

MEMORANDUM

To: Superintendents and Principals

From: Lisa Truitt, State Attendance Officer

Date: May 29, 2020

Re: House Enrolled Act (HEA) 1091 – Education Benefits Related to Military Service

Background:

House Enrolled Act 1091 (2020) provides that a student meets the residency requirement for enrollment at a public school if the parent is transferred to or is pending transfer to military installation. This law is effective July 1, 2020, and the State Board of Education (SBOE) will need to determine the proper documentation regarding the transfer of these particular students.

Note: Public school means a public school corporation or charter school. This also applies to virtual education programs operated by public schools and virtual charters.

Guidance:

A student may enroll at a public school if the parent or stepparent with whom the student resides:

- 1) has transferred to or is pending a transfer to a military installation within Indiana while on active duty pursuant to an official military order; and
- 2) has submitted certain information, including official documentation, as to be determined by SBOE.

Additionally, the parent or stepparent must submit:

- 3) an enrollment application, as determined by the school; and
- 4) documentation, as to be determined by SBOE, regarding the transfer or pending transfer.

Next, the parent or stepparent has 10 instructional days after the arrival date to provide proof of residency. This proof of residence documentation has yet to be determined by SBOE. If a parent or stepparent fails to provide proof of residence within these 10 days, the public school may exclude the student from attendance pending an expulsion proceeding.

Finally, a parent or stepparent may use the address of any of the following as proof of residence:

- 1) A temporary on base billeting facility;
- 2) A purchased or leased home or apartment; or

- 3) Any federal government housing or base military housing, including off base military housing that is provided through a public-private venture.

If a parent of a student fails to provide proof of residence to a public school, the public school may exclude the student from attendance pending an expulsion proceeding.

If you have any questions, please contact Lisa Truitt, State Attendance Officer, at 317-233-6016 or LTruitt1@doe.in.gov.

This bill was authored by Representative Tony Cook. The full bill text can be found [here](#). Information regarding how to contact your legislators can be found [here](#).