

HOUSE BILL REPORT

HB 2534

As Reported by House Committee On:
Education

Title: An act relating to promoting educational stability for children of military families.

Brief Description: Promoting educational stability for children of military families.

Sponsors: Representatives Shavers, McEntire, Barnard, Leavitt and Nance.

Brief History:

Committee Activity:

Education: 1/27/26, 2/2/26 [DPS].

Brief Summary of Substitute Bill

- Makes changes to school district requirements for enrolling children of military families, transferring their education records, and providing them with services and accommodations.

HOUSE COMMITTEE ON EDUCATION

Majority Report: The substitute bill be substituted therefor and the substitute bill do pass. Signed by 19 members: Representatives Santos, Chair; Shavers, Vice Chair; Rude, Ranking Minority Member; Keaton, Assistant Ranking Minority Member; Bergquist, Callan, Chase, Couture, Donaghy, Eslick, Marshall, McEntire, Ortiz-Self, Pollet, Reeves, Rule, Scott, Steele and Stonier.

Staff: Megan Wargacki (786-7194).

Background:

Resident Student Admission. Washington school districts are open to the admission of resident students between the ages of 5 and 21. School districts remain open for admission

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to students with disabilities through the end of the school year in which the student turns age 22.

A child of a military family satisfies Washington's residency requirements if the child's parent or guardian is transferred to, or is pending transfer to, a military installation within Washington while on active duty under official military orders.

Interstate Compact on Educational Opportunity for Military Children. In 2009 Washington adopted an interstate compact intended to remove barriers to educational success for children of military families. Among other provisions, the compact facilitates timely enrollment and helps ensure that children of military families are not disadvantaged due to difficulties in transferring education records.

Conditional Enrollment Application. A school district must accept an application for enrollment and course registration for a child of a military family on a conditional basis by electronic means.

Finalization of Enrollment. Once the parent or guardian of a child of a military family provides proof of residence, the school district must finalize the child's enrollment.

Proof of Residence. The parent or guardian of the child of a military family must provide proof of residence to the school district within 14 days of the arrival date stated in official military documentation. Proof of residence may include any of the following: (a) an address of a temporary on-base billeting facility; (b) a purchased or leased residence, or a signed purchase and sale agreement or lease agreement for a residence; or (c) any federal government housing or off-base military housing.

Request for Records. A school district must request the enrolling child's permanent record from the school the child previously attended, including records of disciplinary action, history of violent behavior or sexual offenses, attendance, immunization records, and academic performance.

Enrollment Pending Official Records. Upon receipt of unofficial education records, a school district must enroll and appropriately place a child of a military family as quickly as possible based on the information provided, pending validation of the child's official records. Simultaneous with the enrollment and conditional placement, the school district must request the child's official education record from the school the child previously attended.

Requirements for Students with Disabilities. The federal Individuals with Disabilities Education Act (IDEA) requires that, when a child with a disability transfers to a school district in another state during the school year and had an individualized education program (IEP) in effect, the child's new school district must provide a free appropriate public education. This includes services comparable to those described in the child's previously

held IEP, in consultation with the child's parents or guardians, until the school district conducts an evaluation, if necessary, and develops a new IEP, if appropriate, consistent with federal and state law.

The IDEA also requires the child's new school district to take reasonable steps to promptly obtain the child's records, including the IEP and any other special education records, from the school the child previously attended, in compliance with student data privacy laws.

Summary of Substitute Bill:

Resident Student Admission. A child of a military family meets the residency requirements for enrollment in a school district if, as a result of a parent or guardian's active-duty status, call to active duty, or notification of an impending call or order to active duty, the child relocates to Washington and the child's military parent or guardian is:

1. transferred to, or has received official notice of a pending transfer to, a military installation located within Washington or a bordering state; or
2. relocating due to a military exigency, for example overseas deployment, sea duty, or other mobilization.

Application for Enrollment. The conditional application for enrollment and course registration that a school district must accept from a child of a military family must be accepted prior to the child arriving in Washington or a bordering state. In addition, the school district must accept an application submitted by any reasonable means and must provide the maximum flexibility practicable in the method of application submission, consistent with verification, privacy, and administrative requirements.

Transfer of Education Records and Continuity of Services. In the case of a child of a military family who had an individualized education program (IEP) or a plan developed under Section 504 of the federal Rehabilitation Act of 1973 (Section 504 plan) in effect in another state, the school district must:

1. take the necessary steps to accept the transfer of the child's education records, including any prior evaluations;
2. upon enrollment, provide the child with appropriate services and accommodations without unreasonable delay, including services comparable to those described in the child's previously held IEP or Section 504 plan; and
3. if the school district determines that an evaluation is necessary, take reasonable steps to conduct the evaluation as expeditiously as practicable, consistent with applicable federal and state law.

Transportation. A nonresident school district is not required to provide a child of a military family with transportation to and from the resident school district, unless otherwise required by state or federal law.

Proof of the Directed Move. The parent or guardian must provide the school district with a copy of official military orders or other documentation issued by the appropriate military authority confirming the directed move.

Proof of Residence. Proof of residence must be provided to the school district within 90 calendar days of enrollment. A parent or guardian may use, as proof of residence, the address of a temporary lodging located within the school district where the military family expects to obtain permanent housing. However, the parent or guardian may not use the address of a temporary on-base billeting facility within the school district as proof of residence.

Finalization of Enrollment. A school district is not required to finalize the child's enrollment until the parent or guardian provides both a copy of military orders or other documentation confirming the directed move and proof of the child's residency in the district.

Substitute Bill Compared to Original Bill:

As compared to the original bill, the substitute bill:

- requires school districts to accept applications submitted by any reasonable means (rather than any means) and directs districts to provide military families with the maximum flexibility practicable in application submission;
- specifies that a child of a military family must be relocating to Washington as a result of a parent or guardian's active-duty status, call to active duty, or notification of an impending call or order to active duty for the provisions of the bill to apply (rather than only as a result of a parent or guardian's active duty status);
- clarifies that references to proof of residence pertain to the child's residence within the school district;
- clarifies that a military parent or guardian who is pending transfer to a military installation located in Washington or a state bordering Washington must have received official notice of the transfer;
- applies the act to a military parent or military guardian's relocation due to a military exigency (rather than a required relocation due to a military exigency, pursuant to official military orders);
- requires a copy (rather than proof) of official military orders or other documentation confirming the directed move, and specifies that such documentation must be issued by the appropriate military authority (rather than a military commander);
- aligns provisions related to services and accommodations for students with disabilities with terminology and concepts used in the Individuals with Disabilities Education Act;
- requires the school district to take reasonable steps to conduct a reevaluation of a student with a disability as expeditiously as possible, consistent with applicable federal and state law (rather than requiring that a reevaluation occur within 30 calendar days after the arrival date, subject to parental consent); and

- makes nonsubstantive edits, including grammatical corrections, changes from plural to singular, sentence reorganization, and the addition of subsection lettering.

Appropriation: None.

Fiscal Note: Available.

Effective Date of Substitute Bill: The bill takes effect 90 days after adjournment of the session in which the bill is passed.

Staff Summary of Public Testimony:

(In support) When a service member receives transfer orders, the entire family serves. For a child, this means a new school, new expectations, and sometimes new academic or other service gaps. A child's education should not be disrupted because the child's parent wears a uniform. Military-connected students have educational experiences that are often interrupted by moves. It can be traumatic for the children of military families to transfer to a school in a different state, although one benefit is that these students develop friendships all over the country.

Families spend lots of time in temporary housing before finding permanent housing, and sometimes the family is not able to find permanent housing until the middle of the school year. Students learn best in a consistent learning environment.

School districts need enrollment stability, because enrollment drives funding. When enrollment shifts mid-year, it creates disruption in funding. Military spouses have challenges finding affordable housing and so often live in temporary living situations for a long period of time. Extending the time to require families to prove residency will reduce mid-year enrollment transitions and result in more stable school schedules and classroom environments. The bill does not require school districts to provide transportation when military families move.

In 2009 the state entered into the Interstate Compact on Educational Opportunity for Military Children (Interstate Compact). The purple star designation encourages school districts to work with families to provide educational and social-emotional supports to students of military families. These programs reduce administrative burden and interdistrict transfers. This bill adds specificity to what is already required by the Interstate Compact. Some school districts serve many military-connected children.

Some people agree with an amendment to the evaluation timeline, which addresses the continuity of support for children with disabilities. This bill helps to close academic and administrative gaps created when children from military families transfer mid-year. School districts should prioritize a start date conducive to student schedules and the school calendar

by allowing students to enroll before arriving in the state. Military families are very resilient. When their kids show up, Washington is ready.

(Opposed) There was a concern about the 30-school-day timeline for reevaluation, but that concern is resolved with the proposed amendment.

(Other) The bill dramatically shortens the time for reevaluation of students of military families. The quality of evaluation that these students receive should not be impacted.

Persons Testifying: (In support) Representative Clyde Shavers, prime sponsor; Amy Cannava, Washington State Association of School Psychologists (WSASP); Krestin Bahr, Peninsula School District; Natalie Wimberley, Peninsula School District; and Charles Wharton, Veterans Legislative Coalition.

(Opposed) Lawrence Tiritilli.

(Other) Jared Mason-Gere, Washington Education Association.

Persons Signed In To Testify But Not Testifying: None.