



**Task Force on
Educational Issues
Affecting Military
Children Report
(Senate Bill 457/House Bill 784)**

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Task Force on Educational Issues Affecting Military Children Report

TASK FORCE MEMBERSHIP

Ms. Candace Wheeler

Task Force Chair

Deputy Director of Government Relations, National Military Families Association

Senator John Astle

Senate of Maryland

Ms. Linda Redwine-Bell

Youth Education Support Services Director/School Liaison Officer, Fort Meade Army Base

Ms. Mary Gable

Director of Instructional Programs/BRAC Liaison

Maryland State Department of Education

Mr. Eddie Scott

Principal, Meade Middle School

Ms. Tricia Johnson

Maryland Association of Boards of Education

Delegate Anne Kaiser

Maryland House of Delegates

Ms. Eileen Campbell

School Liaison Officer, Aberdeen Proving Ground

Dr. Michael Martirano

Local Superintendent, St. Mary's Public Schools

Mr. Joseph Schmitz

Principal, Fallston High School

TASK FORCE STAFF

Ms. Heather Bradbury

Maryland State Department of Education

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SUMMARY of TASK FORCE DUTIES

- Identify and examine educational issues affecting military families
- Identify and examine existing State efforts to ease the transition of children of military families into Maryland schools
- Make recommendations on efforts that could ease the transition of children of military families into Maryland schools
- Examine and make recommendations on issues surrounding the feasibility of the State joining the Interstate Compact on Educational Opportunities for Military Children.

Specific Topics of Interest

- The awarding of credit for previously completed work.
- The timely receipt of paperwork necessary for local school systems to facilitate transfers of children of military families to Maryland schools.
- The opportunity for children of military families transitioning to Maryland schools to graduate on time and the affect of the State's graduation requirements on children of military families.
- The transitioning of children of military families with disabilities.
- The participation of children of military families in extracurricular activities.

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Military personnel are required to relocate as duty calls, whether the duty keeps them in country or requires transfer or deployment overseas. One of the most important issues for a military family when relocating is education. On average, children in military families will change schools six to nine times between kindergarten and 12th grade. In the current climate of the U.S. military forces, particularly the Army, these families must also consider the possibility of long deployments of one parent, and in some cases two, to areas of conflict.

The Council of State Government (CSG), in cooperation with the U.S. Department of Defense Office of Personnel and Readiness, brought together a wide variety of officials, stakeholders, and military families to identify specific educational issues impacting military families when relocating or during periods of deployment, and potential remedies. The end result of these meetings was the creation of the Interstate Compact on Educational Opportunity for Military Children.

Interstate compacts are contracts between two or more states creating an agreement on a particular policy issue, adopting a certain standard or cooperating on regional or national matters. [Taken from <http://www.csg.org/programs/ncic/documents/CompactFAQ.pdf>] Currently, Maryland is a member of over 30 interstate compacts that address a range of issues, such as transportation, waterways, adoption, foster care, and nursing, to name a few. The Interstate Compact on Educational Opportunity for Military Children addresses key issues that could negatively impact children of military families transitioning into public schools.

The Interstate Compact on Educational Opportunity for Military Children Legislative Resource Kit includes detailed information about the purpose of the Interstate Compact; the specific educational issues the Interstate Compact addresses; how a state would join and function as a member of the Interstate Compact; and the authority and function of the Interstate Commission. The primary purpose of the Interstate Compact is to provide states with a uniform set of guidelines that would help make the transitioning process for children of military families more consistent and smooth.

The Interstate Compact became active once ten (10) states adopted it. To date, the following states have joined the Interstate Compact: Arizona, Colorado, Connecticut, Delaware, Florida, Kansas, Kentucky, Michigan, Missouri, North Carolina, and Oklahoma. In addition, there are fifteen (15) states, including Maryland, who will be reviewing legislation regarding the Interstate Compact during their respective 2009 legislative sessions.

During the 2008 Maryland General Assembly, bills proposing Maryland adopt the Interstate Compact on Educational Opportunity for Military Children were considered by both the House and the Senate. The bills were amended, establishing the Task Force on Educational Issues Affecting Military Children to review the Interstate Compact on Educational Opportunity for Military Children Legislative Resource Kit.

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The Task Force included members of the State legislature, and staff from military family organizations and institutions, the Maryland State Department of Education, Maryland local school systems, and the Maryland education community. During initial background meetings, the Task Force was given an overview of interstate compacts; information about what Maryland school systems have in place for transitioning military children, including professional development training; information about additional existing resources for transitioning military children; and Base Realignment and Closure (BRAC) information.

In the *Projected Military Student Growth by State* chart provided by the Department of Defense, Maryland is expecting to receive approximately 2,264 children of military families and 3,856 children of civilian families due to BRAC between 2009 and 2011. While many local school systems are planning for the influx of BRAC students, it is difficult to predict the number of transfer students that will be enrolling in a particular school. While BRAC will be relocating both military and civilian personnel, the Interstate Compact applies only to active-duty military.

The discussions at the first Task Force meeting revolved around the Task Force's duties and specific topics of interest. During these discussions, it became evident that Maryland is a transfer-friendly state as Task Force members from the education community provided examples of Maryland policies or practices used to ease the transitioning process for a student. These examples complemented the language of the Interstate Compact by demonstrating flexibility within Maryland's education policies, both at the state and local levels, to allow local school systems and schools to use discretionary judgment so that decisions can be made in a timely manner about student enrollment and placement.

At the second meeting, Task Force members met with military families stationed at Aberdeen Proving Ground (APG) in Harford County and Fort Meade Army Base in Anne Arundel County to gain insight about their specific experiences in transitioning their children. In that meeting, most of the military families agreed that Maryland strived to be accommodating in transitioning their children into schools.

- SGM Sean Branham stated, "Never once in Harford County did they say *so sad, too bad*. (Harford County) never let anything drop through the cracks and instead they worked to make it work for my children. The cooperation on the Harford County side was great."
- Jonathan Putt, Guidance Department Chairperson at Meade High School in Anne Arundel County, discussed how the environment at Meade High takes into account that one day a student is sitting next to you and the next day they are not there. "As a counselor, we intervene on behalf of the military families by calling and 'pestering' the other system to send the required records. The key is having a highly-trained person to help guide people who are coming into the system. Also, if a child needs an extra credit, we have provided them with virtual credits. We need to help parents and also think outside of the box."

Schools that support military facilities are accustomed to meeting the needs of the military family community. In Maryland, the several school districts in close proximity to APG and Ft. Meade have signed a Memorandum of Agreement (MOA) which provides a common structure

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for information-sharing and reciprocal processes for transitioning children of military families. However, many more schools are not accustomed to the unique needs and circumstances of military families. The intent of the Interstate Compact is to provide consistent guidelines so a student from a military family can be assured of a smooth transition regardless of where the school is located. With several military facilities spread throughout the state and the impending influx of BRAC families, Maryland has a greater possibility of having students from military families spread out to schools not attached to his/her parent's military facility.

- First Sergeant Zachary Hansrick talked about his 10 year-old son with special needs who has moved five times between kindergarten and fifth grade. Both First Sergeant Hansrick and his wife are members of the military. He is stationed at Ft. Meade while his wife is stationed at Ft. Detrick. Their son is currently attending a Maryland public school where he is the only child of a military family. "Moving has been a strain as the standards in each state have not been consistent and the moves have not only affected him, but also his IEP and special education needs."
- Mrs. Dawn Kilmon explained that her family is on the border of Cecil and Harford County and the high school graduation requirements are different for the two local school systems.

As part of the military make up, families are "trained" to follow orders/policy and not to ask too many questions. The military families, Task Force members, and education community guests stressed the importance of including the entire military family in the school community to help encourage parents to be advocates for their child as well as the importance of communication so students do not fall through the cracks or feel like outsiders in the school community.

- Ms. Margaret Haacke, Guidance Department Chairperson at Meade Middle School, described how Meade Middle rotates counselors with students so the staff gets to know the students. By doing this, the staff gets to know the families and their specific needs. "It is important that the child communicate with us as it is important to know if the child's parent was deployed. Also, it is just as important to have the parent contact the school system when there is a major change in the life of the student, so we can help them."
- Mrs. Mary Ann Glaze responded that she has found a parent needs to be forceful. Although her family has jumped through hoops, she has found Maryland the best so far. "The challenge is the communication aspect and just giving kids a chance (in the school) until the paper work arrives."
- Colonel and Mrs. Patrick Terrell pointed out in a letter addressed to Task Force members that their oldest daughter was having a difficult time with her overall attitude toward school in part due to the heartbreak of not making the school soccer team after playing JV for two years at her previous school.
- Dr. Michael Martirano, Superintendent of St. Mary's County, explained, "We do have the ability, but it is important to remember that someone needs to bring the issue forward and to our attention."

Another topic of the Task Force discussions was the importance of the relationship between the military base commanders and school liaison officer (SLO) and the local school system and school leadership. These relationships are critical in helping to make transitions for children of military families as smooth as possible. Both APG and Ft. Meade have SLOs; the Ft. Detrick Commandant has a strong, supportive relationship with the schools in Frederick County that surround the base; and Patuxent River Naval Air Station in St. Mary's County is scheduled to

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fill the SLO position shortly but again the base leadership there has a strong relationship with the local school system. Working in conjunction with the guidelines provided in the Interstate Compact, both the school and the military communities would have a solid foundation to build and maintain strong bonds that would in turn benefit military families.

At the third Task Force meeting, the primary focus was an in-depth review of Articles IV – VII of the Interstate Compact that would specifically impact policies and procedures of Maryland local school systems and schools if Maryland becomes a member state. The Code of Maryland Regulations (COMAR) addresses almost all the issues in Articles IV – VII of the Interstate Compact (*see Appendix A*). Task Force members expressed concern with portions of Article V and Article VI, which address course placement; educational program placement; and eligibility for extracurricular participation; however, the language from the Interstate Compact provides a reasonable expectation so the student of a military family would have opportunity to continue on his or her academic path and/or participate in school activities.

- Whenever possible, a student from a military family interested in playing for a team or joining an extracurricular activity, such as chorus or acting, could send a videotape prior to the student's arrival so the student has the opportunity to participate.
- If the school system or school scheduling of classes (i.e. block scheduling; enrollment deadlines), school size, and/or student population could not accommodate a student from a military family, he or she could take MSDE-approved online courses, particularly at the high school level.

The guidelines provided in the Interstate Compact would help target outreach efforts. MSDE has already implemented a number of outreach efforts at all levels to prepare for the influx of BRAC personnel that will be relocating to Maryland, including:

- Maintaining an MSDE BRAC website with comprehensive information to help families before arriving in Maryland as well as during the school year;
- Providing MSDE materials to the military facilities that will be relocating personnel to Maryland; and
- Sending MSDE staff specialists to outreach events held at military facilities that will be relocating personnel to Maryland.

During the last Task Force meeting, members reviewed sections of the Interstate Compact addressing administration at both the state and national level. Much of the Interstate Compact Legislative Resource Kit uses boilerplate language for the administration of the Interstate Compact; however, there are a number of areas that have budget implications which would require an additional appropriation of State funds.

The Interstate Compact requires that a State Council be appointed or existing body would assume responsibility to provide coordination and compliance with the Interstate Compact in Maryland. The State Council membership, defined by the Interstate Compact, must include

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state legislators, and military and education community representatives, plus a compact commissioner and a military family education liaison.

- The compact commissioner would be responsible for the administration and management of the state's participation in the compact and shall be appointed by the Governor or as otherwise determined by each member state.
- The military family education liaison would assist military families and the state in facilitating the implementation of this compact.

In accordance with the Interstate Compact, the State Council must meet periodically on issues related to the Interstate Compact. There would be costs assumed by the State Council which would include outreach and professional development training as well as expenditures for meetings.

In accordance with Article IX of the Interstate Compact Legislative Resource Kit, an Interstate Commission would be formed as a separate body corporate and joint agency of the member states. Each member state would have one voting representative, the state's compact commissioner. The Interstate Commission would meet once a year and expenses for the meeting would be assumed by the Interstate Commission.

The fiscal support for the establishment, organization, and administration of the Interstate Commission would be collected from each member state on an annual basis. An annual assessment of the Interstate Commission's operational costs would be made. Dues would then be determined using a formula based on the number of current active-duty military children attending public school in a member state. At the Interstate Commission's initial meeting, the cost for dues was estimated to be one dollar per student. The most recent report from the DoD is that Maryland has 23,000 students from military families in public school. Again, with the impending BRAC relocations, that number is expected to increase by approximately 2,264 children by 2011 and potentially more thereafter.

There is a concern about Interstate Compact Article IX.I which addresses data collection and reporting. Maryland is currently struggling to keep up with the mandated data collections to meet compliance with NCLB. Each change and additional data element requires the student information system to be reprogrammed, school-level staff to be retrained, and costs thousands of dollars. MSDE is also in the early stages of developing its longitudinal data system. MSDE is having difficulty recruiting and retaining staff, and obtaining sufficient financial resources to meet current reporting requirements. Adding data collection requirements for MSDE, local school systems, and schools would be a challenge at this time without additional funding.

At the conclusion of the last Task Force meeting, members agreed that they had met their charge without voting on whether Maryland should join the Interstate Compact.

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APPENDIX A

INTERSTATE COMPACT ARTICLES IV – VII

Interstate Compact Articles IV through VII would have a direct impact on the functions of the local school systems and schools

Article IV.A - Unofficial or “hand-carried” education records

In the event that official education records cannot be released to the parents for the purpose of transfer, the custodian of the records in the sending state shall prepare and furnish to the parent a complete set of unofficial educational records containing uniform information as determined by the Interstate Commission. Upon receipt of the unofficial education records by a school in the receiving state, the school shall enroll and appropriately place the student based on the information provided in the unofficial records pending validation by the official records, as quickly as possible.

Article IV.B - Official education records/transcripts

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.

CODE OF MARYLAND REGULATION (COMAR)

- **COMAR 13A.03.02.12 General Provisions**
 - A. Transfer Students.
 - (1) Unavailability of Official Transcript. If the transcript of record is not available, a local superintendent of schools or designee shall determine the appropriate placement of the student within the high school program by an evaluation of the student that shall include one or more of the following:
 - (a) Administration of standardized tests and examination;
 - (b) Observation of the student in a classroom setting;
 - (2) Use of interviews that are focused around the student's demonstration of course content knowledge and performance levels;
 - (a) Inspection of report cards and other documentation.

Maryland is in compliance with the policies set forth by the Family Educational Rights and Privacy Act (FERPA) and has an official state form (SR-7) that requires a student’s official records be sent to the receiving school within ten (10) days of request from the sending school. FERPA is a “(f)ederal law that protects the privacy of student education

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records...FERPA gives parents certain rights with respect to their children's education records.”

FERPA goes on to outline the specific rights and circumstances to access students records, including the following:

“Generally, schools must have written permission from the parent or eligible student in order to release any information from a student's education record. However, FERPA allows schools to disclose those records, without consent, to the following parties or under the following conditions (34 CFR § 99.31):

- School officials with legitimate educational interest;
- Other schools to which a student is transferring;
- Specified officials for audit or evaluation purposes;
- Appropriate parties in connection with financial aid to a student;
- Organizations conducting certain studies for or on behalf of the school;
- Accrediting organizations;
- To comply with a judicial order or lawfully issued subpoena;
- Appropriate officials in cases of health and safety emergencies; and
- State and local authorities, within a juvenile justice system, pursuant to specific State law.”

Article IV.C - 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. For a series of immunizations, initial vaccinations must be obtained within thirty (30) days or within such time as is reasonably determined under the rules promulgated by the Interstate Commission.

CODE OF MARYLAND REGULATION (COMAR)

- **COMAR 10.06.04.06 Temporary Admission or Retention**
 - A. Subject to the provisions of §B of this regulation, a preschool or school, public or private, shall temporarily admit a student to or retain a student in a preschool or school if:
 - (1) The student is homeless; or
 - (2) The student's parent or guardian is unable to provide proof of immunization pursuant to the requirements of Regulation .03 of this chapter.
 - B. In order for a student to be temporarily admitted to or retained in a preschool or school, the student's parent or guardian shall present evidence of the student's appointment with a health care provider or local health department to:
 - (1) Receive a required immunization;
 - (2) Reconstruct a lost record; or

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- (3) Acquire evidence of age-appropriate immunity on a form provided by the Department.
- C. The date of the appointment pursuant to §B of this regulation may not be later than 20 calendar days following the date the student was temporarily admitted or retained.
- D. A preschool or school, public or private, shall exclude from school a student who has been temporarily admitted or retained on the next school day following the appointment date if the student's parent or guardian fails to provide evidence of required immunizations.

Article IV.D - Kindergarten and First grade entrance age

Students shall be allowed to continue their enrollment at 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. A student that has satisfactorily completed the prerequisite grade level in the local education agency in the sending state shall be eligible for enrollment in the next highest grade level in the receiving state, regardless of age. A student transferring after the start of the school year in the receiving state shall enter the school in the receiving state on their validated level from an accredited school in the sending state.

CODE OF MARYLAND REGULATION (COMAR)

- **COMAR 13A.08.01.02-2C Age for School Attendance**
 - A. Prekindergarten.
 - (1) Beginning with the 2005—2006 school year and each school year thereafter, a child admitted to the prekindergarten program in the public schools shall be 4 years old or older on September 1 of the school year in which the child applies for entrance.
 - (2) The local board of education shall adopt a regulation permitting a 3-year-old child, upon request by the parent or guardian, to be admitted to prekindergarten if the local superintendent of schools or the superintendent's designee certifies that the child is eligible under COMAR 13A.06.02 and has demonstrated educational needs warranting early admission.
 - B. Kindergarten.
 - (1) Beginning with the 2006—2007 school year and each school year thereafter, a child admitted to the kindergarten program in the public schools shall be 5 years old or older on September 1 of the school year in which the child applies for entrance.
 - (2) The local board of education shall adopt a regulation permitting a 4-year-old child, upon request by the parent or guardian, to be admitted to kindergarten if the local superintendent of schools or the superintendent's designee determines that the child demonstrates capabilities warranting early admission. The

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regulation shall include a provision for promotion of the 5-year-old child to first grade if the local superintendent or the superintendent's designee determines that the child demonstrates capabilities warranting promotion to first grade.

C. First Grade.

- (1) Beginning with the 2007—2008 school year and each school year thereafter, a child admitted to the first grade in the public schools shall be 6 years old or older on September 1 of the school year in which the child applies for entrance.
- (2) The local board of education shall adopt a regulation permitting a 5-year-old child, upon request of the parent or guardian, to be admitted to the first grade if the local superintendent of schools or the superintendent's designee determines that the child has demonstrated capabilities warranting early admission.

Article V.A - Course 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. 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 does not preclude the school in the receiving state from performing subsequent evaluations to ensure appropriate placement and continued enrollment of the student in the course(s).

Article V.B - Educational program placement

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:

- 1) gifted and talented programs; and
- 2) 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.

Article V.C - Special education services

- 1) 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); and
- 2) 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

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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.

CODE OF MARYLAND REGULATION (COMAR)

The public agency is required to ensure that the student is provided with the special education and related services required by the IEP (34 CFR §§300.101 and .103). If a student with an IEP in one state transfers to a public agency in another state, the new public agency (in consultation with the parents) must provide the student with FAPE (including services comparable to those described in the student's IEP from the previous state), until the new public agency:

- a. Conducts an evaluation if determined to be necessary; and
- b. Develops, adopts, and implements a new IEP, if appropriate (34 CFR §300.323).

"Comparable services" is defined as services that are similar or equivalent to those that are described in the IEP from the previous public agency, as determined by the IEP team in the new public agency (Analysis of Comments and Changes to IDEA, Federal Register, Vol. 71, No. 156, p. 46681, August 14, 2006).

The public agency must obtain informed consent from the student's parent before the initial provision of special education and related services to the student (34 CFR §300.300). The initial provision of services means the first time a parent is offered special education and related services after the student has been evaluated in accordance with the procedures in 34 CFR §§300.301 - .311 (Analysis of Comments and Changes to IDEA, Federal Register, Vol. 71, No. 156, p. 46633, August 14, 2006).

In the case of a student who enrolls in a new school in another state, the evaluation conducted by the new public agency is considered an initial evaluation, which requires parental consent (Analysis of Comments and Changes to IDEA, Federal Register, Vol. 71, No. 156, p. 46682, August 14, 2006). Therefore, the initial provision of services following such an evaluation requires the provision of parental consent.

Article V.D - Placement flexibility

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.

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Article V.E - Absence as related to deployment activities

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.

CODE OF MARYLAND REGULATION (COMAR)

- **COMAR 13A.08.01.03. J.** Other emergency or set of circumstances which, in the judgment of the superintendent or designee, constitutes a good and sufficient cause of absence from school.

Local school systems may have additional attendance policy(s) that allow more discretion regarding student absences. Issues that would likely be taken into account in making a decision could include impact on Adequate Yearly Progress (AYP), and/or administration of the Maryland School Assessment (MSA) or High School Assessment (HSA), which are statewide tests that have federal implications under No Child Left Behind.

Article VI.A - 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 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.

CODE OF MARYLAND REGULATION (COMAR)

- **COMAR 13A.08.05.02 Informal Kinship Care General Provisions**
 - A. A county superintendent shall allow a child who is a Maryland resident to attend a public school in a county other than the county where the child is domiciled with the child's parent or legal guardian if:

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- (1) The child lives with a relative providing informal kinship care in the county; and
 - (2) The relative verifies the informal kinship care relationship through a sworn affidavit in the form and as specified in Regulations .04—.06 of this chapter.
- B. If a change occurs in the care or in the serious family hardship of the child, the relative providing informal kinship care for the child shall notify the local school system in writing within 30 days after the change occurs.
 - C. The relative providing informal kinship care shall make reasonable efforts to inform the parent or legal guardian of the child of the informal kinship care relationship.
 - D. The relative providing informal kinship care shall make the full range of educational decisions for the child unless the court:
 - (1) Appoints a guardian for the child; or
 - (2) Awards custody of the child to someone other than the relative providing informal kinship care.
 - E. The parent or legal guardian of a child in an informal kinship care relationship shall have final decision-making authority regarding the educational needs of the child.
 - F. Education funding of a child in informal kinship care shall be provided in accordance with Education Article, §4-122.1, Annotated Code of Maryland.
 - G. A child in an informal kinship care relationship shall receive an appropriate education from the receiving agency.
 - H. The receiving agency shall include a child enrolled as the result of an informal kinship care relationship in its full-time equivalent enrollment as provided by Education Article, §5-202(a), Annotated Code of Maryland.

Article VI.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.

CODE OF MARYLAND REGULATION (COMAR)

- **COMAR 13A.06.03.02 Eligibility:** Student eligibility for participation in interscholastic athletics at the high school level shall be based on the following criteria:
 - A. Students shall be officially registered and attending a member MPSSAA school. They may represent only the school in which they are registered and at which it is anticipated they will complete their graduation requirements. Ninth grade public school students who reside in the attendance area of a high school organized grades 10----12 may participate in the interscholastic athletic program of that high school.
 - B. Each local school system shall establish standards of participation which assure that students involved in interscholastic athletics are making satisfactory progress toward graduation.
 - C. Students who are 19 years old or older as of August 31 are ineligible to participate in interscholastic athletics.

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- D. Students may participate in interscholastic athletic contests for a maximum of three seasons in any one sport in grades 10, 11, and 12. Students who participate on an interscholastic team in grade 9 will have a maximum athletic eligibility of four seasons in that one sport.
- E. Middle, intermediate, or junior high school students are not eligible to compete or practice with high school teams. However, ninth grade public school students who reside in the attendance area of a high school organized grades 10-----12 may participate in the interscholastic athletic program of that high school.
- F. Students shall maintain amateur status as defined by Regulation .10 of this chapter.
- G. Students, while participating on a school team, are permitted to participate in the same sport outside of school during the sport's season. This participation shall meet the following criteria:
 - (1) The outside participation may not conflict with the practice or contests schedule of the school including district, regional, and State championship play unless prior written approval has been obtained from the school principal and coach;
 - (2) Students who elect to participate on an outside team and do not participate and practice with the school team throughout the designated sport's season are ineligible to represent the school in all contests that determine a county, district, regional, or State championship during that sport season.
- H. Students shall present to their high school principal a certificate from their parents or guardian (indicating the parents' or guardian's) giving permission for participation.
- I. A student shall be examined and certified to the high school principal as being physically fit to participate in any try-out, practice, or contest of a school team. The examination shall be performed by a licensed physician, certified physician assistant under the supervision of a licensed physician, or certified nurse practitioner.
- J. Students legally transferred to another school may participate. "Legally transferred" means a change of residence or a transfer from one school to another by action approved by the local superintendent of schools.
- K. Graduates.
 - (1) Graduates of high schools are not eligible to practice with or participate on interscholastic sports teams. However, they may participate in the remaining athletic contests of that semester.
 - (2) Students are considered graduates when they have completed the work required for graduation and are declared graduates by the local board of education.

Article VII: Graduation

In order to facilitate the on-time graduation of children of military families, states and local education agencies shall incorporate the following procedures:

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Article VII.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. Should a waiver not be granted to a student who would qualify to graduate from the sending school, the local education agency shall provide an alternative means of acquiring required coursework so that graduation may occur on time.

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- **COMAR 13A.03.02.12 General Provisions**
 - B. Transfer Students.
 - (1) Attendance Requirements.
 - (a) To receive a diploma, a student shall be in attendance at a Maryland public high school one full semester immediately preceding graduation in addition to meeting the other diploma requirements.
 - (b) In cases where this requirement creates an undue hardship for a student transferring to or from a Maryland nonpublic school or from an out-of-State school and wishing to receive a Maryland high school diploma, the local superintendent of schools may waive the one full semester attendance requirement.
 - (c) Exception shall be made for a student with disabilities in a State-approved nonpublic program.
 - (d) Students transferring from one Maryland public high school to another during the second semester of their senior year and meeting all requirements for graduation shall be given the option of graduating from either high school by agreement of the local superintendent of schools or the respective local superintendents when more than one local school system is involved.
 - (2) Maryland High School Assessment Exemption Requirements.
 - (a) A student who transfers from a nonpublic school or a school out of State is exempt from one or more of the Maryland High School Assessments if, consistent with local school system policy and procedure, the principal of the Maryland public school in which the student enrolls determines that the course taken is aligned with the relevant High School Assessment and awards the student credit for taking any of the courses aligned with the High School Assessments, that is, algebra/data analysis, biology, English, or government, or all of these, in accordance with the principles set forth in §B(2)(c) of this regulation.
 - (b) A student who transfers from a nonpublic school or a school out of State and has not received credit for algebra/data analysis but has demonstrated mastery of the core learning goals of algebra/data analysis either through an

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- evaluation or successful completion of subsequent mathematics courses for which algebra/data analysis is a prerequisite is exempt from the Maryland High School Assessment for algebra/data analysis.
- (c) To award credit for taking any of the courses aligned with the High School Assessments, that is, algebra/data analysis, biology, English, or government, a principal shall determine through the following considerations whether the transfer student demonstrates subject matter knowledge aligned with the content standards for the subject:
 - (i) Administration of standardized tests and examinations;
 - (ii) Observation of the student in the classroom;
 - (iii) Use of interviews that are focused around the student's demonstration of course content knowledge and performance levels; and
 - (iv) Inspection of transcripts, report cards, and other documentation.
 - (d) A student who transfers from a nonpublic school or from a school out of State into a local school system after the first semester of his or her senior year is exempt from the Maryland High School Assessment Requirements.
 - (e) The exemption provided in §B(2)(d) of this regulation does not apply to a student with disabilities in a State-approved nonpublic program.
- (3) Local Graduation Requirements. A student who enters a local school system in his or her senior year shall be granted a waiver from locally established graduation requirements unless the student chooses to fulfill the requirements.
- (4) Unavailability of Official Transcript. If the transcript of record is not available, a local superintendent of schools or designee shall determine the appropriate placement of the student within the high school program by an evaluation of the student that shall include one or more of the following:
- (a) Administration of standardized tests and examination;
 - (b) Observation of the student in a classroom setting;
 - (c) Use of interviews that are focused around the student's demonstration of course content knowledge and performance levels;
 - (d) Inspection of report cards and other documentation.

Article VII.B. Exit exams

States shall accept:

- 1) exit or end-of-course exams required for graduation from the sending state; or
- 2) national norm referenced achievement tests; or
- 3) alternative testing, in lieu of testing requirements for graduation in the receiving state.

In the event the above alternatives cannot be accommodated by the receiving state for a student transferring in his or her Senior year, then the provisions of Article VII, Section C shall apply.

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 - (b) In cases where this requirement creates an undue hardship for a student transferring to or from a Maryland nonpublic school or from an out-of-State school and wishing to receive a Maryland high school diploma, the local superintendent of schools may waive the one full semester attendance requirement.
 - (c) Exception shall be made for a student with disabilities in a State-approved nonpublic program.
 - (d) Students transferring from one Maryland public high school to another during the second semester of their senior year and meeting all requirements for graduation shall be given the option of graduating from either high school by agreement of the local superintendent of schools or the respective local superintendents when more than one local school system is involved.
 - (2) Maryland High School Assessment Exemption Requirements.
 - (a) A student who transfers from a nonpublic school or a school out of State is exempt from one or more of the Maryland High School Assessments if, consistent with local school system policy and procedure, the principal of the Maryland public school in which the student enrolls determines that the course taken is aligned with the relevant High School Assessment and awards the student credit for taking any of the courses aligned with the High School Assessments, that is, algebra/data analysis, biology, English, or government, or all of these, in accordance with the principles set forth in §B(2)(c) of this regulation.
 - (b) A student who transfers from a nonpublic school or a school out of State and has not received credit for algebra/data analysis but has demonstrated mastery of the core learning goals of algebra/data analysis either through an evaluation or successful completion of subsequent mathematics courses for which algebra/data analysis is a prerequisite is exempt from the Maryland High School Assessment for algebra/data analysis.
 - (c) To award credit for taking any of the courses aligned with the High School Assessments, that is, algebra/data analysis, biology, English, or government, a principal shall determine through the following considerations whether the transfer student demonstrates subject matter knowledge aligned with the content standards for the subject:
 - (v) Administration of standardized tests and examinations;

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- (vi) Observation of the student in the classroom;
- (vii) Use of interviews that are focused around the student's demonstration of course content knowledge and performance levels; and
- (viii) Inspection of transcripts, report cards, and other documentation.
- (d) A student who transfers from a nonpublic school or from a school out of State into a local school system after the first semester of his or her senior year is exempt from the Maryland High School Assessment Requirements.
- (e) The exemption provided in §B(2)(d) of this regulation does not apply to a student with disabilities in a State-approved nonpublic program.
- (3) Local Graduation Requirements. A student who enters a local school system in his or her senior year shall be granted a waiver from locally established graduation requirements unless the student chooses to fulfill the requirements.
- (4) Unavailability of Official Transcript. If the transcript of record is not available, a local superintendent of schools or designee shall determine the appropriate placement of the student within the high school program by an evaluation of the student that shall include one or more of the following:
 - (a) Administration of standardized tests and examination;
 - (b) Observation of the student in a classroom setting;
 - (c) Use of interviews that are focused around the student's demonstration of course content knowledge and performance levels;
 - (d) Inspection of report cards and other documentation.

Article VII.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. In the event that one of the states in question is not a member of this compact, the member state shall use best efforts to facilitate the on-time graduation of the student in accordance with Sections A and B of this Article.

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 - (b) In cases where this requirement creates an undue hardship for a student transferring to or from a Maryland nonpublic school or from an out-of-State school and wishing to receive a Maryland high school diploma, the local

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- superintendent of schools may waive the one full semester attendance requirement.
- (c) Exception shall be made for a student with disabilities in a State-approved nonpublic program.
 - (d) Students transferring from one Maryland public high school to another during the second semester of their senior year and meeting all requirements for graduation shall be given the option of graduating from either high school by agreement of the local superintendent of schools or the respective local superintendents when more than one local school system is involved.
- (2) Maryland High School Assessment Exemption Requirements.
- (a) A student who transfers from a nonpublic school or a school out of State is exempt from one or more of the Maryland High School Assessments if, consistent with local school system policy and procedure, the principal of the Maryland public school in which the student enrolls determines that the course taken is aligned with the relevant High School Assessment and awards the student credit for taking any of the courses aligned with the High School Assessments, that is, algebra/data analysis, biology, English, or government, or all of these, in accordance with the principles set forth in §B(2)(c) of this regulation.
 - (b) A student who transfers from a nonpublic school or a school out of State and has not received credit for algebra/data analysis but has demonstrated mastery of the core learning goals of algebra/data analysis either through an evaluation or successful completion of subsequent mathematics courses for which algebra/data analysis is a prerequisite is exempt from the Maryland High School Assessment for algebra/data analysis.
 - (c) To award credit for taking any of the courses aligned with the High School Assessments, that is, algebra/data analysis, biology, English, or government, a principal shall determine through the following considerations whether the transfer student demonstrates subject matter knowledge aligned with the content standards for the subject:
 - (ix) Administration of standardized tests and examinations;
 - (x) Observation of the student in the classroom;
 - (xi) Use of interviews that are focused around the student's demonstration of course content knowledge and performance levels; and
 - (xii) Inspection of transcripts, report cards, and other documentation.
 - (d) A student who transfers from a nonpublic school or from a school out of State into a local school system after the first semester of his or her senior year is exempt from the Maryland High School Assessment Requirements.
 - (e) The exemption provided in §B(2)(d) of this regulation does not apply to a student with disabilities in a State-approved nonpublic program.

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- (3) Local Graduation Requirements. A student who enters a local school system in his or her senior year shall be granted a waiver from locally established graduation requirements unless the student chooses to fulfill the requirements.
- (4) Unavailability of Official Transcript. If the transcript of record is not available, a local superintendent of schools or designee shall determine the appropriate placement of the student within the high school program by an evaluation of the student that shall include one or more of the following:
 - (a) Administration of standardized tests and examination;
 - (b) Observation of the student in a classroom setting;
 - (c) Use of interviews that are focused around the student's demonstration of course content knowledge and performance levels;
 - (d) Inspection of report cards and other documentation.