



COMMONWEALTH of VIRGINIA

DEPARTMENT OF EDUCATION

P.O. BOX 2120
RICHMOND 23218-2120

July 17, 2018

Ms. Cherise Imani
Executive Director
Military Interstate Children Compact Commission
1776 Avenue of the States
Lexington, Kentucky 40511

Dear Ms. Imani:

As coordinator of the Virginia Council on the Interstate Compact on Educational Opportunity for Military Children and in accordance with the reporting requirements outlined in Article VIII, of the model compact language, *Interstate Compact on Educational Opportunity for Military Children*, I am pleased to submit the following annual report from the Commonwealth of Virginia.

The report provides information regarding the meetings of the Virginia Council, as well as other actions taken during 2017 to disseminate information regarding the Compact to school divisions, military families, and other affected entities. It also provides information on recent actions taken on behalf of our state's General Assembly in support of the transition of military connected students and their families.

I am grateful for the ongoing support offered by your office and I look forward to another successful year supporting military connected children.

Sincerely,

A handwritten signature in cursive script that reads "Daniel L. Dunham".

Mr. Daniel L. Dunham

Enclosures 3



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

Presented to

National Office of the
Military Interstate Children's Compact
Commission

July 7, 2018

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

COMMISSIONER

Dr. James F. Lane, Superintendent of Public Instruction, Virginia Department of Education
Email: james.lane@doe.virginia.gov, Phone: 804-225-2023

CHIEF STATE SCHOOL OFFICER

Dr. James F. Lane, Superintendent of Public Instruction, Virginia Department of Education (See above)

MILITARY FAMILY EDUCATION LIAISON

Daniel Dunham, Military Family and Student Specialist, Virginia Department of Education:
Email: dan.dunham@doe.virginia.gov, Phone: 804-225-2157

MILITARY/DOD REPRESENTATIVE

CAPT Joey Frantzen, United States Navy, Commanding Officer Joint Expeditionary Base Little Creek-Fort Story

STATE COUNCIL MEMBERS

Dr. James F. Lane, Superintendent of Public Instruction, Virginia Department of Education

Ms. Mamie Locke, Senator, Virginia State Senate

Virginia House Delegate, TBD

Mr. Carlos Hopkins, Virginia Secretary of Defense and Veterans Affairs

Ms. Dorothy McAuliffe, Former First Lady of Virginia (Governor's Designee)

Dr. Dede Bailer, Coordinator, School Psychology Services, Fairfax County Public Schools

Dr. Aaron C. Spence, Superintendent, Virginia Beach City Public Schools

Mr. Brad Williams, School Counseling Director, Tabb High School, York County Public Schools

CAPT Joey Frantzen, United States Navy, Commanding Officer Joint Expeditionary Base Little Creek-Fort Story

Mr. Daniel Dunham, Council Coordinator, Military Family and Student Specialist, Virginia Department of Education

Summary of Activities

A continued focus for the Virginia Council in 2017 was identifying the needs of key stakeholders groups working to ease the needs of military-connected children in our schools. The Council received feedback during all meetings held. This feedback enabled the Council and the Virginia Department of Education (VDOE) Military Student and Family Specialist to better prepare initiatives that will ultimately support professionals and agencies dedicated to easing the transitional challenges of military connected children across the Commonwealth.

Virginia Council Meetings

The Virginia Council on the Interstate Compact on Educational Opportunity for Military Children held three public meetings in 2017. The meetings were attended by military school liaison officers, school representatives, students, parents, military officials, members of educational organizations, Virginia Department of Education (VDOE) staff, and other members of the public. When possible, the meetings were also streamed live on the Department's Web page and recorded for archival purposes. The meetings' agendas have covered a number of issues related to the education of children of military families in the Commonwealth. Additional details about each meeting are included below.

- *June 7, 2017, Virginia Council Meeting
Richmond, Virginia*

The June meeting marked the resignation of Delegate Kirk Cox as a member and Chair of the Council.

Mr. Dunham presented an update to the Council related to his work as the Military Student and Family Specialist. He highlighted the outreach he had conducted, shared analytics on top issues, provided a review of recent interactions with Fort Belvoir elementary school, and gave an overview of Month of the Military Child activities that occurred across the state. Mr. Dunham then provided the Council with clarification of the residency verification challenges experienced by military families in a temporary housing status and experienced by presenter Mrs. Aikman. He went on to inform the Council of legislation passed in the states of California and Florida aimed at addressing these challenges.

Ms. Emily Hess, Counselor, Henderson Elementary School, Prince William County Public Schools, and five fifth-grade students presented on the Secret Agents Group and Character Program conducted at Henderson Elementary. Ms. Hess and her students provided detailed evidence for how the program is administered and how impactful character development has been on the students and the school community.

Dr. Dede Bailer, Fairfax Public Schools, Mrs. Jamie Albers, Fort Belvoir School Liaison, and Wendy O'Sullivan, Fort Belvoir School Liaison, presented on the Fairfax County Public School Military Student Process Action Team; a best practice that highlights the

power of collaboration. Dr. Bailer provided an in-depth overview of the team's development, operation, and positive outcomes.

The Council also received the outcomes and next steps from Mr. Dunham that he gathered from the March 29, 2017, Virginia Military Student Convening. He highlighted the three main component areas: Academics, Advocacy and Access to Opportunity. His presentation included a detailed overview of these areas and the action steps that are underway in addressing the outcomes gathered.

Following these presentations and the reading of a parent letter by Ms. Debbie Patch, Navy Regional School Liaison Officer, the Council took action and requested that the Virginia Department of Education form a workgroup to investigate the issues presented by Ms. Aikman and others when residing in temporary housing both in coming and departing from the State. The Council also requested that they receive a follow-up on the outcomes and recommendations of this meeting at the next Council meeting.

- *October 31, 2017, Virginia Council Meeting
Richmond, Virginia*

The Council presented a resolution to Delegate Kirk Cox for his contributions to the Council and support of military families throughout his career.

This meeting also included the welcoming of Navy Captain Joey Frantzen to the Council and the welcoming of Virginia Secretary of Defense and Veterans Affairs Carlos Hopkins to the Council to serve in an advisory role.

Dr. Steven Staples assumed the role of acting chair of the Council.

Mr. Dunham presented an update to the Council related to his work as the Military Student and Family Specialist. Dr. Aaron Spence provided details on Virginia Beach Public School's (VBPS) attendance at the STEM fair held at Naval Air Station Oceana and on the Science Initiative (NMSI) grant given to VBPS.

Coast Guard Captain Kevin Carrol and Coast Guard Lt. Joshua Zirbes were called to present their concerns to the Council. CAPT Carrol and Lt. Zirbes shared details of their recent interactions with the Superintendent of Accomack County Public Schools and the Accomack School Board on the topic of allowing Coast Guard families assigned to Chincoteague Coast Guard Station to attend Chincoteague Elementary School. He learned of the denial by the Accomack School Board during a follow up conversation with Superintendent Holland but felt that he did not receive a full explanation for the denial. He seeks support from the Council on this issue so he might further the conversation and receive rationale for the denial.

The Council then approved a motion calling for the draft of a resolution of support on behalf of the Coast Guard families to be delivered to the Superintendent and members of the Accomack County School Board.

Mr. Dunham provided the Council with an update on the outcomes of the VDOE temporary housing workgroup formed at the request of the Council during the June 7, 2017, meeting to investigate possible solutions to the temporary housing issue. Mr. Dunham shared that the workgroup developed three recommendations. First, that VDOE supply guidance to school divisions in the handling of military families residing in temporary housing. Second, that regional summits be held to help foster communications between adjacent school divisions in addressing the needs of military families in temporary housing. Third, that legislation be developed addressing the needs and support of military families in temporary housing. Mr. Dunham also shared VDOE had already taken action on the recommendations to include a superintendent's memorandum, meeting with regional superintendents, and assisting in answering questions regarding the issue with other state agencies.

Mr. Dunham then provided the Council with information on a proposal that would provide a Purple Star designation for schools who excel at meeting the unique needs of military families. He also outlined what the criteria would be for Virginia schools seeking the designation.

The Council then approved a motion to adopt the Purple Star Designation for implementation in Virginia.

Mr. Dunham then presented an update on the outcomes of the National Military Interstate Compact Commissions' National Business meeting. He highlighted that once again Virginia is home to more military connected school-aged children than any other state in the nation. Mr. Dunham also informed the Council of the new executive order that would now require the Commissioner and her/his designee to provide an annual conflict of interest form to the national office. Mr. Dunham also shared that a change in the bylaws had been approved. This change requires that the Training, Education, and Public Relations Committee be separated into two committees; that these committees are now referred to as the Training Committee and Communications and Outreach Committee. The Council was also informed of possible increases to dues in the coming years to offset the rising cost of conducting business. Mr. Dunham concluded the presentation by sharing how he contributed positively to the meeting and during breakouts. He also shared praise of Mrs. Debbie Patch for her representation of the State and fellow School Liaison Officers during her conducting of the School Liaison Officer breakout session and the sharing out of that group's session.

- *December 14, 2017, Virginia Council Meeting
Richmond, Virginia*

The December meeting included a presentation of appreciation to First Lady Dorothy McAuliffe and Dr. Steven Staples by Virginia School Liaison Officers for the work that both have conducted on behalf of military connected students across the Commonwealth. Ms. Angela de Mik then presented on Operation Break the Code. This program was made possible through a Department of Defense grant and benefits elementary students

attending Norfolk Public Schools. The program engages K-5 students in understanding “code” and introduces them to the wonders of computer science coding (K-5).

Mr. Dunham then presented an update to the Council related to his work as the Military Student and Family Specialist. This presentation included his sharing of a proposed temporary housing Bill being considered for possible legislation. The Governor’s office wished for the Council to review the language and offer comment in support of the patron of the Bill.

The Council deliberated on the proposed Bill’s language. The suggestions offered by the Council specified that the use of the phrase “military orders” be added to the language as these orders are sufficient evidence of the families’ relocation and need for the flexibilities offered in the Bill. The Council also suggested that the language include a statement outlining the responsibility of the school division to place the student into a school based on the anticipated location of the families’ permanent address.

Key Accomplishments

- Approval of Purple Star Program
- Formation of Military Student Process Action Team (MSSPAT)
- Ongoing Professional Development of School Personnel
- The Virginia General Assembly’s passing of House Bill 1085 and Senate Bill 775

Presentations

- Quantico Educational Symposium
- Virginia School Counselor Symposium Regional Meetings
- Family Engagement Network Conference (Special Needs Support)
- DoDEA Grantee Symposium for Virginia School Divisions
- Hampton Roads Virginia School Liaison Officer’s Symposium

All presentations and meeting materials are available online at www.doe.virginia.gov/support/student_family/military/va_council/.

CHAPTER 390

An Act to amend the Code of Virginia by adding a section numbered 22.1-7.2, relating to public schools; students residing on a military installation or in military housing; enrollment.

[H 1085]

Approved March 19, 2018

Be it enacted by the General Assembly of Virginia:

1. That the *Code of Virginia* is amended by adding a section numbered 22.1-7.2 as follows:

§ 22.1-7.2. *Enrollment for students residing on a military installation or in military housing.*

A. As used in this section, "military installation" means a base, camp, post, station, yard, center, homeport facility for any ship, fort, or other activity under the jurisdiction of the Department of Defense, including any leased facility, that is located in whole or in part within the Commonwealth. "Military installation" does not include any facility used primarily for civil works, rivers and harbors projects, or flood control projects.

B. Any local school board of a school division in which a military installation or other military housing is located shall establish and implement policies to provide for the enrollment to any school of any student residing on a military installation or in military housing within the school division upon the request of his parent if space in the school is available. In developing such policies, a local school board may include any of conditions listed in subsection A of § 22.1-7.1 or any other condition deemed appropriate by the local school board.

C. A copy of the school division's policies for enrollment for students residing on a military installation or in military housing within the school division shall be posted on the division's website and shall be available to the public upon request.

CHAPTER 594

An Act to amend and reenact § 22.1-3 of the Code of Virginia, relating to public schools; military children; tuition.

[S 775]

Approved March 30, 2018

Be it enacted by the General Assembly of Virginia:

1. That § 22.1-3 of the *Code of Virginia* is amended and reenacted as follows:

§ 22.1-3. Persons to whom public schools shall be free.

A. The public schools in each school division shall be free to each person of school age who resides within the school division. Every person of school age shall be deemed to reside in a school division:

1. When the person is living with a natural parent or a parent by legal adoption;
2. When, in accordance with the provisions of § 22.1-360, the person is living with a noncustodial parent or other person standing in loco parentis, not solely for school purposes, pursuant to a Special Power of Attorney executed under 10 U.S.C. § 1044b by the custodial parent;
3. When the parents of such person are dead and the person is living with a person in loco parentis who actually resides within the school division;
4. When the parents of such person are unable to care for the person and the person is living, not solely for school purposes, with another person who resides in the school division and is (i) the court-appointed guardian, or has legal custody, of the person; (ii) acting in loco parentis pursuant to placement of the person for adoption by a person or entity authorized to do so under § 63.2-1200; or (iii) an adult relative providing temporary kinship care as that term is defined in § 63.2-100. Local school divisions may require one or both parents and the relative providing kinship care to submit signed, notarized affidavits (a) explaining why the parents are unable to care for the person, (b) detailing the kinship care arrangement, and (c) agreeing that the kinship care provider or the parent will notify the school within 30 days of when the kinship care arrangement ends, as well as a power of attorney authorizing the adult relative to make educational decisions regarding the person. A school division may also require the parent or adult relative to obtain written verification from the local department of social services where the parent or parents live, or from both that department and the department of social services where the kinship provider lives, that the kinship arrangement serves a legitimate purpose that is in the best interest of the person other than school enrollment. With written consent from the parent or adult relative, for the purposes of expediting enrollment, a school division may obtain such written verification directly from the local department or departments of social services. The verification process shall be consistent with confidentiality provisions of Article 5 (§ 22.1-287 et seq.) of Chapter 14 of this title and Chapter 1 (§ 63.2-100 et seq.) of Title 63.2. If the kinship care arrangement lasts

more than one year, a school division may require continued verification directly from one or both departments of social services as to why the parents are unable to care for the person and that the kinship care arrangement serves a legitimate purpose other than school enrollment. A local school division may enroll a person living with a relative in a kinship care arrangement that has not been verified by a local department of social services;

5. When the person is living in the school division not solely for school purposes, as an emancipated minor; or

6. When the person living in the school division is a homeless child or youth, as set forth in this subdivision, who lacks a fixed, regular, and adequate nighttime residence. Such persons shall include (i) children and youths, including unaccompanied youths who are not in the physical custody of their parents, who (a) are sharing the housing of other persons due to loss of housing, economic hardship, or other causes; are living in motels, hotels, trailer parks, or camping grounds due to lack of alternative adequate accommodations or in emergency, congregate, temporary, or transitional shelters; are abandoned in hospitals; or are awaiting foster care placement; (b) are living in an institution that provides a temporary residence for individuals with mental illness or individuals intended to be institutionalized; (c) have a primary nighttime residence that is a public or private place not designed for, or ordinarily used as, a regular sleeping accommodation for human beings; or (d) are living in parked cars, parks, public spaces, abandoned buildings, substandard housing, bus or train stations, or similar settings; and (ii) migratory children, as defined in the federal Elementary and Secondary Education Act of 1965, P.L. 89-10, as amended, who are deemed homeless as they are living in circumstances set forth in clause (i).

For purposes of clause (i) of subdivision 6, "temporary shelter" means (1) any home, single or multi-unit dwelling, or housing unit in which persons who are without housing or a fixed address receive temporary housing or shelter or (2) any facility specifically designed or approved for the purpose of providing temporary housing or shelter to persons who are without permanent housing or a fixed address.

If a person resides within housing, temporary shelter, or primary nighttime residence as described in subdivision 6 that is situated in more than one school division, the person shall be deemed to reside in and shall be entitled to attend a public school within either school division. However, if a person resides in housing, temporary shelter, or primary nighttime residence as described in subdivision 6 that is located in one school division, but the property on which such housing, temporary shelter, or primary nighttime residence is located lies within more than one school division, such person shall be deemed to reside only in the single school division in which the housing, temporary shelter, or primary nighttime residence is located. Notwithstanding any such residency determination, any person residing in housing, a temporary shelter, or primary nighttime residence as described in subdivision 6 that is located in one school division, but the property on which such housing, temporary shelter, or primary nighttime residence is located lies within more than one school division, shall be deemed to reside in either school division, if such person or any sibling of such person residing in the same housing or temporary shelter attends, prior to July 1, 1999, or, in the case of a primary nighttime residence as described in subdivision

6, prior to July 1, 2000, a school within either school division in which the property on which the housing, temporary shelter, or primary nighttime residence is located.

School divisions shall comply with the requirements of the federal *McKinney-Vento Homeless Education Assistance Improvements Act of 2001*, as amended (42 U.S.C. § 11431 et seq.), to ensure that homeless children and youths shall receive the educational services comparable to those offered to other public school students.

School divisions serving the students identified in subdivision 6 shall coordinate the identification and provision of services to such students with relevant local social services agencies and other agencies and programs providing services to such students, and with other school divisions as may be necessary to resolve interdivisional issues.

B. In the interest of providing educational continuity to the children of military personnel, no child of a person on active military duty:

1. Who is attending a school free of charge in accordance with this section shall be charged tuition by that school division upon such child's relocation to military housing located in another school division in the Commonwealth, pursuant to orders received by such child's parent to relocate to base

2. Who is attending a school free of charge in accordance with this section shall be charged tuition by that school division upon such child's relocation pursuant to orders received by such child's parent to relocate to a new duty station or to be deployed. Such children shall be allowed to remain enrolled in the current school division free of tuition through the end of the school year; and

3. Who is eligible to attend school free of charge in accordance with this section shall be charged tuition by a school division that will be the child's school division of residence once his service member parent is relocated pursuant to orders received. Such a child shall be allowed to enroll in the school division of the child's intended residence if documentation is provided, at the time of enrollment, of military orders of the service member parent or an official letter from the service member's command indicating such relocation. Documentation indicating a permanent address within the school division shall be provided to the school division within 120 days of a child's enrollment or tuition may be charged, including tuition for the days since the child's enrollment in school. In the event that the child's service member parent is ordered to relocate before the 120th day following the child's enrollment, the school division shall not charge tuition. The assignment of the school such child will attend shall be determined by the local school division.

Such children as listed in subdivisions 1, 2, and 3 shall be counted in the average daily membership of the school division in which they are enrolled. Further, the school division in which such children are enrolled subsequent to their relocation to base housing shall not be responsible for providing for their transportation to and from school.