

## **AR Code: 4050-R Children of Military Families**

---

The board has committed to supporting and serving the unique needs of children of military families through compliance with the Interstate Compact on Educational Opportunity for Military Children, G.S. 115C, art. 29B. This commitment is articulated in policy 4050, Children of Military Families, and in several other policies that directly address the special needs of children of military families in the particular context of the policy topic. The following regulations supplement the requirements in those board policies in order to comply with the implementing Rules of the Compact established by the Interstate Commission on Educational Opportunity for Military Children. The Rules may be viewed at [mic3.net/pages/resources/resources.aspx](http://mic3.net/pages/resources/resources.aspx).

For purposes of this regulation, the definitions adopted in policy 4050 shall apply. Upon satisfactory evidence establishing a student's eligibility as a child of a military family in accordance with those definitions, school officials shall administer policies and procedures applicable to the student as described below.

### **I. DOMICILE OR RESIDENCE REQUIREMENTS**

A child of a military family may be admitted, without the payment of tuition, if the child meets the domicile or residence requirements established in policy 4120, Domicile or Residence Requirements. *[In addition to admission based on domicile, policy 4120 and state law entitle a student, whose parent or legal guardian is on active military duty (or deceased, discharged, or retired due to injury while on active duty) and who is living with an adult domiciled in the LEA, to attend school upon presentation of caretaker affidavits and other supporting documents. Note, however, that the Commission's Rules would also permit a transitioning military child who has been placed in the care of a non-custodial parent or other person standing in loco parentis who lives outside the geographic boundaries of the school system to continue to attend the school in which the student was enrolled while residing with the custodial parent. The student would be required to provide his or her own transportation, but would not have to pay tuition. This regulation does not address the situation of a military child living with an adult domiciled outside the LEA because, under North Carolina law, such a child would not be entitled to continue attending the current school unless the child remains domiciled in the LEA. On this point, North Carolina's version of the Interstate Compact differs from the original Compact language on which the rule is based. North Carolina's Compact statute, G.S. 115C-407.5, art. VI A, requires military children to meet the admission criteria of G.S. 115C-366 (i.e., domicile or, in some cases, residence, within the LEA). Thus, it appears that the Commission's rule regarding children living with an adult who lives outside the LEA would apply only when a child continues to be domiciled in the LEA after the custodial parent has deployed or otherwise relocated. School officials should consult the board attorney for guidance as to whether to address this specific situation in regulation. The pertinent provision is found in section 6.101(b) of the Rules.]*

**II. AGE REQUIREMENTS FOR INITIAL ENTRY**

The requirements of policy 4100, Age Requirements for Initial Entry, shall be adjusted as follows:

- A. Regardless of age or time of enrollment, but subject to validation by an accredited school in the state from which the student is relocating, students shall be allowed to continue their enrollment at the grade level commensurate with their grade level (including kindergarten) in their former state at the time of their transition. A student who has satisfactorily completed the prerequisite grade level in the state from which they relocated shall be eligible for enrollment in the next highest grade level, regardless of age. *[This requirement is consistent with state law and policy 4100, which entitle a student who is not yet of admission age to enroll within the first 120 days of the school year if the student was attending school, or in some cases, would be eligible to attend school, in another state. However, this provision changes the usual rule with regard to underage students who wish to enroll after the first 120 days. Admission of such children is ordinarily subject to board discretion and available only to students who were actually attending school in another state. The rule in this paragraph and the next one make admission in the latter case mandatory, not discretionary.]*
- B. In the case of a kindergarten student who seeks to enroll after the first 120 days of a school year, the student must have been enrolled and attended class in the sending state in order to assure continued attendance in kindergarten if the child does not meet the requirements for initial entry established by state law and policy 4100.
- C. A student who transfers from an out-of-state public school and who does not meet the requirements for initial entry established in policy 4100 shall be admitted upon providing the information required in subsection E, below.
- D. A student who transfers from an out-of-state non-public school and who does not meet the requirements for initial entry shall be admitted if (1) the student meets the age requirements for public schools within the state from which he or she is transferring and (2) the transfer of the student's academic credit is acceptable under any applicable policy or regulation pertaining to credit transfer; however, prior to admission, the student's parent or guardian also must provide the information required in subsection E, below.
- E. In order to be admitted into the school system, a student transferring from any out-of-state school, public or non-public, who does not meet the requirements for initial entry must provide the following records, in addition to the information otherwise required for enrollment under policies 4100 and 4110, Immunization and Health Requirements for School Admission:
  - 1. adequate documentation that the student's parent or guardian was a

resident of the state in which the child was previously enrolled in school;  
and

2. an official document from the proper school authority which includes a record of attendance, academic information, and the grade level placement of the student.

### **III. IMMUNIZATION AND HEALTH REQUIREMENTS FOR SCHOOL ADMISSION**

In accordance with policy 4110 and the Rules of the Interstate Commission, children of military families will have 30 days from the date of enrollment to obtain any required immunization(s). For a series of immunizations, the initial vaccination(s) must be obtained within 30 days of enrollment.

### **IV. ASSIGNMENT TO CLASSES**

#### **A. Course Placement**

In addition to the flexibility offered to children of military families in policies 3420, Student Promotion and Accountability, and 4155, Assignment to Classes, if the school does not offer a counterpart to a course in which the student was previously enrolled, the principal may allow the student to enroll in a similar course offered at another school within the school system or, as available, through the North Carolina Virtual Public School.

#### **Educational Program Placement.**

In addition to the flexibility offered in policies 3420, and 4155, if the school does not offer an educational program similar to the program the student was previously enrolled in, the principal may allow the student to enroll in a similar program at another school within the school system. If the program was a special education program, see paragraph C, below.

#### **B. Special Education Services**

As provided in policy 4155, if the student was previously enrolled in a special education program or received accommodations or modifications pursuant to a Section 504 or Title II plan, school officials must initially provide services and accommodations and modifications comparable to those identified in the student's current Individualized Education Program or Section 504 or Title II plan. The principal or designee shall coordinate with regular and special education personnel to arrange for an appropriate team to review the student's current program or plan and determine the appropriate placement for the student in accordance with state and local procedures for serving students with disabilities. If the team determines that a subsequent evaluation is needed to ensure appropriate placement and services, school personnel shall follow all applicable

state and local procedures in conducting the evaluation and determining appropriate services and placement.

**V. EXTRACURRICULAR ACTIVITIES AND STUDENT ORGANIZATIONS**

As provided in policy 3620, Extracurricular Activities and Student Organizations, school administrators shall facilitate the inclusion and participation of transitioning military children in extracurricular activities to the extent they are otherwise qualified by waiving application deadlines. Application deadlines include tryouts, summer conditioning, and any other prerequisites of the coach, sponsor, school, or school system. School administrators also shall consult with the North Carolina High School Athletic Association as necessary before waiving deadlines and other applicable eligibility requirements for participation in interscholastic athletics.

**VI. ATTENDANCE**

Notwithstanding the provision in policy 4400, Attendance, pertaining to excused absences, the Commission's Rules allow the superintendent or principal to establish the number of additional excused absences. Such absences—including the total number a student may incur and still be eligible for course credit—remain at the discretion of the superintendent or designee on a case by case basis.

**VII. GRADUATION**

In addition to the flexibility to facilitate on-time graduation provided in policy 3460, Graduation Requirements, the principal may waive or modify other local graduation requirements, such as a high school graduation project or community service project.

**STUDENT RECORDS**

In addition to the requirements of policy 4700, Student Records, pertaining to the records of military children, the following shall also apply:

When a request for a student's official record is received from the new school of a student leaving the school system, school officials shall process and furnish the official records to the student's new school within 10 business days, excluding school breaks (spring, summer, and winter) and holidays; however, school officials shall process and furnish the official records as soon as possible, but no later than 10 business days following their return from the school break or holiday.

**VIII. PROFESSIONAL DEVELOPMENT**

The superintendent or designee will periodically coordinate and provide professional development opportunities and other appropriate training for school officials and employees about the unique needs of children of military families.

**AR Code: 4050-R**

---

Issued by NCSBA: January 30, 2015

Issued by the Superintendent: July 10, 2017

Reviewed:

Revised: