Admissions and Attendance Military and DOD Civilian Children

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Definitions

As used in this policy, unless the context clearly requires a different construction:

1. “Active duty” means full-time duty status in the active uniformed service of the United States, including members of the National Guard and Reserve.

2. “Child of a military family” means a school-aged child, enrolled in Kindergarten through Twelfth grade, in the household of an active duty member.

3. “Child of a DOD civilian family” means a school-aged child, enrolled in kindergarten through grade 12, in the household of a currently serving DOD civilian.

4. “Deployment” means the period one month prior to the service member or DOD civilian’s departure from their home station on orders through six months after return to their home station.

5. “DOD civilian” means an employee of the United States Department of Defense who is assigned to perform the employee’s duties at a military organization based in Utah.

6. “Education” or “educational records” means those official records, files, and data directly related to a student and maintained by the school or local education agency, including but not limited to records encompassing all the material kept in the student’s cumulative folder such as general identifying data, records of attendance and of academic work completed, records of achievement and results of evaluative tests, health data, disciplinary status, test protocols, and individualized education programs.

7. “Extracurricular activities” means a voluntary activity sponsored by the school or the District or an organization sanctioned by the school or the District (such as the Utah High School Activities Association). Extracurricular activities include, but are not limited to, preparation for and involvement in public performances, contests, athletic competitions, demonstrations, displays, and club activities.

8. “Interstate Commission on Educational Opportunity for Military Children” or “Interstate Commission” means the commission that is created under Article IX of the Interstate Compact on Educational Opportunity for Military Children, which has been adopted by Utah in Utah Code §§ 53E-3-901 to -921.

9. “Local education agency” means a public authority legally constituted by the state as an administrative agency to provide control of and direction for Kindergarten through Twelfth grade public educational institutions.

10. “Sending state” means the state from which a child of a military family or DOD civilian is sent, brought, or caused to be sent or brought.

11. “State” means a state of the United States, the District of Columbia, the Commonwealth of Puerto Rico, the U.S. Virgin Islands, Guam, American Samoa, the Northern Mariana Islands, and any other U.S. Territory.

12. “Student” means the child of a military family or child of a DOD civilian for whom the local education agency receives public funding and who is formally enrolled in Kindergarten through Twelfth grade.

13. “Transition” means: 1) the formal and physical process of transferring from school to school; or 2) the period of time in which a student moves from one school in the sending state to another school in the receiving state.

14. “Uniformed services” means: the United States Army, Navy, Air Force, Marine Corps, Coast Guard as well as the commissioned corps of the National Oceanic and Atmospheric Administration, and of the United States Public Health Service.

15. “Veteran” means a person who served in the uniformed services and who was discharged or released therefrom under conditions other than dishonorable.

Utah Code § 53E-3-903 (2019)

Utah Code § 53E-3-1201 (2025)

Utah Code § 53H-11-202(1)(a) (2026)

Applicability

This policy shall apply to a child of a military family; a child of members or veterans of the uniformed services who are severely injured and medically discharged or retired for a period of one year after medical discharge or retirement; a child of members of the uniformed services who die on active duty or as a result of injuries sustained on active duty for a period of one year after death, and a child of a DOD civilian. This policy shall not apply to a child of:

1. Inactive members of the National Guard and military reserves;

2. Members of the uniformed services now retired, except as provided in the paragraph above;

3. Veterans of the uniformed services, except as provided in the paragraph above, and other U.S. Dept. of Defense personnel and other federal agency civilian and contract employees not defined as active duty members of the uniformed services.

Utah Code § 53E-3-904 (2018)

Eligibility

1. Eligibility for enrollment.

a. A special power of attorney, relative to the guardianship of a student and executed under applicable law, shall be sufficient for the purposes of enrollment and all other actions requiring parental participation and consent.

b. The District may not charge tuition to a transitioning student placed in the care of a non-custodial parent or other person standing in loco parentis who lives in a jurisdiction other than that of the custodial parent.

c. A transitioning student, placed in the care of a non-custodial parent or other person standing in loco parentis who lives in a jurisdiction other than that of the custodial parent, may continue to attend the school in which the student was enrolled while residing with the custodial parent.

Utah Code § 53E-3-1204 (2026) 2. Eligibility for extracurricular participation

a. The District shall facilitate the opportunity for transitioning students' inclusion in extracurricular activities, regardless of application deadlines, to the extent they are otherwise qualified.

Utah Code § 53E-3-907 (2026)

Utah Code § 53E-3-1203(6) (2025) 3. Provisional Enrollment

a. For purposes of provisional enrollment, an “eligible student” is a student who is a dependent child of a member of the uniformed services or a DOD civilian who is either relocating to Utah and does not reside in Utah during the District’s enrollment period or is relocating out of Utah during the school year and on permanent change of station orders or relocating for a civilian assignment or position.

b. “Provisional enrollment” means enrollment in a school in the District by an eligible student before the student relocates to Utah or after the student’s parent relocates out of Utah but before the student relocates out of Utah.

c. Notwithstanding the general enrollment requirements in Policy FBA, the District shall allow an eligible student to provisionally enroll in a school in the District at the same time and in the

same manner as students who reside in Utah or shall allow an eligible student to provisionally enroll in virtual education options that the District provides in the same manner as students residing in Utah. (Provisionally enrolled students are not considered nonresident students who are required to pay tuition.)

d. The District shall not require proof of residence at the time that an eligible student applies for enrollment in a District school, but shall require proof of residency within 10 days after the eligible student’s first day of residence in Utah.

Utah Code § 53G-6-306(1), (4) (2025)

Utah Code § 53E-3-1202 (2025)

Utah Code § 53E-3-1204(1) (2026)

Educational Records and Enrollment

1. Unofficial or “hand-carried” education records:

a. In the event that official education 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 education records, the District 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.

2. Official education records or transcripts

a. Simultaneous with the enrollment and conditional placement of the student, the District school shall request the student’s official education record from the school in the sending state. Upon receipt of this request, the school in the sending state should process and furnish the official education records to the District school within 10 days or within such time as is reasonably determined under the rules promulgated by the Interstate Commission.

3. Immunizations

a. The District shall give 30 days from the date of enrollment or within such time as is reasonably determined under the rules promulgated by the Interstate Commission, for students to obtain any immunization required by state law. For a series of immunizations, initial vaccinations must be obtained within 30 days or within such time as is reasonably determined under the rules promulgated by the Interstate Commission.

4. Kindergarten and First grade entrance age

a. Students shall be allowed to continue their enrollment at grade level in the receiving District school commensurate with their grade level, including Kindergarten, from a local education agency in the sending state at the time of transition, regardless of age. A student that has satisfactorily completed the prerequisite grade level in the local education agency in the sending state shall be eligible for enrollment in the next highest grade level in the receiving District school, regardless of age. Students transferring after the start of the school year in the District shall enter the

> District school on their validated level from an accredited school in the sending state.
>
> *Utah Code § 53E-3-905 (2018)*
>
> *Utah Code § 53E-3-1202 (2025)*

Placement and Attendance

1. Course placement

a. When the student transfers before or during the school year, the receiving District school shall initially honor placement of the student in educational courses based on the student's enrollment in the sending state school and/or educational assessments conducted at the school in the sending state if the courses are offered. Course placement includes but is not limited to Honors, International Baccalaureate, Advanced Placement, vocational, technical, and career pathways courses. Continuing the student's academic program from the previous

school and promoting placement in academically and career challenging courses should be paramount when considering placement. This does not preclude the District school from performing subsequent evaluations to ensure appropriate placement and continued enrollment of the student in the course.

2. Educational program placement

a. The receiving District school shall initially honor placement of the student in educational programs based on current educational assessments conducted at the school in the sending state or participation or placement in like programs in the sending state. Such programs include, but are not limited to: 1) gifted and talented programs; and 2) English as a second language (ESL). This does not preclude the District school from performing subsequent evaluations to ensure appropriate placement of the student.

3. Special education services

a. In compliance with the federal requirements of the Individuals with Disabilities Education Act (IDEA), 20 U.S.C. § 1400 et seq., the receiving District school shall initially provide comparable services to a student with disabilities based on the student's current Individualized Education Program (IEP); and

b. In compliance with the requirements of Section 504 of the Rehabilitation Act, 29 U.S.C. § 794, and with Title II of the Americans with Disabilities Act, 42 U.S.C. §§ 12131-12165, the receiving District school shall make reasonable accommodations and modifications to address the needs of incoming students with disabilities, subject to an existing 504 or Title II Plan, to provide the student with equal access to education. This does not

preclude the District school from performing subsequent evaluations to ensure appropriate placement of the student.

4. Placement flexibility

a. District administrators shall have flexibility in waiving course or program prerequisites, or other preconditions for placement, in courses or programs offered within the District, subject to State Board of Education rules and regulations.

5. Absence as related to deployment activities

a. A student whose parent or legal guardian is an active duty member of the uniformed services, as defined above in this policy, and has been called to duty for, is on leave from, or immediately returned from deployment to a combat zone or combat support posting, shall be granted additional excused absences at the discretion of the superintendent to visit with his or her parent or legal guardian relative to such leave or deployment of the parent or guardian.

Utah Code § 53E-3-906 (2018)

Utah Code § 53E-3-1203 (2025)

Graduation

In order to facilitate the on-time graduation of students, the District incorporates the following procedures:

1. Waiver requirements

a. The District and its schools shall waive specific courses required for graduation if similar coursework has been satisfactorily completed in another local education agency or shall provide reasonable justification for denial. Should a waiver not be granted to a student who would qualify to graduate from the sending school, the District shall provide an alternative means of acquiring required coursework so that graduation may occur on time.

2. Exit exams

a. State statute provides that with respect to students, the District shall accept:

i. Exit or end-of-course exams required for graduation from the sending state;

ii. National norm-referenced achievement tests; or

iii. Alternative testing, in lieu of testing requirements for graduation in Utah. In the event the above alternatives cannot be accommodated by the District for a student transferring in the student's Senior year, then the provisions below regarding transfers during the Senior year shall apply.

3. Transfers during Senior year

a. Should a student transferring at the beginning or during the student's Senior year be ineligible to graduate from the receiving District school after all alternatives have been considered, the sending local education agency and the District shall ensure the receipt of a diploma from the sending local education agency, if the student meets the graduation requirements of the sending local education agency. In the event that the sending state has not adopted the Interstate Compact on Educational Opportunity for Military Children, the District shall use best efforts to facilitate the on-time graduation of the student in accordance with the waiver and exit exam provisions above.

Utah Code § 53E-3-908 (2018)

Utah Code § 53E-3-1205 (2025)

Source Traceability

Source	Use in this policy
USBA Model Policy FBAB, modified 16 June 2026	Model policy retained as the controlling military and DOD civilian student enrollment, provisional enrollment, records, immunization, placement, attendance, absence, and graduation framework.
MSD Policy 6000, approved 2026	Reviewed and used only for local admissions/records coordination. The USBA military/DOD model remains controlling.
MSD Policy 6030, approved 2021	Old military-child records language reviewed. Its core record transfer and unofficial-record principles are already covered by USBA FBAB; a limited local coordination subsection was added.

Disposition: A limited FBAB-1 was inserted for local admissions/records coordination only. No older text was inserted that would narrow the current USBA military and DOD civilian protections.