

S.B. NO. 3118

JAN 28 2026

A BILL FOR AN ACT

RELATING TO THE INTERSTATE COMPACT ON EDUCATIONAL OPPORTUNITY FOR MILITARY CHILDREN.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF HAWAII:

1 SECTION 1. The purpose of this Act is to update references
2 to the United States Code in the interstate compact on
3 educational opportunity for military children.

4 SECTION 2. Section 311D-1, Hawaii Revised Statutes, is
5 amended by amending articles II and III to read as follows:

6 **"ARTICLE II**

7 **DEFINITIONS**

8 As used in this compact, unless the context clearly
9 requires a different construction:

10 "Active duty" means full-time duty status in the active
11 uniformed service of the United States, including members of the
12 national guard and reserve on active duty orders pursuant to 10
13 United States Code [~~section 101(d)(1) and section 101(d)(6)(A)~~.]
14 chapters 1209 and 1211.

15 "Appropriate education agency" means a public authority
16 legally constituted by a state as an administrative agency to

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1 provide control of and direction for kindergarten through
2 twelfth grade public educational institutions.

3 "Children of military families" means school-aged children,
4 enrolled in kindergarten through twelfth grade, in the
5 households of active duty members.

6 "Compact" means the interstate compact on educational
7 opportunity for military children.

8 "Compact commissioner" means the voting representative of
9 each compacting state appointed pursuant to article VIII of this
10 compact.

11 "Deployment" means the period of three months prior to the
12 service members' departure from their home station on military
13 orders through six months after return to their home station.

14 "Education records" means those official records, files,
15 and data directly related to a student and maintained by the
16 school or appropriate education agency, including records
17 encompassing all the material kept in the student's cumulative
18 folder such as general identifying data, records of attendance
19 and of academic work completed, records of achievement and
20 results of evaluative tests, health data, disciplinary status,
21 test protocols, and individualized education programs.

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1 "Extracurricular activities" means a voluntary activity
2 sponsored by the school or appropriate education agency or an
3 organization sanctioned by the appropriate education agency.

4 [~~Extracurricular activities~~] Extracurricular activities
5 include preparation for and involvement in public performances,
6 contests, athletic competitions, demonstrations, displays, and
7 club activities.

8 "Interstate commission on educational opportunity for
9 military children" or "interstate commission" means the
10 commission that is created under article IX of this compact.

11 "Local education agency" means a public authority legally
12 constituted by a state as an administrative agency to provide
13 control of and direction for kindergarten through twelfth grade
14 public educational institutions.

15 "Member state" means a state that has enacted this compact.

16 "Military installation" means a base, camp, post, station,
17 yard, center, homeport facility for any ship, or other facility
18 under the jurisdiction of the United States Department of
19 Defense, including any leased facility, which is located within
20 any of the several states, the District of Columbia, the
21 Commonwealth of Puerto Rico, the United States Virgin Islands,
22 Guam, American Samoa, the Northern Marianas Islands, and any

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1 other United States territory. [The term shall] "Military
2 installation" does not include any facility used primarily for
3 civil works, rivers and harbors projects, or flood control
4 projects.

5 "Non-member state" means a state that has not enacted this
6 compact.

7 "Receiving state" means the state to which a child of a
8 military family is sent, brought, or caused to be sent or
9 brought.

10 "Rule" means a written statement by the interstate
11 commission promulgated pursuant to article XII of this compact
12 that is of general applicability, implements, interprets, or
13 prescribes a policy or provision of the compact, or an
14 organizational, procedural, or practice requirement of the
15 interstate commission, has the force and effect of statutory law
16 in a member state, and includes the amendment, repeal, or
17 suspension of an existing rule.

18 "Sending state" means the state from which a child of a
19 military family is sent, brought, or caused to be sent or
20 brought.

21 "State" means a state of the United States, the District of
22 Columbia, the Commonwealth of Puerto Rico, the United States

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1 Virgin Islands, Guam, American Samoa, the Northern Marianas
2 Islands, and any other United States territory.

3 "Student" means the child of a military family for whom the
4 local education agency receives public funding and who is
5 formally enrolled in kindergarten through twelfth grade.

6 "Student financial obligation" means any unpaid or
7 outstanding fines or fees.

8 "Transition" means the formal and physical process of
9 transferring from school to school, or the period of time in
10 which a student moves from one school in the sending state to
11 another school in the receiving state.

12 "Uniformed service" means the Army, Navy, Air Force, Marine
13 Corps, Coast Guard as well as the Commissioned Corps of the
14 National Oceanic and Atmospheric Administration, and Public
15 Health Services.

16 "Veteran" means a person who served in the uniformed
17 services and who was discharged or released therefrom under
18 honorable conditions.

19 **ARTICLE III**

20 **APPLICABILITY**

21 (a) Except as otherwise provided in subsection (b), this
22 compact shall apply to the children of:

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1 (1) Active duty members of the uniformed services as
2 defined in this compact, including members of the
3 national guard and military reserves on active duty
4 orders pursuant to 10 United States Code [section
5 101(d)(1) and section 101(d)(6)(A),] chapters 1209 and
6 1211;

7 (2) Members or veterans of the uniformed services who are
8 severely injured and medically discharged or retired,
9 for a period of one year after medical discharge or
10 retirement; and

11 (3) Members of the uniformed services who die while on
12 active duty or as a result of injuries sustained while
13 on active duty, for a period of one year after death.

14 (b) This interstate compact shall only apply to
15 appropriate education agencies as defined in this compact.

16 (c) The provisions of this compact shall not apply to the
17 children of:
18 (1) Inactive members of the national guard and military
19 reserves;
20 (2) Members of the uniformed services now retired, except
21 as provided in subsection (a);

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7 SECTION 3. Statutory material to be repealed is bracketed
8 and stricken. New statutory material is underscored.

9 SECTION 4. This Act shall take effect upon its approval.

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INTRODUCED BY:

MR. W.

BY REQUEST

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Report Title:

Department of Education; Interstate Compact on Educational Opportunity for Military Children

Description:

Updates references to the United States Code in the Interstate Compact on Educational Opportunity for Military Children.

The summary description of legislation appearing on this page is for informational purposes only and is not legislation or evidence of legislative intent.

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JUSTIFICATION SHEET

DEPARTMENT: Education

TITLE: A BILL FOR AN ACT RELATING TO THE INTERSTATE COMPACT ON EDUCATIONAL OPPORTUNITY FOR MILITARY CHILDREN.

PURPOSE: To update references to the United States Code in the Interstate Compact on Educational Opportunity for Military Children.

MEANS: Amend articles II and III of section 311D-1, Hawaii Revised Statutes (HRS).

JUSTIFICATION: Hawaii participates in the Interstate Compact on Educational Opportunity for Military Children, which facilitates the enrollment, placement, and graduation of children of military families when they move between states. Section 311D-1, HRS, includes definitions and applicability provisions that reference federal statutes.

The statute currently cites 10 U.S.C. sections 101(d)(1) and 101(d)(6) to define "active duty." However, national guidance for the interstate compact references 10 U.S.C. chapters 1209 and 1211, which govern orders to active duty for reserve and guard personnel. This bill updates the statute to include those chapter references for consistency with federal law and compact practice.

Impact on the public: This bill maintains Hawaii's compliance with the interstate compact and ensures clarity in law for military families moving into or out of Hawaii.

Impact on the department and other agencies:
None.

GENERAL FUND: None.

OTHER FUNDS: None.

PPBS PROGRAM
DESIGNATION: None.

OTHER AFFECTED
AGENCIES: None.

EFFECTIVE DATE: Upon approval.