

## FRESNO COUNTY SUPERINTENDENT OF SCHOOLS

**Instuction**  
**EDUCATION OF CHILDREN OF MILITARY FAMILIES**Definitions

Children of military families are school-aged children in the household of: (Education Code 49701)

1. Members who are in full-time duty status in the active uniformed service of the United States, including any member of the National Guard and Reserve on active duty order pursuant to 10 USC 1209 or 1211.
2. Members or veterans of the uniformed services who are severely injured and medically discharged or retired, for one year after their medical discharge or retirement.
3. Members of the uniformed services who have died while on active duty or as a result of injuries sustained on active duty, for one year after their death.

Enrollment and Residency

The County Superintendent or designee shall facilitate the enrollment of children of military families and ensure that they are not placed at a disadvantage due to difficulty in the transfer of their records from previous school districts and/or variations in entrance or age requirements. (Education Code 49701)

A child of a military family shall be deemed to meet County Superintendent and County Board residency requirements if the parent/guardian, while on active military duty pursuant to an official military order, is transferred or is pending transfer to a military installation within the state. The County Superintendent or designee shall accept electronic submission of such a student's application for enrollment, including enrollment in a specific school or program within the County Superintendent's jurisdiction, and for course registration. (Education Code 48204.3)

When a child of a military family is transferring into a County Superintendent and County Board school, the County Superintendent or designee shall enroll the student based on unofficial education records, if official records are not yet available. Upon enrollment, the County Superintendent or designee shall immediately request the student's official records from the student's previous district. The County Superintendent or designee shall allow the student 30 days from the date of enrollment to obtain all required immunizations. (Education Code 49701)

A child of a military family shall be allowed to continue attending the school of origin, regardless of any change of residence of the family during that school year, for the duration of the student's status as a child of a military family. (Education Code 48204.6)

When a child of a military family is transferring out of a County Superintendent and County Board school, the County Superintendent or designee shall provide the student's parents/guardians with a complete set of the student's records or, if the official student record

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cannot be released, an unofficial or "hand-carried" record. Upon request from the new district, the County Superintendent or designee shall provide a copy of the student's record to the new district within 10 days. (Education Code 49701)

Transfer of Coursework and Credits

When a child of a military family transfers into a County Superintendent and County Board school, the County Superintendent and County Board school shall accept and issue full credit for any coursework that the student has satisfactorily completed while attending another public school, a nonpublic, nonsectarian school or agency, or a juvenile court school and shall not require the student to retake the course. (Education Code 51225.2)

If the student did not complete the entire course, the student shall be issued partial credit for the coursework completed and shall be required to take only the portion of the course not completed at the previous school. However, the County Superintendent and County Board may require the student to retake the portion of the course completed if, in consultation with the student's parent/guardian, the County Superintendent finds that the student is reasonably able to complete the requirements in time to graduate from high school. Whenever partial credit is issued, the student shall be enrolled in the same or equivalent course, if applicable, so that the student may continue and complete the entire course. (Education Code 51225.2)

In no event shall the County Superintendent and County Board prevent a child of a military family from taking or retaking a course to meet the eligibility requirements for admission to the California State University or the University of California. (Education Code 51225.2)

Absences

When a student's parent/guardian is an active duty member and is called to duty for, is on leave from, or is immediately returned from deployment to a combat zone or to combat support posting, the County Superintendent or designee may grant additional excused absences to the student to visit with the parent/guardian. (Education Code 49701)

Graduation Requirements

To obtain a high school diploma, a child of a military family shall complete all courses required by Education Code 51225.3 and shall generally fulfill any additional graduation requirements prescribed by the County Superintendent and County Board.

However, when a child of a military family who has completed the second year of high school transfers into a County Superintendent and County Board school from another school, the student shall be exempted from all County Superintendent and County Board-adopted coursework and other County Superintendent and County Board-established graduation requirements that are in addition to the statewide coursework requirements specified in Education Code 51225.2, unless the County Superintendent or designee makes a finding that the student is reasonably able to complete the additional requirements in time to graduate from high school by the end of the fourth year of high school. Within 30 calendar days of the student's transfer, the County Superintendent or designee shall notify the student and

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parent/guardian of the availability of the exemption and whether the student qualifies for it. If the County Superintendent or designee fails to provide this notification, the student shall be eligible for the exemption once notified, even if the notification occurs after the student no longer meets the definition of a child of a military family pursuant to Education Code 49701. (Education Code 51225.1)

To determine whether a child of a military family is in the third or fourth year of high school, the County Superintendent shall use either the number of credits earned as of the date of the transfer or the length of school enrollment, whichever qualifies the student for the exemption. (Education Code 51225.1)

The County Superintendent or designee shall notify any child of a military family who is granted an exemption and the student's parent/guardian how any requirements that are waived will affect the student's ability to gain admission to a postsecondary educational institution and shall provide information about transfer opportunities available through the California Community Colleges. (Education Code 51225.1)

The County Superintendent shall not require or request a child of a military family to transfer schools in order to qualify for an exemption, and no child of a military family or parent/guardian shall be permitted to request a transfer solely to qualify for an exemption. (Education Code 51225.1)

If a child of a military family is exempted from local graduation requirements, the exemption shall continue to apply after the student no longer meets the definition of a child of a military family while enrolled in school or upon transfer to another school or school district. (Education Code 51225.1)

If the County Superintendent or designee determines that a child of a military family is reasonably able to complete graduation requirements within a fifth year of high school, the County Superintendent or designee shall: (Education Code 51225.1)

1. Inform the student and, if under 18 years of age, the student's parent/guardian of the option available to the student to remain in school for a fifth year to complete the graduation requirements and how that will affect the student's ability to gain admission to a postsecondary educational institution
2. Provide information to the student about transfer opportunities available through the California Community Colleges
3. Upon agreement with the student, or with the parent/guardian if the student is under 18 years of age, permit the student to stay in school for a fifth year to complete the graduation requirements

#### Notification and Complaints

Information regarding the educational rights of children of military families, as specified in Education Code 51225.1 and 51225.2, shall be included in the annual uniform complaint

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procedures notification distributed to students, parents/guardians, employees, and other interested parties pursuant to 5 CCR 4622. (Education Code 51225.1, 51225.2)

Any complaint alleging that the County Superintendent has not complied with requirements regarding the education of children of military families, as specified in Education Code 51225.1 or 51225.2, may be filed in accordance with the procedures in AR 1312.3 - Uniform Complaint Procedures.

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