



TEMPORARY WAIVER OF RESIDENCY FOR SCHOOL ENROLLMENT

KEY MESSAGE: Allow military children, with documentation of a pending military relocation to the state, access to preliminary registration, enrollment, or application to a school district at the time that the process is open to the general student population. Proof of residency requirements are temporarily waived until the student arrives at the new school district. At that time, the student has a certain number of days to provide proof of residency in the school district.

PRINCIPLES:

- When military students know which school they will be attending and their class schedules in advance of arriving to school, they and their families are provided with a sense of comfort, relieving unneeded stress during their transition between locations. Remote enrollment is intended to help ease some of the challenges faced by military pupils, not offer an advantage or priority over other students.
- School districts may offer electronic registration if available, however establishment of new online systems to accomplish the objective of this issue is not necessary.
- There is added benefit to school districts by reducing the need for districts to make projections regarding their student population.

EXAMPLES OF BEST PRACTICE LEGISLATION:

California SB 455 (2018):

California Education Code §48204.3

(b) Notwithstanding Section 48200, a pupil complies with the residency requirements for school attendance in a school district, if he or she is a pupil 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.

(c) A school district shall accept applications by electronic means for enrollment, including enrollment in a specific school or program within the school district, and course registration for pupils described in subdivision (b).

(d) (1) The parent shall provide proof of residence in the school district within 10 days after the published arrival date provided on official documentation.

(2) For purposes of paragraph (1), a parent may use any of the following addresses as related to his or her military move:

(A) A temporary on-base billeting facility.

(B) A purchased or leased home or apartment.

(C) Federal government or public-private venture off-base military housing.

Missouri SB 306 (2019):

Revised Statutes of Missouri §167.020

8. If one or both a child's parents are being relocated to the state of Missouri under military orders, a school district shall allow remote registration of the student and shall not require the parent or legal guardian of the student or the student himself or herself to physically appear at a location within the district to register the student. Proof of residency, as described in this section, shall not be required at the time of the remote registration but shall be required within ten days of the student's attendance in the district.



EXAMPLES OF BEST PRACTICE LEGISLATION (CONTINUED):

Arkansas SB 638 (2019):

Arkansas Code § 6-18-107

(m) (1) Members of the uniformed services shall, if possible, provide advance notice to public schools regarding the enrollment of a student under this section.

(2) When a public school receives notice from a military family under subdivision (m) (1) of this section, the public school shall treat the notice as a provisional enrollment and provide the students with materials regarding academic courses, electives, sports, and other relevant information regarding the public school.

(3) A public school:

(A) Shall consider the anticipated date of enrollment of a student under this subdivision

(4) (1) in light of class sizes, course conflicts, and availability of elective courses;

(B) May preregister a student in anticipation of the student's enrollment under subdivision (m)(1) of this section; and

(C) May seek waivers from the State Board of Education to accommodate a student under this section, including without limitation required class ratios.

Nebraska LB 115 (2019):

Nebraska Revised Statutes §79-215

(7) In order to carry out the provisions of section 79-2201, a school board shall permit children of military families to enroll preliminarily in a school district if a parent presents evidence of military orders that the military family will be stationed in this state during the current or following school year. A student of a military family shall be admitted to the school district without charge upon arrival in Nebraska if the requirements of this section are met.

North Carolina SB 99 (2018):

2018-19 Appropriations Act (S.L. 2018-5) §7.18 Permit Military Children to Enroll Prior to Residency in North Carolina

Allows for a child of an active military duty servicemember who is transferred/pending transfer to a military installation in NC and is not a resident of NC to enroll in a public school system by remote means prior to becoming a resident of the LEA. Authorizes the LEA to request a parent/guardian to provide a copy of the official military order transferring to a military installation in NC. Provides that the parent/guardian must complete the LEA's required enrollment forms and documentation, except that proof of residency and disciplinary actions are not required until the family has moved to NC. Requires the LEA to make available to these students the same opportunities to request school assignment, register for courses, or apply for courses as are given to resident students.