THE SENATE
THIRTY-THIRD LEGISLATURE, 2026
STATE OF HAWAII

S.B. NO. 3118 S.D. 1

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:

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

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

"ARTICLE II

DEFINITIONS

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

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

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

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

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

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

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

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

"Education records" means those official records, files, and data directly related to a student and maintained by the school or appropriate education agency, including 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.

"Extracurricular activities" means a voluntary activity sponsored by the school or appropriate education agency or an organization sanctioned by the appropriate education agency. "Extracurricular activities" [~~include~~] includes preparation for and involvement in public performances, contests, athletic competitions, demonstrations, displays, and club activities.

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

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

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

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

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

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

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

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

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

"State" means a state of the United States, the District of Columbia, the Commonwealth of Puerto Rico, the United States Virgin Islands, Guam, American Samoa, the Northern Marianas Islands, and any other United States territory.

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

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

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

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

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

ARTICLE III

APPLICABILITY

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

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

(2) 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; and

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

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

(c) The provisions of this compact shall not apply to the children of:

(1) Inactive members of the national guard and military reserves;

(2) Members of the uniformed services now retired, except as provided in subsection (a);

(3) Veterans of the uniformed services, except as provided in subsection (a); and

(4) Other United States Department of Defense personnel and other federal agency civilian and contract employees not defined as active duty members of the uniformed services."

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

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

S.B. NO. 3118 S.D. 1

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. (SD1)

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