

Descriptor Term:
CHILDREN OF MILITARY FAMILIES

Descriptor Code:
4.0050

Legal References: G.S. 115C-407.5

Cross References:

The board recognizes the unique circumstances faced by children of military families who are often required to transfer to a new school system because their parents or guardians have a new military assignment. In order to promote flexibility and cooperation between the school system, parents and guardians, and the student and to assist the student to achieve educational success in his or her new school, the superintendent shall adopt procedures necessary to ensure compliance with the Interstate Compact on Educational Opportunity for Military Children (hereinafter "Compact").

A. DEFINITIONS

The following definitions apply to all policies and procedures adopted in compliance with the Compact.

1. Active Duty

Active duty is full-time duty status in the active uniformed service of the United States, including members of the National Guard and Reserve on active duty orders pursuant to 10 U.S.C. 12301, et seq. and 10 U.S.C. 12401, et seq.

2. Children of Military Families

Children of military families are school-aged children, enrolled in kindergarten through twelfth grade, in the household of an active duty member.

3. Deployment

Deployment is the period one month prior to the service members' departure from their home station on military orders through six months after their return to their home station.

4. Education Records

Education Records are those official records, files and data directly related to a student and maintained by the school or school system, including but not limited to records encompassing all the material kept in the student's cumulative folder, such as general identifying data, records of attendance and of academic work completed, records of achievement and results of evaluative tests, health data, disciplinary status, test protocols, and individualized education programs.

5. Extracurricular Activities

Extracurricular activities are voluntary activities sponsored by the school or school system or an organization sanctioned by the school system. Extracurricular activities include, but are not limited to, preparation for and involvement in public performances, contests, athletic competitions, demonstrations, displays, and club activities.

6. Member State

A member state is a state that has enacted the Compact.

7. Non-Member State

A non-member state is a state that has not enacted the Compact.

8. Receiving State

The receiving state is the state to which a child of a military family is sent, brought, or caused to be sent or brought.

9. Rule

A rule is a written statement by the Interstate Commission promulgated pursuant to Article XII of the Compact that is of general applicability, implements, interprets or prescribes a policy or provision of the Compact, or an organizational, procedural, or practice requirement of the Interstate Commission, and has the force and effect of rules promulgated under the Administrative Procedures Act as found in Chapter 150B of the North Carolina General Statutes, and includes the amendment, repeal, or suspension of an existing rule.

10. Sending State

The sending state is the state from which a child of a military family is sent, brought, or caused to be sent or brought.

11. Student

The student is the child of a military family for whom the school system receives public funding and who is formally enrolled in kindergarten through twelfth grade.

12. Transition

The transition is (1) the formal and physical process of transferring from school to school or (2) the period of time in which a student moves from one school in the sending state to another school in the receiving state.

13. Uniformed Services

The uniformed services are the Army, Navy, Air Force, Marine Corps, and Coast Guard, as well as the Commissioned Corps of the National Oceanic and Atmospheric Administration and the Public Health Services.

14. Veteran

A veteran is a person who served in the uniformed services and who was discharged or released therefrom under conditions other than dishonorable.

B. THOSE TO WHOM ADOPTED POLICIES AND PROCEDURES APPLY

Policies and procedures that are adopted to comply with the Compact apply to the children of:

1. Active duty members of the uniformed services as defined in Section A of this policy, including members of the National Guard and Reserve on active duty orders pursuant to 10 U.S.C. 12301, et seq. and 10 U.S.C. 12401, et seq.;
2. Members or veterans of the uniformed services who are severely injured and medically discharged or retired for a period of one year after medical discharge or retirement; and
3. Members of uniformed services who die on active duty or as a result of injuries sustained on active duty for a period of one year after death.

C. THOSE TO WHOM ADOPTED POLICIES AND PROCEDURES DO NOT APPLY

The policies and procedures adopted to comply with the Compact do not apply to the children of:

1. Inactive members of the National Guard and Military Reserves;
2. Members of the uniformed services now retired, except as provided in Section B of this policy;
3. Veterans of the uniform services, except as provided in Section B of this policy, and other U.S. Department of Defense personnel and other federal agency civilians and contract employees not defined as active duty members of the uniformed services.