



# Indiana Department of Education

Dr. Katie Jenner, Secretary of Education

## Military Children and Families Frequently Asked Questions (FAQs)

This resource contains information and guidance regarding Indiana laws impacting military children and families, as outlined by the Indiana Department of Education (IDOE).

Number	Question	Answer
Definitions		
1	<b>What is the Interstate Compact on Educational Opportunity for Military Children?</b>	The Interstate Compact on Educational Opportunity for Military Children (i.e., the Compact) is an agreement that ensures uniform treatment for military children who transfer between school districts and states. Each participating state must adopt the Compact through legislation. Each participating state will appoint representation to an ongoing governing commission designed to enact necessary rules. The Compact calls for the development of state councils in each member state. Each state council may be tasked with development of policy concerning operations and procedures of the Compact within the state.
2	<b>What are the duties of the Compact commission (i.e., Interstate Commission) in Indiana?</b>	<p>Pursuant to <a href="#">Indiana Code (IC) 20-38-3-10</a>, the Interstate Commission has the following powers:</p> <ul style="list-style-type: none"><li>• To provide for dispute resolution among member states.</li><li>• To adopt rules and take all necessary actions to effect the goals, purposes, and obligations set forth in this compact. The rules have the force and effect of statutory law and are binding in the member states to the extent and in the manner provided in this compact.</li><li>• To issue, upon request of a member state, advisory opinions concerning the meaning or interpretation of this compact or the bylaws, rules, or actions of the interstate commission.</li><li>• To enforce compliance with compact provisions, rules adopted by the interstate commission, and the bylaws, using all necessary and proper means, including the use of judicial process.</li><li>• To establish and maintain offices located within one (1) or more member states.</li><li>• To purchase and maintain insurance and bonds.</li><li>• To borrow, accept, hire, or contract for personnel services.</li><li>• To establish and appoint committees, including an executive committee required by Article IX, Section E. The executive committee has the power to act on behalf of the interstate commission in carrying out the powers and duties of the interstate commission.</li><li>• To elect or appoint officers, attorneys, employees, agents, or consultants, and to fix their compensation, define their duties, and determine their qualifications, and to establish the interstate commission's personnel policies and programs relating to conflicts of interest, rates of compensation, and qualifications of personnel.</li><li>• To accept donations and grants of money, equipment, supplies, materials, and services, and to receive, use, and dispose of the donations and grants.</li><li>• To lease, purchase, accept contributions or donations of, or otherwise own, hold, improve, or use any property.</li></ul>



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		<ul style="list-style-type: none"> <li>• To sell, convey, mortgage, pledge, lease, exchange, abandon, or otherwise dispose of any property.</li> <li>• To establish a budget and make expenditures.</li> <li>• To adopt a seal and bylaws governing the management and operation of the interstate commission.</li> <li>• To report annually to the legislatures, governors, judiciary, and the state councils of the member states about the activities of the interstate commission during the preceding year. A report must include any recommendations adopted by the interstate commission. A report to the general assembly must be in an electronic format under <a href="#">IC 5-14-6</a>.</li> <li>• To coordinate education, training, and public awareness for officials and parents regarding the compact and its implementation and operation.</li> <li>• To establish uniform standards for the reporting, collecting, and exchanging of data.</li> <li>• To maintain corporate books and records in accordance with the bylaws.</li> <li>• To perform necessary and appropriate functions to achieve the purposes of this compact.</li> <li>• To provide for the uniform collection and sharing of information among member states, schools, and military families under this compact.</li> </ul>
3	<b>How does Indiana state law define children of military families?</b>	“Children of military families” is defined under <a href="#">IC 20-38-3-2(B)</a> , as school aged children who are enrolled in kindergarten through grade 12 and are members of the household of an active duty member.
4	<b>How does Indiana state law define active duty?</b>	“Active duty” is defined under <a href="#">IC 20-38-3-2(A)</a> , as full-time duty status in the armed forces of the United States or the National Guard and Reserve on active duty orders under 10 U.S.C. 1209 and 10 U.S.C 1211.
5	<b>How does Indiana state law define deployment?</b>	“Deployment” is defined by <a href="#">IC 20-38-3-2</a> , as the period beginning one month before a service member departs from the member's home station on military orders and ending six months after the service member returns to the member's home station.
<b>Identification</b>		
6	<b>Are schools required to complete a form from IDOE to identify military children?</b>	Yes. <a href="#">IC-20-19-3-9.4</a> requires school corporations and charter schools to complete and submit a Military Children in Education Confidential form, found on IDOE’s <a href="#">Military Children and Families webpage</a> , under <i>Military Families Indiana State Statute</i> .
<b>Enrollment Transition and Graduation</b>		
7	<b>What enrollment eligibility requirements exist for military children?</b>	<p>Pursuant to <a href="#">IC 20-38-3-6</a>, eligibility for enrollment requirements include the following stipulations.</p> <ul style="list-style-type: none"> <li>• A special power of attorney, relative to the guardianship of a child of a military family, is sufficient for the purposes of enrollment and all other actions requiring parental participation and consent.</li> </ul>



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		<ul style="list-style-type: none"> <li>• A local educational agency (LEA) is prohibited from charging local tuition to a transitioning child of a military family placed in the care of a noncustodial parent or another person standing in loco parentis who lives in a jurisdiction other than the jurisdiction of the custodial parent.</li> <li>• A transitioning child of a military family, placed in the care of a noncustodial parent or another person standing <i>in loco parentis</i> who lives in a jurisdiction other than the jurisdiction of the custodial parent, may attend the school in which the child was enrolled while residing with the custodial parent.</li> <li>• States and LEAs shall facilitate the opportunity for the inclusion of transitioning children of military families in extracurricular activities, regardless of application deadlines, to the extent the children are otherwise qualified.</li> </ul>
8	<b>Can the receiving school accept unofficial educational records to enroll military children?</b>	<p>Yes. Pursuant to <a href="#">IC 20-38-3-4</a>, if official educational records cannot be released to the parents for the purpose of transfer, the custodian of the records in the sending state shall prepare and furnish to the parent a complete set of unofficial educational records containing uniform information as determined by the Interstate Commission. Upon receipt of the unofficial educational records by a school in the receiving state, the school shall enroll and appropriately place the student based on the information provided in the unofficial records, pending validation by the official records, as quickly as possible.</p> <p>At the same time as the enrollment and conditional placement of the student, the school in the receiving state shall request the student's official educational record from the school in the sending state. Upon receipt of this request, the school in the sending state shall process and furnish the official educational records to the school in the receiving state within 10 days of such time as is reasonably determined under the rules adopted by the interstate commission.</p>
9	<b>Will the receiving school honor the student enrollment placement from the sending school?</b>	<p>Yes. Pursuant to <a href="#">IC 20-38-3-5</a>, when a student transfers before or during the school year, the receiving state school initially shall honor placement of the student in educational courses based on the student's enrollment in the sending state school, on educational assessments conducted at the school in the sending state if the courses are offered, or on both the enrollment and assessments. Course placement includes honors, Cambridge International, International Baccalaureate, Advanced Placement (AP), vocational, technical, and career pathways courses. Continuing the student's academic program from the previous school and promoting placement in challenging academic and career courses are paramount when considering placement. The school in the receiving state may perform subsequent evaluations to ensure appropriate placement and continued enrollment of the student in the courses.</p> <p>The receiving state school initially shall honor placement of a student in educational programs based on current educational assessments conducted at the school in the sending state or by participation or placement in similar programs in the sending state. Similar programs include gifted and talented programs and English as a second language programs. A school in a receiving state may perform subsequent evaluations to ensure appropriate placement of a student.</p>



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		<p>In compliance with the federal requirements of the Individuals with Disabilities Education Act (IDEA), 20 U.S.C. 1400 et seq., the receiving state shall initially provide comparable services to a student with disabilities based on the student's current Individualized Education Program (IEP).</p> <p>In compliance with the requirements of Section 504 of the Rehabilitation Act, 29 U.S.C. 794, and with Title II of IDEA, 42 U.S.C. 12131 through 12165, the receiving state shall make reasonable accommodations and modifications to address the needs of incoming students with disabilities, subject to an existing Section 504 Plan or Title II Plan, to provide the student with equal access to education. A school in a receiving state may perform subsequent evaluations to ensure appropriate placement of a student.</p> <p>LEA administrative officials have flexibility in waiving course or program prerequisites or other preconditions for placement in courses or programs offered under the jurisdiction of the LEA.</p> <p>A student whose parent or legal guardian is an active duty member of the uniformed services and has been called to duty for, is on leave from, or has immediately returned from deployment to a combat zone or combat support posting, shall be granted additional excused absences at the discretion of the LEA superintendent to visit with the parent or legal guardian before the leave or deployment.</p>
10	<p><b>How are military children who transfer to multiple states impacted by graduation requirements?</b></p>	<p>Pursuant to <a href="#">IC 20-38-3-7</a>, to facilitate the on-time graduation of children of military families, states and LEAs shall follow the following procedures:</p> <ul style="list-style-type: none"> <li>• LEA administrative officials shall waive specific courses required for graduation if a student has satisfactorily completed similar course work in another LEA. If an LEA does not grant a waiver to a student who would qualify to graduate from the sending school, the LEA must provide reasonable justification for denial of the waiver and provide alternative means to acquire the required course work so the student may graduate on time.</li> <li>• A receiving state shall accept any of the following in place of testing requirements for graduation in the receiving state: <ul style="list-style-type: none"> <li>○ Exit or end of course exams required for graduation from the sending state.</li> <li>○ National norm referenced achievement tests.</li> <li>○ Alternative testing.</li> </ul> </li> <li>• If a receiving state fails to accept an alternative listed in this paragraph for a student transferring during the student's senior year, the following bullet point applies.</li> <li>• If a student who transfers at the beginning of the student's senior year is ineligible to graduate from the receiving LEA after all alternatives under par have been considered, the sending and receiving LEA shall ensure the receipt of a diploma from the sending LEA if the student meets the LEA's graduation requirements. If a sending or receiving state is not a member</li> </ul>



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		<p>state, the state that is a member state shall use best efforts to facilitate the on-time graduation of the student under the first two paragraphs.</p> <p><i>As added by P.L.21-2009, SEC.1.</i></p>
<b>Resources to Support Military Families</b>		
<b>11</b>	<b>Where can military families find resources for support?</b>	<p>The Indiana Army National Guard's Soldier and Family Readiness Center is a one-stop shop for resource and referral services. More information can be found on the <a href="#">Military Department of Indiana, Indiana National Guard webpage</a>.</p> <p>Military OneSource from the Defense Department is a 24/7 source for information, resources, and confidential help. More information can be found on the <a href="#">Military OneSource webpage</a>.</p> <p>The Military Interstate Children's Compact Commission (MIC3) offers resources and webinars for parents and schools to address key educational transition issues encountered by children and families. More information can be found on the <a href="#">MIC3 webpage</a>.</p>
<b>12</b>	<b>Where can military families find postsecondary financial resources?</b>	<p>The U.S. Department of Veterans Affairs (VA) GI Bill provides qualified Veterans and their family members money to pay for some or all costs for school or training. More information can be found on the <a href="#">VA Education and Training Benefits</a> webpage.</p> <p>The Tuition and Fee Exemption program, is an Indiana state administered program through the Indiana Commission for Higher Education (CHE). The state aid program provides eligible students tuition exemption for up to 124 hours at any state supported school. More information can be found on the <a href="#">Indiana Department of Veterans Affairs, Tuition and Fee Exemption</a> webpage.</p> <p>The National Guard Tuition Supplement Grant that provides an annual award towards tuition and regularly assessed fees at an Indiana private, non-profit college or university for eligible members of the Indiana Air and Army National Guard. More information can be found on the <a href="#">CHE National Guard Tuition Supplement Grant</a> webpage.</p>

**For additional information, please contact [IDOE](#).**

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