

## STATUTORY LANGUAGE EXTERNAL TO THE COMPACT

The following statutory language are stand alone and introduced separately outside of the Interstate Compact on Educational Opportunity for Military Children (Compact) statute.

As a quasi-governmental organization, the Commission does not advocate for specific legislation outside of the Compact statute. The examples demonstrate extension of the Compact statute to other student populations, clarify **or** further support the Compact rules specific to a state's statute or education regulation.

Keep in mind as it is a contractual agreement between member states, **your Compact statute should never be modified for any reason. Modifying the Compact statute will alter your "contract" with other member states and may place your membership at risk.**

Any extension of the compact provisions must be introduced separately from the original compact, and should be submitted to the national office for a legal review by general counsel to ensure it does not conflict with the compact statute and to avoid unintended consequences. Should you have any questions regarding the interstate compact or your state statute, contact the national office.

*Note: The commission, with approval by the Finance and Executive committees, has contracted the National Center of Interstate Compacts (NCIC) to provide federal and legislative updates which will be disseminated to members.*

## ESTABLISHING RESIDENCY OR ENROLLMENT

### ALABAMA

On March 10, 2020, Alabama **Senate Bill 143, "Local Board of Education, military dependents deemed Alabama residents for purposes of virtual education when member of US Armed Forces ordered to relocate to state,"** was signed into law by Governor Jerry Brown, and took effect amending Sec. 16-46A-1.

Separate from the Compact, this law aims To amend Section 16-46A-1, Code of Alabama 1975, 6 relating to K-12 virtual education, to provide, for the 7 purposes of enrolling in and attending a virtual school 8 operating in this state, that the dependents of a member of 9 the United States Armed Forces shall be considered residents 10 of the state upon the member receiving orders to relocate to 11 Alabama.

A complete text of the statute can be found at <http://alisondb.legislature.state.al.us/ALISON/SearchableInstruments/2020RS/PrintFiles/SB143-enr.pdf>

## ARKANSAS

On April 2, 2019, Arkansas **Senate Bill 638**, "**Concerning the Interstate Compact on Educational Opportunity for Children of Military Families; And To Amend Aspects of the Arkansas Code With Respect To Children of Military Families Who Are Enrolled In A Public School**", passed Arkansas' General Assembly and was signed into law by Governor Asa Hutchinson on April 17, 2019. Referred to as Act 939

Separate from the Compact, the purpose of this law is to amend aspects of Arkansas' Code with respect to children of military families who are enrolled in a public school. The language updates assignments to the state council and the functions. It extends eligibility to students of National Guard members, provides for advanced enrollment of students, and expands the pre-deployment activities window. Act 939 also requires school districts with at least 20 military-connected student or 3,000 students overall to appoint a Military Education Coordinator to support military-connected students in transition.

Arkansas Code is amended by adding § 6-18-107. A complete text of Act 939 can be found at <http://www.arkleg.state.ar.us/assembly/2019/2019R/Acts/Act939.pdf>

## CALIFORNIA

On September 12, 2016, California **Senate Bill 1455**, "**Relating to establishing resident for purposes of admission into public schools**," was signed into law by Governor Jerry Brown, and is effective January 1, 2017.

Separate from the Compact, this law aims to provide military families transferring to a California the ability to start the school enrollment process as soon as a written military transfer order is given. School districts are required to accept electronic applications for enrollment in a specific school or program within the school district, and course registration for these students. Parents must provide proof of residence within 10 days after the published arrival date provided on official documentation.

California's Education Code is amended by adding Section (48204.3). A complete text of the statute can be found at [http://leginfo.legislature.ca.gov/faces/codes\\_displaySection.xhtml?sectionNum=48204.3.&lawCode=EDC](http://leginfo.legislature.ca.gov/faces/codes_displaySection.xhtml?sectionNum=48204.3.&lawCode=EDC)

On October 11, 2015, California Assembly Bill 306, "Public schools: attendance alternatives: children of military personnel," was signed into law by Governor

Separate from the Compact, the law prohibits a school district of residence from prohibiting the transfer of a pupil who is a child of an active military duty parent to a school in any school district, if the school district to which the parents of the pupil applies approves the application for transfer.

A complete text of the statute can be found at [https://leginfo.legislature.ca.gov/faces/billNavClient.xhtml?bill\\_id=201520160AB306](https://leginfo.legislature.ca.gov/faces/billNavClient.xhtml?bill_id=201520160AB306)

## FLORIDA

During the 2019 session Florida Legislature passed **Senate Bill 620 “Military-Friendly Initiatives,”** was signed into law by Governor Ron DeSantis, and was effective June 26, 2019.

Separate from the Compact, this law allows a student whose parent is transferring or is pending transfer to a military installation within a school district while on active military duty pursuant to an official military order shall be considered a resident of the school district for purposes of enrollment when the order is submitted to the school district.

Florida’s Statute is amended by adding Sections (1002.31) and (1003.05). A complete text of the statute can be found at:

### **1002.31 -**

[http://www.leg.state.fl.us/statutes/index.cfm?mode=View%20Statutes&SubMenu=1&App\\_mode=Display\\_Statute&Search\\_String=1002.31&URL=1000-1099/1002/Sections/1002.31.html](http://www.leg.state.fl.us/statutes/index.cfm?mode=View%20Statutes&SubMenu=1&App_mode=Display_Statute&Search_String=1002.31&URL=1000-1099/1002/Sections/1002.31.html)

### **1003.05 -**

[http://www.leg.state.fl.us/statutes/index.cfm?mode=View%20Statutes&SubMenu=1&App\\_mode=Display\\_Statute&Search\\_String=1003.05&URL=1000-1099/1003/Sections/1003.05.html](http://www.leg.state.fl.us/statutes/index.cfm?mode=View%20Statutes&SubMenu=1&App_mode=Display_Statute&Search_String=1003.05&URL=1000-1099/1003/Sections/1003.05.html)

During the 2020 session Florida Legislature passed **Senate Bill 662 “Education and the Military,”** was signed into law by Governor Ron DeSantis, and was effective July 1, 2020.

Separate from the Compact, this law amends section (s.) 1003.05, Florida Statutes (F.S.), (link above) so that a student whose parent is transferred or is pending transfer to a military installation within the state while on active military duty pursuant to an official military order shall be considered a resident of the school district for purposes of enrollment when the order is submitted to the school district, and shall be provided preferential treatment in the controlled open enrollment process of the school district pursuant to s. 1002.31, F.S.

This means that active duty military families transferring to a military installation in Florida will not have to wait until they establish residency in Florida to present their transfer orders to any Florida school district to enroll in school or avail themselves of that school district’s controlled open enrollment options.

### **1002.31 –**

[http://www.leg.state.fl.us/Statutes/index.cfm?App\\_mode=Display\\_Statute&URL=1000-1099/1002/Sections/1002.31.html](http://www.leg.state.fl.us/Statutes/index.cfm?App_mode=Display_Statute&URL=1000-1099/1002/Sections/1002.31.html)

## GEORGIA

On April 22, 2019, Georgia **House Bill 59, “Relating to eligibility for enrollment in elementary and secondary educational programs,”** was signed into law by Governor Brian Kemp.

Separate from the Compact, This law amends **Code Section 20-2-150** so as to allow military students to enroll in a public school based on official military orders prior to physically establishing residency.

### GEORGIA cont.

A complete text of the statute can be found at <https://www.legis.ga.gov/api/legislation/document/20192020/187553>

### KENTUCKY

In April 2008, Kentucky adopted **Kentucky Revised Statute (KRS) 156.730** and joined the Commission. In 2020, the State Legislature adopted **House Bill 266** – which amends **KRS 159.075** to include *parents or guardians who are transferring to a reserve component or separating from the military under honorable conditions; include a home under contract to be built as a qualifying residence; allow qualifying students to temporarily reside outside of district if the housing is unavailable and be included in the attending district's average daily attendance.* The statute took effect March 24, 2020.

Kentucky's Revised Statute was amended to add Section 159.075. A complete text of the statute can be found at <https://apps.legislature.ky.gov/law/statutes/statute.aspx?id=49997>

On March 24, 2020, Kentucky **House Bill 266** “*An Act relating to military families.*” was signed into law by Governor Andy Beshear.

Separate from the Compact, this law **amends Kentucky Revised Statute 159.075** to include parents or guardians who are transferring to a reserve component or separating from the military under honorable conditions; include a home under contract to be built as a qualifying residence; allow qualifying students to temporarily reside outside of district if the housing is unavailable and be included in the attending district's average daily attendance.

A complete text of the statute can be found at <https://apps.legislature.ky.gov/recorddocuments/bill/20RS/hb266/bill.pdf>

### NEBRASKA

On March 7, 2019, Nebraska **Legislative Bill 115**, “*Change provisions related to enrollment of children of members of the military,*” was signed into law by Governor John Peter Ricketts, and was effective March 12, 2019.

Separate from the Compact, this law amends Nebraska's Chapter 79-215 to allow children of military families with documentation of a pending military relocation into the state, preliminary enrollment to a school district as long as the family will be in the school district during the current or following school year. This legislation also amends 79-216 to define that children of military families that live on federally owned property, such as Offut Air Force Base, are considered residents of the school district where the property is located.

A complete text of the statute can be found at <https://nebraskalegislature.gov/FloorDocs/106/PDF/Slip/LB115.pdf>

## NORTH CAROLINA

On June 12, 2018, North Carolina **Senate Bill 99**, "**An Act to modify the current operations appropriations of Act of 2017 and to make other changes in the budget operations of the state,**" was signed into law by Governor Roy Cooper.

Separate from the Compact, this law modified appropriations and also added military student advance enrollment.

A complete text of the statute can be found at  
<https://www.ncleg.gov/Sessions/2017/Bills/Senate/PDF/S99v6.pdf>

Passed in 2020, **North Carolina General Statutes 115C.366(a9)** directs that LEAs permit the remote enrollment of the children of parents with orders to North Carolina prior to their physical arrival in North Carolina

A complete text of the statute can be found at  
[https://www.ncleg.net/enactedlegislation/statutes/html/bysection/chapter\\_115c/gs\\_115c-366.html](https://www.ncleg.net/enactedlegislation/statutes/html/bysection/chapter_115c/gs_115c-366.html)

## SOUTH DAKOTA

On February 14, 2019, South Dakota **House Bill 1044**, "**An act to authorize certain children who are subject to a pending military relocation to apply for enrollment in a school district,**" was signed into law by Governor Kristi Noem, and was effective February 14, 2019.

Separate from the Compact, this law amends South Dakota's Education language to authorize children of military members, whose relocation is pending, to enroll in school pending evidence of residency.

SECTION 13-28-9, Education Code, is amended. A complete text of the statute can be found at: <https://sdlegislature.gov/docs/legsession/2019/Bills/HB1044ENR.pdf>

## TEXAS

On May 28, 2019, Texas **House Bill 1597**, "**Relating to established residency for purposes of admission into public schools,**" was signed into law by Governor Greg Abbott, and was effective May 28, 2019.

Separate from the Compact, this law amends Texas' Education Code to authorize a person whose parent or guardian is an active-duty member of the U.S. armed forces to establish residency for the purposes of public school admission by providing to the public school district or open-enrollment charter school, by a specified deadline, a copy of a military order requiring

the parent's or guardian's transfer to a military installation in or adjacent to the district's or school's attendance zone.

SECTION 25.001, Education Code, is amended by adding Subsections (c-1) and (c-2).  
A complete text of the statute can be found at  
<https://statutes.capitol.texas.gov/Docs/ED/htm/ED.25.htm#25.001>

## VIRGINIA

On March 14, 2019, Maryland House Bill 1623, "An Act to amend and reenact §22.1-3 of the Code of Virginia, relating to military families; relocation to the Commonwealth; student registration," was signed into law by Governor Ralph Northam.

Separate from the Compact, this law allows military students to enroll in gaining school once military orders are in hand.

A complete text of the statute can be found at <https://lis.virginia.gov/cgi-bin/legp604.exe?191+ful+CHAP0404+pdf>

## WASHINGTON

In April 2019, Washington adopted **Substitute House Bill 1210 "School Enrollment – Nonresident Children From Military Families,"** was signed into law by Governor Jay Inslee, and was effective July 28, 2019.

Separate from the Compact, this law amends Washington's Revised Code to allow nonresident children of military families to enroll in Washington's public schools prior to arrival in the state. Provides that children of military families meet school district residency for enrollment if the children's active duty military parents are transferring to a military installation within Washington. Directs school districts to accept such children's enrollment and course registration by electronic means. Requires that parents of these children provide proof of residence in the school district within 14 days of the arrival date provided on official military documentation.

Revised Code of Washington is amended to add a new section to Chapter 28A.225. A complete text of the statute can be found at <http://lawfilesexxt.leg.wa.gov/biennium/2019-20/Pdf/Bills/House%20Passed%20Legislature/1210-S.PL.pdf>

In 2020, Washington adopted **Substitute House Bill 2543 "AN ACT relating to ensuring eligible veterans and their dependents qualify for in-state residency; and amend RCW 28B.15.012** was signed into law by Governor Jay Inslee, and was effective June 11, 2020.

Separate from the Compact, this law amends Washington's Revised Code to ensure eligible veterans and their dependents qualify for in-state residency if the service member is reassigned out-of-state

A complete text of the statute can be found at <http://lawfilesexxt.leg.wa.gov/biennium/2019-20/Pdf/Bills/Session%20Laws/House/2543-S.SL.pdf>

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## ENROLLMENT PREFERENCE

### UTAH

In March 22, 2019, Utah adopted **House Bill 306 “Enrollment Preference for Military Children,”** was signed into law by Governor Gary Richard Herbert, and was effective May 14, 2019.

Separate from the Compact, this law amends charter school enrollment provisions to establish a preference for a child of a military servicemember. Utah’s Code is amended to reflect rewrites to 53G-6-502.

A complete text of the statute can be found at <https://le.utah.gov/~2019/bills/static/HB0306.html>

### FLORIDA

On June 23, 2020, Governor Ron DeSantis signed into law Senate Bill 662 which provides greater flexibility to transitioning students of military families for enrollment and certain preferential treatment. Adds to the school grading calculation Armed Services Qualification Test (ASQT) scores and Junior Reserve Officers’ Training Corps (JROTC) course participation.

A complete text of the statute can be found at <https://www.flsenate.gov/Session/Bill/2020/662/BillText/er/PDF>

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## EXCUSED ABSENCES

### NORTH CAROLINA

In March 2019, North Carolina adopted **Senate Bill 230 “Excused Absences for Military Children,”** was signed into law by Governor Roy Cooper, and was effective August 14, 2019. Separate from the Compact, this law would add a new category of required excused absences. Students would be allowed a minimum of two days per academic year for the parent or legal guardian’s military leave when certain requirements outlined in the bill are met. Requirements include: the student’s parent or legal guardian would be required to give written notice of the request for leave for a reasonable time prior to the absence; and the student must be given the opportunity to make up tests or missed work due to the absence.

North Carolina’s Statutes is amended to reflect rewrites to Section 1.(a) G.S. 115C-379. A complete text of the statute can be found at <https://www.ncleg.gov/Sessions/2019/Bills/Senate/PDF/S230v5.pdf>

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## MILITARY EDUCATION COORDINATOR

ARKANSAS – Please refer to **“Advanced Enrollment” Arkansas Act 939**

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## **EXTENSION OF THE COMPACT BEYOND NATION GUARD ON TITLE 10 ORDERS**

### **CIVILIAN MILITARY EMPLOYEES**

#### **KENTUCKY**

In 2009, the State Legislature adopted the **KRS 156.735** – which extends eligibility to “students of civilian military employees”. The statute took effect June 25, 2009.

Kentucky's Revised Statute was amended to add Section 156.735. A complete text of the statute can be found at <https://apps.legislature.ky.gov/law/statutes/statute.aspx?id=3244>

### **NATIONAL GUARD**

#### **ARKANSAS** – Please refer to “**Advanced Enrollment**” **Arkansas Act 939**

This provision is separate from the state statute and extends the compact provisions to national guard and reservists under all titles moving into the state.

*"Activated reserve components" means members of the reserve 12 component of the uniformed services who have received a notice of intent to 13 deploy or mobilize under Title 10 of the United States Code, Title 32 of the 14 United States Code, or state mobilization to active duty."*

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## **VACCINATION MANDATE: COVID-19**

### **DISTRICT OF COLUMBIA**

The Office of the State Superintendent of Education (OSSE) issued guidance on Oct. 8, 2021 for District of Columbia public, public charter, private, parochial, and independent schools regarding the implementation of the COVID-19 vaccination mandate in [Mayor's Order 2021-109](#). This document is intended to update and address frequently asked questions related to local education agencies' (LEAs') and schools' implementation of the COVID-19 Vaccination Mandate for District School Employees, Contractors, Interns and Volunteers and the COVID-19 Vaccination Mandate for Student Athletes.

For information and resources on the District of Columbia Government's COVID-19 response and recovery effort, please visit [coronavirus.dc.gov](https://coronavirus.dc.gov).

For additional information and resources from OSSE, please visit the OSSE Guidance and Resources for COVID-19-related Closures and Recovery [webpage](#).

If you have questions relating to this guidance, contact the OSSE Division of Health and Wellness at [OSSE.HealthandSafety@dc.gov](mailto:OSSE.HealthandSafety@dc.gov).

[Frequently Asked Questions \(Nov. 9, 2021\)](#)