

Children of Active Duty Military Personnel: Guidelines for Exam Flexibilities under the Interstate Compact

The Interstate Compact on Educational Opportunity for Military Children is a fifty-state agreement to reduce the educational barriers imposed on children of active duty military personnel as a result of the frequent moves and deployment of their parents. New York adopted the terms of the compact into state law ([N.Y. E.D.N. Law § 3300-3318](#)) in 2014. As a result of the compact, schools must provide more flexibility in educational and graduation requirements for this group of students.

More information and resources are available through the interstate commission [website](#). For assistance with the policies and procedures described in this document, contact your [academic policy and systems lead](#).

STUDENT ELIGIBILITY

Student eligibility for the compact is determined by the active military status of the student's parent or legal guardian. Per [NYS §3303](#), the compact applies to children of the following:

- Active duty members of the uniformed services, including members of the National Guard and Reserve (Title 10)
- Members or veterans who are medically discharged or retired for one year
- Members who die on active duty, for a period of one year after death
- Uniformed members of the Commissioned Corps of the National Oceanic and Atmospheric Administration (NOAA), and United States Public Health Services (USPHS)

The compact does not include children of the following:

- Inactive members of the National Guard and Reserves (Not Title 10)
- Members now retired not covered above
- Veterans not covered above
- Other defense personnel, federal agency civilians and contract employees not defined as active duty
- Members other than the uniformed personnel of NOAA and USPHS

PROOF OF ELIGIBILITY

Schools should request official military orders to demonstrate that the student's parent or legal guardian is an active duty member of the uniformed services, as defined by the compact.

If the student is currently residing with a legal guardian who is not the military member, the legal guardian should provide the school with a copy of the family care plan, or proof of guardianship, as specified under the compact, or any information sufficient for the receiving district to establish eligibility under the compact.

NEW FLEXIBILITIES

Effective September 2017, schools are required to accept all possible exam alternatives to meet NYSED 4+1 graduation requirements, including exams in these three categories:

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- **Option 1: Regents-like, State exit examinations** from other states for which a student has received a passing score, as verified by the principal of the sending school (e.g. Florida's Comprehensive Assessment Test; see the [section on state-level exit examinations](#) for examples)
- **Option 2: National norm-referenced achievement tests** for which a student has received a passing score, as verified by the principal of the sending school (e.g. SAT, SAT II, ACT, International Baccalaureate, Advanced Placement). Many, but not all, of these exams are already allowed as [NYSED-approved Regents alternatives](#), as described in this guidance on the [4+1 Requirements](#).
- **Option 3: Local end-of-course exams**, where the student has earned course credit at their previous school for a course that would typically culminate in an examination required for graduation in New York State. The NYCDOE principal shall accept any corresponding end-of-course local examination for which a student has received a passing score, as verified by the principal of the sending school (e.g. a teacher-created final exam).

Like all transfer credits, the NYCDOE principal may request additional information about the course(s) and exam(s) from the prior school before accepting them.

INDICATING ALTERNATIVES ON NYCDOE TRANSCRIPTS

All exam alternatives used to meet graduation requirements must be documented on the student's NYCDOE transcript prior to graduation. Schools must document their process for reviewing course credits and exams from other states using the [Transfer Credit Equivalency Form](#). Exam alternatives must be added to the transcript using a transcript update.

Schools should follow the transcript update procedures outlined on the [Transcript Update Form](#) and in the [Transcript Update](#) guidance document, and should select the option to add a New York State-approved alternative to a Regents exam, with the mark 'WX.' The school should use the generic exam codes ending in 'W' for this purpose (e.g. 'EXRCW'); contact your [academic policy & systems lead](#) for support adding these codes in STARS via 6.60 option 2.

Schools should retain either an exam score sheet, a copy of the exam, or a transcript from another school or program and evidence of eligibility as documentation to support these transcript updates.

EXAMPLES OF STATE-LEVEL EXIT EXAMS

A student eligible for the Compact who has fully completed exam requirements in another state can use that state's exams to waive 4+1 exam requirements, in full, in New York State. Examples of such state level exams¹ are below:

State	Exam name
Florida	Florida Standards Assessment (FSA)
Indiana	Indiana Statewide Testing for Educational Progress Plus (ISTEP+)
Massachusetts	"Next Generation" Massachusetts Comprehensive Assessment System (MCAS)
Mississippi	Mississippi Assessment Program (MAP)
New Jersey	Partnership for Assessment of Readiness for College and Careers (PARCC)
New Mexico	Partnership for Assessment of Readiness for College and Careers (PARCC)
Ohio	Ohio State Tests (OST)
Texas	State of Texas Assessments of Academic Readiness (STAAR)
Virginia	Standards of Learning (SOL)
Washington	Smarter Balanced Assessment Consortium (SBAC)

¹ Subject to change; information from [Education Week, February 2017](#)

Some states listed above allow students to use national norm-referenced achievement tests (SAT/ACT) in combination with or in place of exit exams to meet graduation requirements. Some states require end-of-course tests for graduation in lieu of exit exams. Schools may check state education department websites for exit exam requirements, and should accept any comparable assessments.

SUMMARY OF EXISTING FLEXIBILITIES AVAILABLE TO HIGH SCHOOL TRANSFER STUDENTS

Credit requirements

Transfer credit: All transfer students are eligible to receive transfer credit for coursework comparable to that which would have been completed in a New York State school, as verified by the principal awarding the credit. Processes for evaluating and awarding transfer credit are outlined in the [Transfer Student](#) guidance document.

PE course waivers for out-of-state high school enrollment: Effective September 2017, transfer students who have previously been enrolled in high school experiences outside of New York State may be eligible to receive PE course waivers, which reduces the amount of PE credits the student must complete to meet graduation requirements. Processes for awarding PE course waivers are outlined in the [PE](#) and the [Transfer Student](#) guidance documents.

LOTE credit for residence in an other-than-English-speaking environment: In addition, students may be awarded up to 10 credits in LOTE for documented residence and school attendance in an other-than-English-speaking environment, provided that the experience occurred at age 11 or older; see the [NYSED LOTE FAQ](#) for more information.

Exam requirements

NYSED-approved 4+1 alternatives: All students in New York State are eligible to use specific [NYSED-approved alternatives](#) to meet 4+1 exam requirements for graduation. Any transfer student who has previously passed a NYSED-approved alternative exam, such as specific AP exams, can use their exam to meet 4+1 graduation requirements. The process for documenting these exams is outlined in the [Transcript Update](#) guidance document.

Regents exam waivers: In addition, students who transfer from a school outside of New York State in grade 11 or 12 are eligible to waive specific Regents exams. Effective September 2017, student eligibility for Regents exam waivers has been expanded to include any student who transfers from a school outside of New York State in grade 11 or 12 and has spent three or fewer prior semesters enrolled in any high school experience in New York State. The process for awarding Regents exam waivers is outlined in the [Transfer Student](#) guidance document.

Regents exam appeals: All students are eligible to use up to two appeals to graduate with low scores on Regents exams. Newly-arrived ELLs have an additional appeal option for the ELA exam. Using more than one appeal, and/or using the newly-arrived ELL appeal, to meet exam requirements results in a local diploma. The processes for submitting appeals are outlined in the [Appeal to Graduate with a Low Score on Regents Exams](#) guidance document.

Safety Net flexibilities: Students who are eligible for the Safety Net have an additional range of exam flexibilities outlined in the [High School Academic Policy Guide](#).