military Children](#) (Virginia Council) was formed to assist in easing the transition of the children of military families into school as a result of frequent moves and deployment of their parents. Created by the 2009 General Assembly, Virginia joins other states participating in the compact.

Resources

- [House Bill 1443](#) – Ensures that students whose parents are deployed outside the United States will continue to be admitted to public schools in the Commonwealth without tuition.
- [Senate Joint Resolution 115](#) and [House Joint Resolution 278](#) – Recognizing and supporting members of the National Guard and Reserve by conducting awareness programs and by holding Military Appreciation Day and other ceremonies.
- [Supporting Our Troops and Their Families in Virginia](#) (PDF) – March 26, 2003, Board of Education resolution
- [Children on Military Personnel Relocated to Military Housing](#) – September 1, 2006, Superintendent's Memo
- [School Enrollment of Children of Military Personnel Temporarily Relocated Due to Deployment to Active Military Operations](#) – October 9, 2001, Superintendent's

STUDENT & SCHOOL SUPPORT

School Counseling & Guidance

School Improvement & Reform

Safety & Crisis Management

Student Conduct & Discipline

Prevention Strategies & Programs

Health & Medical

Student & Family Services

Comprehensive Services Act for At Risk Youth & Families

Facility Construction & Maintenance

Food Service & Nutrition

Pupil Transportation

Technology in Education

Student Records

State Operated Programs

Resources:

Parent's Guide to Additional Services

You May Also Be Interested In

Local intranet 75%

***Overview of Virginia Law:  
Interstate Compact on  
Educational Opportunity  
for Military Children***



# Compact Overview & Introduction

**The Compact became part of Virginia law on July 1, 2009.**

- **The goal is to streamline the transfer of children of military families into Virginia public schools.**
- **The Compact defines children of military families as children enrolled in grades K-12 within the household of an active duty member. The active duty member has to be in full-time duty status and can be a member of the National Guard or Reserves.**
- **The Virginia Compact contains 18 articles.**

**The Virginia Council on the Interstate Compact on Educational Opportunity for Military Children also became part of state law on July 1, 2009, and serves to support the compact.**

# **Compact Articles I-III**

## **Article I – Statement of General Purpose**

*(addresses timely enrollment and placement, information sharing among member states)*

## **Article II – Definition of Terms**

*(such as educational records and extracurricular activities)*

## **Article III – Applicability**

*(which children are covered by the Compact – includes children of active duty members and children of members or veterans who are medically discharged or who die while on active duty)*

# **Compact Article IV**

## ***Records & Enrollment***

- **If needed for transfer purposes, a parent can receive a set of unofficial educational records containing uniform information as determined by the Compact.**
- **Upon receipt of this unofficial record, a receiving school shall immediately enroll the student.**
- **A sending school must provide official records within 10 days or within a reasonable time frame as determined under Compact rules.**
- **Member states shall give 30 days from the date of enrollment or within such time as determined by the Compact for students to obtain any required immunizations.**

# **Compact Article IV**

## ***Records & Enrollment (continued)***

- **Transferring students shall be allowed to continue their enrollment at the grade level in the receiving state commensurate with the grade level in the sending state, regardless of any minimum age requirement.**
- **A student who has satisfactorily completed the prerequisite grade level in the sending state shall be eligible for enrollment in the next highest grade level in the receiving state, regardless of any minimum age requirement.**
- **A student transferring after the start of the school year shall enter the school in the receiving state on the level validated by the sending state.**

# **Compact Article V**

## ***Placement & Attendance***

- **The receiving school shall initially honor placement of the student in educational courses based on the student's enrollment in the sending state and/or educational assessment conducted at the school in the sending state.**
  - ✓ **Course placement includes, but is not limited to, honors, International Baccalaureate (IB), advanced placement (AP), vocational, technical, and career pathways courses.**
- **The receiving school shall initially honor placement of the student in educational programs based on current educational assessments in the sending state. Such programs include, but are not limited to, gifted programs and English as a Second Language (ESL) programs.**

# **Compact Article V**

## ***Placement & Attendance (continued)***

- Continuing the student's course or program from the sending school is a priority – but it does not preclude the receiving school from performing subsequent evaluations to ensure appropriate placement.
- In compliance with federal requirements, the receiving state shall initially provide comparable services to a student with disabilities and the receiving state shall make reasonable accommodations and modifications to address the student's needs. This does not preclude the receiving school from performing subsequent evaluations to ensure appropriate placement.
- School divisions have flexibility in waiving course/program prerequisites or other preconditions for placement in courses/programs offered under their jurisdiction.

# **Compact Article VI**

## ***Eligibility***

- **Children will be enrolled provided that documentation as required by Virginia law is provided.**
- **School divisions are prohibited from charging tuition where the child is in the care of a non-custodial parent or is in the care of a person standing in loco parentis. Such children may also continue to attend the school in which they were enrolled while residing with the custodial parent.**
- **State and local agencies shall facilitate opportunities for children to participate in extracurricular activities.**

# **Compact Article VII**

## ***Graduation***

- **School divisions shall waive specific courses required for graduation if similar coursework has been completed.**
- **Should a waiver not be granted to a student who would qualify to graduate from a sending school, the school division shall provide an alternative means of acquiring required coursework.**



# Compact Article VII

## *Graduation (continued)*

- **States shall accept:**
  - ✓ exit or end-of-course exams required for graduation from the sending state;
  - ✓ national norm-referenced achievement tests, or
  - ✓ alternative testing acceptable to a receiving state.
- **Should a military student transferring in the senior year be ineligible to graduate from the receiving school division after all alternatives have been exhausted, then the sending school division shall ensure receipt of a diploma, provided that the student meets the requirements for graduation of the sending school division.**

# **Compact Article VIII**

## ***State Coordination***

- **Each member state shall create a State Council or use an existing body to coordinate its work for the Compact. Council membership must include at least:**
  - ✓ **State Superintendent**
  - ✓ **A superintendent of a school district with a high concentration of military children**
  - ✓ **One representative from a military installation**
  - ✓ **One representative each from the legislative and executive branches of government; and**
  - ✓ **Other offices and stakeholder groups as deemed appropriate.**
- **Each state shall employ a military family education liaison.**

# Compact Articles IX-XVIII

- **Article IX & X – Powers and Duties of the Compact**  
*(includes rulemaking, dispute resolution, and composition)*
- **Article XI – Organization and Operation of the Compact**  
*(scheduling of meetings and establishment of committees)*
- **Article XII – Rulemaking Functions of the Compact**  
*(administrative procedures)*
- **Article XIII – Oversight, Enforcement, and Dispute Resolution**  
*(general operations)*
- **Article XIV – Financing of the Compact**  
*(assessment of dues)*
- **Articles XV-XVIII – Other General Operations**  
*(relates to issues such as compact amendments and withdrawal/dissolution)*

# The Virginia Council

- **The Virginia Council on the Interstate Compact on Educational Opportunity for Military Children serves to support the Compact.**
- **According to Virginia law, the Council “may consider any and all matters related to the Interstate Compact on Educational Opportunity for Military Children or the general activities and business of the organization and shall have the authority to represent the Commonwealth in all actions of the Compact.”**
- **The law also requires that the Council submit an annual report to the Governor and to the General Assembly. The next report is due prior the commencement of the 2011 General Assembly session.**

***Virginia Council on the Interstate Compact  
on Educational Opportunity for Military  
Children: Overview of the Compact in  
Virginia Law Compared to Other Virginia Law  
and Regulation***

***November 10, 2010***

**Michelle Vucci  
Director of Policy  
Virginia Department of Education**

# Overview

- **The Compact became part of Virginia law on July 1, 2009. At the present time, Virginia is one of 37 states to have enacted the Compact.**
- **The goal of the Compact in all states is to streamline the transfer of children of military families into public schools. The Compact contains 18 articles.**
- **Prior to the enactment of the Compact, Virginia had in place, through both law and regulation, numerous provisions to facilitate the enrollment, placement, and transfer of credit for students coming into Virginia public schools.**

# **Military Compact in Virginia Law**

## **Article I through III**

- **These articles do not directly address services to children of military families. These articles define the general purpose and applicability of the Compact and provide for the definition of terms.**
- ✓ **Article I – Statement of General Purpose (*addresses timely enrollment and placement*)**
- ✓ **Article II – Definition of Terms (*such as educational records and extracurricular activities*)**
- ✓ **Article III – Applicability (*which children are covered by the Compact – includes children of active duty members and children of members or veterans who are medically discharged or who die while on active duty*)**

# Comparison - Military Compact in Virginia Law Against Other Virginia Law or Regulation

## Article IV – Educational Records & Enrollment

Article IV - Military Compact in Virginia Law	Other Virginia Law or Regulation
<u>Unofficial records</u> – A parent can receive records from the sending school to facilitate enrollment at the receiving school.	None.
<u>Official records</u> – Sending states have 10 days to provide official records to the receiving state.	Virginia law requires that the scholastic record “shall be transferred to the school division to which the pupil transfers upon request from such school division.” No time frame for such transfer is specified.
<u>Immunizations</u> – States must provide a 30 day ‘grace’ period for any required immunizations.	Virginia law provides that “any student whose immunizations are incomplete may be admitted conditionally if that student provides documentary proof at the time of enrollment of having received at least one dose of the required immunizations accompanied by a schedule for completion of the required doses within 90 days.”
<u>Kindergarten/First Grade Entrance Age</u> – Students must be permitted to continue enrollment in the receiving state at the grade level comparable to that of the sending state, regardless of minimum age.	Virginia law provides that children must be enrolled in school if the fifth birthday falls on or before September 30. In school divisions where certain programs (such as junior kindergarten or transitional first grade) are operated, children whose fifth birthday falls after September 30 but before December 31 may be enrolled in kindergarten if a readiness evaluation has been administered and the child will benefit from kindergarten attendance. There are also provisions in the law for parents to hold children back from kindergarten, if the parent deems necessary.



# Comparison - Military Compact in Virginia Law Against Other Virginia Law or Regulation

## Article V – Placement and Attendance

Article V - Military Compact in Virginia Law	Other Virginia Law or Regulation
<p><u>Course/Educational Program Placement</u> – Receiving schools must initially honor placement based on the student’s status in the sending state, including any assessments. Receiving states may conduct subsequent evaluations.</p>	<p>Virginia law states that provisions “shall be made to facilitate the transfer and appropriate grade placement of students from other public secondary schools, from nonpublic schools, or from home instruction as outlined in the standards for accreditation.” These standards (regulations) contain the following provisions:</p> <ul style="list-style-type: none"> <li>▪ The academic record of transfer students shall be evaluated to determine appropriate grade placement in accordance with policies adopted by the local school board.</li> <li>▪ No public school is prohibited from accepting credits toward graduation awarded to students who transfer from other schools when the courses for which the student receives credit generally match the description of or can be substituted for courses for which the receiving school gives standard credit.</li> </ul>

# Comparison - Military Compact in Virginia Law Against Other Virginia Law or Regulation

## Article V – Placement and Attendance (continued)

Article V – Military Compact in Virginia Law	Other Virginia Law or Regulation
<p><u>Special Education</u> – In compliance with federal law and regulation, receiving states shall initially provide comparable services based on the current Individualized Education Program (IEP) or 504/Title II plan. Receiving states may conduct subsequent evaluations.</p>	<p>The provision of services to children of military families transferring to Virginia must meet federal law and regulations. State special education regulations provide for the following in regards to children with disabilities transferring from a public school in one state to a public school in another state:</p> <ul style="list-style-type: none"> <li>▪ The receiving state shall take reasonable steps to obtain all records, including the IEP.</li> <li>▪ The receiving school division shall provide a free and appropriate public education, including services comparable to those described in the IEP from the sending state, until the receiving school division adopts the IEP from the sending state or conducts an evaluation and implements a new IEP.</li> </ul>

# Comparison - Military Compact in Virginia Law Against Other Virginia Law or Regulation

## Article V – Placement and Attendance (continued)

Article V – Military Compact in Virginia Law	Other Virginia Law or Regulation
<p><u>Placement Flexibility</u> – Officials in the receiving school division 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.</p>	<p>Virginia law states that provisions “shall be made to facilitate the transfer and appropriate grade placement of students from other public secondary schools, from nonpublic schools, or from home instruction as outlined in the standards for accreditation.” These standards (regulations) contain the following provisions:</p> <ul style="list-style-type: none"> <li>▪ Schools may substitute courses required in other states in the same content area if the student is unable to meet specific content requirements without taking a heavier than normal course load in any semester, by taking summer school, or by taking courses after the time when the student would have otherwise graduated.</li> <li>▪ Students entering a Virginia high school during the 10<sup>th</sup> grade and at the beginning of the 11<sup>th</sup> grade do not have to earn as many verified credits towards a Standard or Advanced Studies diploma as those students enrolled in a Virginia public school since 9<sup>th</sup> grade.</li> </ul>
<p><u>Absences</u> – Students whose parents are in the process of deployment may be granted additional excused absences, at the discretion of the local school division.</p>	<p>None.</p>

# Comparison - Military Compact in Virginia Law Against Other Virginia Law or Regulation

## Article VI – Eligibility

Article VI - Military Compact in Virginia Law	Other Virginia Law or Regulation
<p><u>Enrollment</u> – Children will be enrolled provided that documentation as required by Virginia law is provided.</p>	<p>Virginia law sets out certain documentation requirements for enrollment, including documentation regarding birth certificates and disciplinary status.</p>
<p><u>Special power of attorney</u> – This document shall be sufficient for the purposes of enrollment and all other actions requiring parental participation and consent.</p>	<p>Virginia law provides that public schools shall be free to those persons of school age when the person is living with an individual, not solely for school purposes, “pursuant to a Special Power of Attorney executed under Title 10, United States Code, § 1044b, by the custodial parent while such custodial parent is deployed outside the United States...”</p>

# Comparison - Military Compact in Virginia Law Against Other Virginia Law or Regulation

## Article VI – Eligibility (continued)

Article VI - Military Compact in Virginia Law	Other Virginia Law or Regulation
<p><u>Tuition</u> - School divisions are prohibited from charging tuition where the child is in the care of a non-custodial parent or is in the care of a person standing in loco parentis. Such children may also continue to attend the school in which they were enrolled while residing with the custodial parent.</p>	<p>Virginia law provides that “no person of school age shall be denied admission or charged tuition when (i) such person's custodial parent has been deployed outside the United States...; and (ii) such person's custodial parent has executed a Special Power of Attorney under Title 10, United States Code, § 1044b....” Furthermore, persons of school age may continue to attend school in the Virginia school division they attended immediately prior to the deployment and shall not be charged tuition for attending such division.</p>
<p><u>Extracurricular Activities</u> – State and local agencies shall facilitate opportunities for children to participate in extracurricular activities, regardless of application deadlines and to the extent that the children are otherwise qualified to participate.</p>	<p>Interscholastic programs in Virginia are governed by the rules of the Virginia High School League.</p>

# Comparison - Military Compact in Virginia Law Against Other Virginia Law or Regulation

## Article VII – Graduation

Article VII – Military Compact in Virginia Law	Other Virginia Law or Regulation
<p><u>Waiver Requirements</u> – Receiving school divisions shall waive specific courses needed for graduation, if similar coursework was completed at the sending school. If a waiver cannot be granted and the student would qualify to graduate from the sending school, then the receiving school must find an alternate means of providing required coursework.</p>	<p>Virginia law states that provisions “shall be made to facilitate the transfer and appropriate grade placement of students from other public secondary schools, from nonpublic schools, or from home instruction as outlined in the standards for accreditation.” These standards (regulations) contain the following provisions:</p> <ul style="list-style-type: none"> <li>▪ The academic record of transfer students shall be evaluated to determine appropriate grade placement in accordance with policies adopted by the local school board.</li> <li>▪ No public school is prohibited from accepting credits toward graduation awarded to students who transfer from other schools when the courses for which the student receives credit generally match the description of or can be substituted for courses for which the receiving school gives standard credit.</li> </ul> <p>•Students transferring into a Virginia high school for the first time after 20 instructional hours per course of their senior or 12<sup>th</sup> grade year shall be given every opportunity to earn a Standard, Advanced Studies, or Modified Standard Diploma. If it is not possible for the student to meet the requirements for a diploma, arrangements should be made for the student’s previous school to award the diploma. If these arrangements cannot be made, a waiver of the verified unit of credit requirements may be available to the student seeking a Standard or Advanced Studies Diploma.</p>

# Comparison - Military Compact in Virginia Law Against Other Virginia Law or Regulation

## Article VII – Graduation (continued)

Article VII – Military Compact in Virginia Law	Other Virginia Law or Regulation
<p><u>Exit Exams</u> – Receiving states shall accept:</p> <ul style="list-style-type: none"> <li>✓ Exit or end-of-course exams required for graduation from the <u>sending</u> state; or</li> <li>✓ National norm-referenced achievement tests; or</li> <li>✓ Alternative testing acceptable to receiving state.</li> </ul>	<p>Virginia law states that provisions “shall be made to facilitate the transfer and appropriate grade placement of students from other public secondary schools, from nonpublic schools, or from home instruction as outlined in the standards for accreditation.” These standards (regulations) provide that additional tests for awarding credit may be approved by the Virginia Board of Education and must meet the following criteria:</p> <ul style="list-style-type: none"> <li>• The test must be standardized and graded independently of the school or school division in which the test is given;</li> <li>• The test must be knowledge based;</li> <li>• The test must be administered on a multistate or international basis, or administered as part of another state’s accountability assessment program; and</li> <li>• The test must measure content that incorporates the Virginia Standards of Learning content in the course for which verified credit is given.</li> </ul>

# Comparison - Military Compact in Virginia Law Against Other Virginia Law or Regulation

## Article VII – Graduation (Exit Exams continued)

Article VII – Military Compact in Virginia Law	Other Virginia Law or Regulation
<p><u>Exit Exams</u> – Receiving states shall accept:</p> <ul style="list-style-type: none"> <li>✓ Exit or end-of-course exams required for graduation from the <u>sending</u> state; or</li> <li>✓ National norm-referenced achievement tests; or</li> <li>✓ Alternative testing acceptable to receiving state.</li> </ul>	<p>The Virginia Board of Education has advised school divisions that, when students transfer to a Virginia public school from a state that requires such high school end-of-course tests, the local school division <u>may automatically</u> accept the student’s passing score on the test and the corresponding course for the purposes of awarding verified credit.</p> <p>Additional guidance states that, when students transfer to a Virginia public school from a state that requires a comprehensive subject area examination as a prerequisite for graduation from high school, the Virginia Department of Education, at the request of the division superintendent, will review the examination to determine its suitability for use to award verified credit in the same manner as other substitute tests have been reviewed and recommended for approval. In order for a test to be deemed suitable for use, the test must be approved as part of another state’s accountability system and approved through the federal standards and assessment peer review process.</p>
	<p>The Virginia Board of Education has approved a list of tests acceptable as substitutes for end-of-course Virginia Standards of Learning tests and passing scores for those tests. This list is updated annually.</p>



# Comparison - Military Compact in Virginia Law Against Other Virginia Law or Regulation

## Article VII – Graduation (continued)

Article VII – Military Compact in Virginia Law	Other Virginia Law or Regulation
<p><u>Transfers During Senior Year</u> – Should a military student transferring in the senior year be ineligible to graduate from the receiving school division after all alternatives have been exhausted, then the sending school division (in cooperation with the receiving school division) shall ensure receipt of a diploma, provided that the student meets the requirements for graduation from the sending school division.</p>	<p>Virginia law states that provisions “shall be made to facilitate the transfer and appropriate grade placement of students from other public secondary schools, from nonpublic schools, or from home instruction as outlined in the standards for accreditation.” These standards (regulations) contain the following provision:</p> <ul style="list-style-type: none"> <li>•Students transferring into a Virginia high school for the first time after 20 instructional hours per course of their senior or 12th grade year shall be given every opportunity to earn a Standard, Advanced Studies, or Modified Standard Diploma. If it is not possible for the student to meet the requirements for a diploma, arrangements should be made for the student’s previous school to award the diploma. If these arrangements cannot be made, a waiver of the verified unit of credit requirements may be available to the student seeking a Standard or Advanced Studies Diploma.</li> </ul>

# **Military Compact in Virginia Law**

## **Article VIII through XVIII**

- **These articles do not directly address services to children of military families. These articles address the infrastructure needed for the Compact to operate in Virginia and do not crosswalk to any existing law or regulation.**
- ✓ **Article IX & X – Powers and Duties of the Compact (*includes rulemaking, dispute resolution, and composition*)**
- ✓ **Article XI – Organization and Operation of the Compact (*scheduling of meetings and establishment of committees*)**
- ✓ **Article XII – Rulemaking Functions of the Compact (*administrative procedures*)**
- ✓ **Article XIII – Oversight, Enforcement, and Dispute Resolution (*general operations*)**
- ✓ **Article XIV – Financing of the Compact (*assessment of dues*)**
- ✓ **Articles XV-XVIII – Other General Operations (*relates to issues such as Compact amendments and withdrawal/dissolution*)**

Virginia Council for the Interstate Compact on Educational Opportunity for Military  
Children  
Minutes: May 25, 2010

Council Members in Attendance:

Senator John C. Miller, Chair  
Dr. Patricia I. Wright, Superintendent of Public Instruction  
Mr. James S. Lander  
Dr. James G. Merrill, Superintendent of Virginia Beach Public Schools  
Dr. Winston O. Odom, Superintendent of Hopewell City Public Schools

Council Members not in Attendance:

The Honorable M. Kirkland Cox, House of Delegates  
Dr. William C. Boshier, Jr.

Department of Education Staff in Attendance:

Anne Wescott, Assistant Superintendent for Policy and Communications  
Michelle Vucci, Director of Policy

Senator Miller opened the meeting by welcoming the Council members and guests. He asked all Council members present to introduce themselves and provide background information.

Ms. Wescott provided general background information to the members regarding the need for the Interstate Compact and how many children in Virginia are affected. Ms. Wescott also provided information on actions that have already been taken by the Virginia Board of Education to ease the transition of military children into Virginia public schools.

Ms. Vucci provided an overview of the Compact articles that exist in Virginia law and the duties of the Council.

Anne Bane and Penny Petersen from Hampton City Schools provided an overview of the efforts of the school division to streamline and ease the transfer of military children into and out of Hampton City Schools. They also discussed efforts undertaken to assist these children with varying needs while the children are enrolled in Hampton City.

The Council then received public comments from two members of the audience. One comment was in regards to the need for the Council to provide information on the Compact to affected entities. The other comment related to the need for the Council to look at the flow of federal Impact Aid dollars to Virginia school divisions.

The members of the Council then discussed current issues. Mr. Lander emphasized the need for good communication. Dr. Odom discussed the use of electronic interfaces so that parents and children could improve the frequency of communication while parents are deployed. Dr. Merrill discussed communication, statewide policy direction regarding the Compact, and the need for training. Dr. Wright discussed the relationship of the Compact of other existing state laws and the importance of assessing unintended consequences.

Senator Miller closed the meeting by thanking the Council members and by indicating that the next Council meeting date will likely be shortly after the start of the 2010-2011 school year.

Virginia Council for the Interstate Compact on Educational Opportunity for Military  
Children  
Minutes: November 10, 2010

Council Members in Attendance:

Senator John C. Miller, Chair  
Dr. Patricia I. Wright, Superintendent of Public Instruction  
Mr. James S. Lander  
Dr. James G. Merrill, Superintendent of Virginia Beach Public Schools  
Dr. Winston O. Odom, Superintendent of Hopewell City Public Schools  
Dr. William C. Boshier, Jr.

Council Members not in Attendance:

The Honorable M. Kirkland Cox, House of Delegates

Department of Education Staff in Attendance:

Anne Wescott, Assistant Superintendent for Policy and Communications  
Michelle Vucci, Director of Policy

Senator Miller opened the meeting by welcoming the Council members and guests.

Major General (Ret.) Frank Faykes presented information on a report issued by Mission: Readiness – Military Leaders titled “*Too Fat to Fight*”. This report focuses on recommendations that Congress pass new child nutrition legislation to eliminate junk foods from schools, to support increasing nutritional standards for schools, and to provide children with access to program that reduce obesity. General Faykes indicated that research shows that children suffering from low income consume 80 percent of their food at schools.

Mr. Patrick Finneran, Director of Corporate and Government Relations for Newport News Public Schools, provided information to the members on the efforts of Newport News schools to assist military families transferring in and out of the school system.

Ms. Vucci provided information to the members about how Virginia Interstate Compact Law compares to other Virginia law and regulation. The members asked general questions regarding how academic work done at Department of Defense schools would be transferred into Virginia public schools. Ms. Vucci also indicated that more clarification would be sought from the offices of the national interstate compact on this issue and issues related to kindergarten enrollment and the acceptance of tests administered in other states.

Ms. Wescott provided general background information to the members regarding current efforts to publicize the work of the Compact. Ms. Wescott discussed the comprehensive web site developed by the Department to provide information on the Compact and

discussed the level of service provided by the Department to address all questions related to the Compact. She also discussed the agenda for the national interstate compact meeting, which was to take place in mid-November.

The Council then received public comment from one member of the audience, who indicated that the information provided in the crosswalk of the Virginia Compact Law to the existing law and regulations was very much needed by military school liaison officers working with parents and school divisions.

Senator Miller closed the meeting by thanking the Council members and by indicating that the next Council meeting date will be on January 5, 2011 in Richmond.

Presentation materials from the meeting can be found at:

[http://www.doe.virginia.gov/support/student\\_family/military/va\\_council/index.shtml](http://www.doe.virginia.gov/support/student_family/military/va_council/index.shtml).