§ 3305. Placement and attendance. 1. When the student transfers before or during the school year, the receiving state 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 and there is space available as determined by the local educational agency. Course placement includes but is not limited to honors, international baccalaureate, advanced placement, vocational, technical and career pathways courses. Where the local educational agency contracts with a board of cooperative educational services to deliver such courses, the local educational agency and the board of cooperative educational services shall arrange to enroll the student in the applicable board of cooperative educational services program where there is space available. 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 school in the receiving state from performing subsequent evaluations to ensure appropriate placement and continued enrollment of the student in the courses.

2. The receiving state 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/placement in like programs in the sending state, provided that the programs and/or courses exist and there is space available, as determined by the local educational agency. Such programs include, but are not limited to, gifted and talented programs and English as a second language. Nothing in this subdivision shall preclude the school in the receiving state from performing subsequent evaluations to ensure appropriate placement of the student.

3. (a) In compliance with the federal requirements of the individuals with disabilities education act, 20 U.S.C.A. section 1400 et seq, the receiving state shall initially provide comparable services to a student with disabilities based on his or her current individualized education program; and

(b) In compliance with the requirements of section 504 of the

rehabilitation act, 29 U.S.C.A. section 794, and with title II of the Americans with disabilities act, 42 U.S.C.A. sections 12131-12165, the receiving state 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 school in the receiving state from performing subsequent evaluations to ensure appropriate placement of the student.

4. Local educational agency administrative officials shall have flexibility in waiving course or program prerequisites, or other preconditions for placement in courses or programs offered under the jurisdiction of the local educational agency.

5. A student whose parent or legal guardian is an active duty member of the uniformed services, as defined by the compact, 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 local educational agency superintendent to visit with his or her parent or legal guardian relative to such leave or deployment of the parent or guardian.