

# FREQUENTLY ASKED QUESTIONS

## Parents

### **How do I know if I'm eligible for the provisions of the Compact? When does the Compact apply to me, and for how long?**

Active Duty of the Uniformed Services, including members of the National Guard/Reserve on Active Duty orders; Members/Veterans who are medically discharged or retired for one year; Members who die while on Active Duty for a period of one year after death; Uniformed Members of the Commissioned Corps of the National Oceanic Atmospheric Association (NOAA) and the United States Public Health Service (USPHS).

### **Does my new school have to accept my child's Individualized Education Plan (IEP) exactly as written?**

No, under the Compact, schools need to provide comparable services. The receiving state may subsequently perform evaluations to ensure appropriate placement.

### **How do credits and grades transfer when going from proficiency-based to traditional grading?**

When a student transfers to a new district, the transfer grade is determined by the student's current letter grade or transcript. Some schools have a grade scale conversion chart to help determine the appropriate grade in their grading system, while some schools do not. In some cases, the receiving school is also sent some basic information about standards-based grading to help with the transition. Contact your school liaison officer or school to request for more information.

### **Who do I contact if I feel that my concerns are not being addressed at my child's school?**

The first Point of Contact would be the School Liaison Officer (SLO). The SLO Directory can be found at: <https://bit.ly/2oCL11w>

### **Does the Compact cover students attending overseas local or international schools, private school, charter, homeschool, Non-DoD School Program (NDSP), DoDEA or online programs?**

The compact covers transfers between United States public schools, as well as the Department of Defense Education Activity Schools (DoDEA), located outside and within the continental United States (CONUS).

### **What documentation on the Compact can I take to my child's school and where can I find it?**

You should take a copy of the Compact Rules guide or book. To download a copy please visit the MIC3 website: <https://bit.ly/2PDKCHU>

### **If someone else is caring for my child, what documentation is accepted regarding the Compact for enrollment and educational decision?**

A custody order, special power of attorney, or other applicable document relative to the guardianship of a child of a military family and executed under the applicable law of each member state shall be sufficient for the purposes of enrollment and all other actions requiring parental participation and consent. A special power of attorney form, which is acceptable in some jurisdictions, can be obtained through the JAG offices pursuant to Military Family Care Plan regulations.

### **What does the Compact cover regarding retirement and separation?**

An active duty member who dies, retires or medically retires is covered for one year (to their final home of record).

### **Does the Compact supersede State Law?**

Yes. The Compact is part of legislative policy in each state.

### **Are absences for a Permanent Change of Station (PCS) excused? If so, how many?**

No, the Compact provides excused absences for Combat deployments only.



MILITARY INTERSTATE  
CHILDREN'S COMPACT  
COMMISSION

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### **Does the Compact cover spouses who are still enrolled in high school?**

No. The Compact only applies to military-connected students, defined as "*children of military families*," it does not cover spouses.

### **Does the Compact allow a Local Education Authority (LEA) to waive state graduation credit requirements under Article VII?**

As a Compact and a contractual agreement between states, LEAs are authorized by the provisions of the MIC3 to waive course requirements or provide an alternative means of satisfying the course requirements to ensure on-time graduation. In cases where a military-connected student is ineligible to graduate from the receiving state during their senior year, the sending and receiving LEA's shall ensure receipt of a diploma from the sending state.

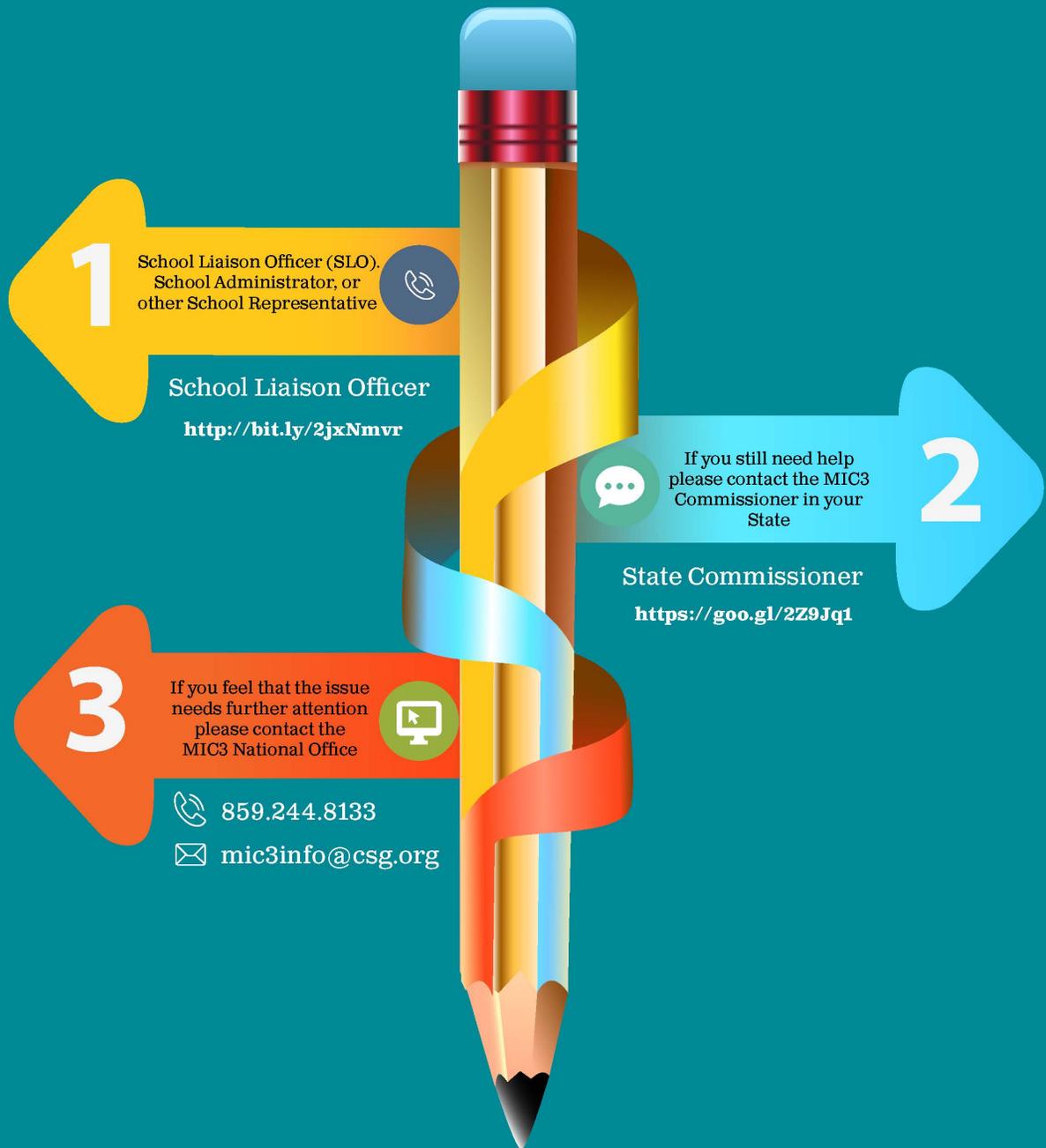
### **Can a receiving State recalculate a transitioning students grade to reflect their school district grade scale?**

Yes. Grading scales are not an area that is covered by the Compact. Districts must recalculate to ensure uniformity for all students.

### **Is the LEA required to give additional excused absences under the Compact?**

No. The Compact provides that a student may be granted additional excused absences at the discretion of the LEA superintendent or head of school. This allows the student to visit their parent or legal guardian due to deployment or posting to a combat zone, defined as "*one month prior to six months after*." Notwithstanding the above, the LEA superintendent or head of school may provide a maximum number of additional excused absences, especially if the student has already had excessive absences.

# WHO DO I ASK FOR HELP?



## **2019 Annual Business Meeting – Breakout Session Legal Perspectives: Answering the Hard Questions**

### **Panelist Biographies**

#### **Laura Anastasio, Esq. | Connecticut Compact Commissioner | Facilitator**

Ms. Anastasio has served as the MIC3 Commissioner Designee for Connecticut since the state's adoption of the Compact in 2008. Connecticut was one of the 11 original states to enact the Compact and is one of the longest serving members of the Commission. She has served as a member, Vice-Chair and Chair of the MIC3 Compliance Committee; Leadership Development Ad Hoc Committee; and is currently the Vice-Chair of the Commission. Ms. Anastasio is a Staff Attorney for the Division of Legal and Governmental Affairs in the Connecticut Department of Education. She holds a B.A. from Emory University and began her professional career as a high school Spanish teacher. Ms. Anastasio received her Juris Doctorate from the University of Connecticut School of Law. She began her legal career at Shipman & Goodwin LLP, working in the Education Practice Law Group.

#### **Mary Gable | Maryland Compact Commissioner | Facilitator**

Ms. Gable has served as the MIC3 Commissioner for Maryland since the state's adoption of the Compact in 2009. In addition to serving as the Commission Vice Chair in 2016, she has been appointed as the MIC3 Rules Chair for 5 terms and is one of the longest serving members on the Executive Committee. She is the Assistant State Superintendent of the Division of Student Support, Academic Enrichment and Educational Policy for the Maryland Department of Education (MDOE). At MDOE, Ms. Gable administers and supervises State and Federal education programs for economically and socially disadvantaged children; programs and services that facilitate the emotional, mental, and physical well-being of all students; programs that promote positive student behavior; programs that develop safe and orderly environments conducive to learning; and programs that facilitate the engagement of students in activities that develop character and civic responsibility. The Division is the lead on the development of policy and plans related to the Every Student Succeeds Act (ESSA), supports the agency with identification and submission of grants, and supports programs to ease the educational transition of military children. Ms. Gable holds a M.Ed. in Educational Supervision and Administration from Loyola University, Maryland, and is a former teacher and administrator.

#### **Daron Korte, Esq. | Minnesota Compact Commissioner**

Mr. Daron Korte has served as the MIC3 Commissioner Designee for Minnesota since 2014 upon adoption of the statute. He was appointed the MIC3 Compliance Committee Chair in 2017. He is the Assistant Commissioner for the Minnesota Department of Education, overseeing programs in: Special Education; Compliance and Assistance; Rulemaking; and Health, Nutrition and Youth Development. In these areas, he supervises agency implementation of state and federal legislation, guides development of policy and budget recommendations, and represents the commissioner with external stakeholders. Mr. Korte serves as a general legal adviser to the agency and commissioner. Mr. Korte previously served as the agency's Director of Government Relations, responsible for developing and advocating for the commissioner's and governor's education policy and budget agendas. Prior to his work at the department, he served as Committee Administrator and Counsel for the Minnesota Senate Education Policy and Finance Committee. He has also worked in the school law division of Chicago Public

Schools. Mr. Korte has a Juris Doctorate from DePaul University College of Law and a B.A. in sociology from the University of Minnesota-Twin Cities.

### **Richard L. Masters, Esq. | General Counsel**

In addition to MIC3, Mr. Masters also serves as the General Counsel for *The Interstate Commission for Adult Offender Supervision* and as a legal consultant to the National Center for Interstate Compacts, operated by the Council of State Governments (CSG) in Lexington Kentucky (Ky). He received a B.A. degree from Asbury College in 1976 and his Juris Doctorate from the Louis D. Brandeis School of Law of the University of Louisville in 1979. He was Assistant Attorney General for the Commonwealth of Kentucky until 1982 after which he served as General Counsel for CSG at the national office in Lexington, Ky. In addition to his outside counsel work for CSG, Mr. Masters was an adjunct professor of business regulation and commercial law at Northwood University and Asbury College and is a member of a law firm in Louisville, Kentucky. He has written and spoken extensively on the subject of interstate compacts including the Interstate Compact for Adult Offender Supervision and the Interstate Compact for Juveniles for which he was the principal draftsman and has testified before numerous state legislative committees on these subjects. He provided advice and assistance to CSG and the National Highway Traffic Safety Administration in the early 1980s to amend the Driver License Compact and has served as a CSG consultant to the United States Department of Justice/National Institute of Corrections and Office of Juvenile Justice and Delinquency Prevention for the purpose of the comprehensive amendment of two national corrections compacts in which all fifty states and U.S. territories are members. In addition, Mr. Masters has coauthored an article concerning the law of interstate compacts and the legal significance of The Interstate Compact for Adult Offender Supervision which was published in the Fall 2003 edition of the Roger Williams University Law Review entitled: ***The Interstate Compact on Adult Offender Supervision: Using Old Tools to Solve New Problems***. He is also the co-author of ***The Evolving Use and Changing Role of Interstate Compacts: A Practitioner's Guide***, which was published by the American Bar Association in March 2006.