

**SB 1164**

March 4, 2009

TO: CHAIR DONNA MERCADO KIM, SENATE WAYS & MEANS COMMITTEE  
VICE CHAIR SHAN S. TSUTSUI, SENATE WAYS & MEANS COMMITTEE

FROM: MAJOR K. MARK TAKAI, Member of the US Army

SUBJECT: Comments in Support of SB1164 SD1  
Relating to Interstate Compact on Educational Opportunity for Military  
Children

*I comment as a member of the US Army with the approval of Admiral Timothy Keating, US PACOM Commander, and Major General Robert Lee, Hawaii State Adjutant General. I was mobilized on February 4, 2009 to serve with the Hawaii Army National Guard's 29<sup>th</sup> Brigade in Kuwait.*

Chair Sakamoto, Chair Espero, Vice Chair Kidani, Vice Chair Bunda and distinguished members of the committees, as an advocate of Education for Military Children throughout Hawaii and the world, as a board member of the Joint Venture Education Forum, and as a deployed soldier of the United States Army, I appreciate the opportunity to comment in support of Senate Bill 1164, which will enact the Interstate Compact on Educational Opportunity for Military Children.

The overall purpose of the Interstate Compact is to remove educational barriers faced by children of military families due to frequent moves and deployment of military parents.

However, I look at this from a broader perspective. This bill is much more than Hawaii being part of the Interstate Compact. We have worked so hard over the past 10 years to build a comprehensive partnership between the military and our school system. Additionally, Hawaii's public schools and our educators understand and recognize the unique challenges facing military children and their families. Passage of this bill will provide Hawaii and our schools the recognition that we deserve. Passage tells people throughout the military circles that Hawaii's public schools are extremely supportive of our military children and their families.

Some may say that we in Hawaii don't need to be a part of the Interstate Compact because we already do much of what is advocated in the compact. I say that we should join the compact because we already do much of what is advocated in the compact.

As you know, the children of military personnel already have the kind of stress in their lives that children of civilians rarely encounter. They face frequent moves, having to leave friends behind and make new ones. In addition, one or more of their parents might be deployed at any time to a war zone.

However, we in Hawaii have taken a broader approach to this effort. We believe that what is good for military children should also be good for other children from families who face frequent moves. What is good for military children is also good for all children. Hence, each provision in the Compact is looked at from this broader perspective.

The Interstate Compact is designed to ease the challenges when children are uprooted from school as parents are transferred or are deployed. To date, 11 states are part of this compact, including Arizona, Colorado, Connecticut, Delaware, Florida, Kansas, Kentucky, Michigan, Missouri, North Carolina and Oklahoma.

Since the 2008 legislative session, we worked with an ad-hoc task force to analyze how Hawaii currently responds to the provisions of the model legislation proposed by the Council of State Governments.

Over the past, eight months, we have worked to craft a bill that recognizes the unique challenges of the State of Hawaii and the uniqueness of our state-wide school system. SB 1164 as introduced is the cumulative result of efforts including the following:

- Recommendations from the Ad-hoc task force comprised of legislators, educators, military leaders and business leaders;
- Observations at the first meeting of the commissioners for the Interstate Compact in Phoenix, Arizona;
- Discussions with the commissioners from the 11 initial states;
- Analysis of the discussions and conclusions from similar efforts in North Carolina and the State of Washington;
- Meetings and discussions with the Military Impacted Schools Association;
- Meetings and discussions with the Council of State Governments (CSG) and with Rick Masters, the legal counsel for CSG and for the Interstate Compact; and
- Meetings with the Board of Education, DOE officials, and military-impacted school principals.

This bill addresses issues that are specific to Hawaii, such as allowing Hawaii's tuberculosis clearance requirement and allowing the child of a deployed servicemember to continue and finish the school year at the school currently enrolled while in the custody of a guardian.

Hawaii's compact commissioner is recommended the Superintendent with the approval of the Board of Education. Additionally, SB1164 creates a State Council for Educational Opportunity for Military Children that includes the superintendent, the three complex area superintendents, the DOE military liaison, representatives of all five military branches (including the Coast Guard), the education legislative committee chairs and other important key players.

I provided SB 1164 (as introduced) to Mr. Masters from CGS and he said that "the proposed amendments do not substantially deviate from the material provisions of the Interstate Compact statutes enacted by the current member states which are signatories to this compact."

Mr. Masters' comments recognize some of the unique challenges and differences of our state-wide school system.

Your support of this bill will be greatly appreciated.

**Senator Donna Kim , Chair, Ways and Means Committee**

**February 24, 2009**

**Testimony of  
Laurie Crehan, Ed.D.  
Quality of Life Regional Liaison  
Office of the Under Secretary of Defense, Military Community and Family  
Policy  
DoD-State Liaison Office**

**Support of: INTERSTATE COMPACT ON EDUCATIONAL  
OPPORTUNITY FOR MILITARY CHILDREN  
SB 1164**

**The Department of Defense State Liaison Office** operates under the Under Secretary of Defense for Personnel and Readiness, and the Deputy Under Secretary for Military Community and Family Policy. Our mission is to be a resource to state policymakers as they work to address quality of life issues of military families.

**Laurie Crehan, Ed.D.**

Dr. Crehan joined the DoD-State Liaison Office as a Regional Liaison in 2005. In her position, Dr. Crehan monitors quality of life issues for military families in HI, CA, AZ, and NV. Before coming to work in the State Liaison Office, she worked as an educator, spending over 20 years in the Department of Defense Dependents Schools as a teacher and administrator. In that capacity, she learned first hand of the educational challenges the children of our military members face as they encounter frequent school moves.

**Testimony**

Chair Kim, on behalf of the Deputy Under Secretary of Defense, I would like to thank you for the opportunity to submit testimony today on the *Interstate Compact on Educational Opportunity for Military Children*. DoD, in conjunction with the Council of State Governments, worked with groups and individuals representing legislators, educators, and educational organizations and associations over a period of two years to create a compact to address the educational challenges of military students who frequently transition from school to school around the world. These challenges are of utmost importance to military families,

and are consistently listed as among their top family concerns as they work to serve our nation in the Armed Forces.

On average, most military children will move at least twice during their high school years, and most will attend six to nine different school systems between kindergarten and 12<sup>th</sup> grade. These frequent moves result in some educational obstacles. Though many states, including Hawaii, have made progress in addressing these educational concerns, there is a lack of consistency *between* states that continues to create difficulties for our military families. Some of these recurring issues include kindergarten start age, participation in extracurricular activities, immunizations, timely transfer of records, placement in appropriate courses, missed or redundant entrance and exit testing, support for children of deployed service members, and on-time graduation. Though one state may do several things right, the next move to another state can create a new set of problems since the procedures are not the same. These issues are addressed in the *Interstate Compact on Educational Opportunity for Military Children*.

The Compact is an agreement among member states to a set of practices that will allow for the uniform treatment of military children transferring between school districts and between states. The Interstate Compact does not ask for special privileges for military children; only that states create a level playing field, and work cooperatively to make it happen. Military children often end up making sacrifices because their parent's are serving our country. The language and intent of the Compact will provide consistency for our military children as they move from state to state and alleviate some of the hardship they encounter.

Though there has been some discussion among members of Congress to introduce such school transfer guidelines on a federal level, which would then be implemented by states, DoD believes states are the appropriate entities to determine and execute this type of policy in a cooperative, multi-state manner. Thankfully, many state leaders also recognize this responsibility. Eleven states have already adopted the compact. These states include Arizona, Colorado, Connecticut, Delaware, Florida, Kansas, Kentucky, Michigan, Missouri, North Carolina, and Oklahoma. This legislative session, twenty-one states have pending compact legislation. These states include Alabama, Alaska, California, Georgia, Hawaii, Idaho, Indiana, Iowa, Maine, Maryland, Mississippi, Nebraska, Nevada, New Jersey, New Mexico, Oregon, Pennsylvania, South Carolina, Texas, Virginia, and Washington. An additional ten states to the ones listed above are anticipated to file legislation this year. It is still early enough in the compact process that

states entering the compact this year would have significant say in the rule making process.

I would like to share an excerpt from an email I received from a Navy Captain in Al Anbar Province in Iraq.

The CAPT states:

*“My family has been through a challenging few months with my deployment to Iraq and a move from an overseas duty station back to the United States (which my wife and daughter executed without me). You may not be aware, but the children of military members who are forced to move when their parent changes duty stations, are faced with a myriad of issues as they try to assimilate into a new school system. These challenges are magnified by a significant factor when the child is in high school, as is the case for my daughter. There are issues on what classes they can take, qualifying for AP level courses, resolving state history requirements, specific school graduation requirements such as PE and exit exams that vary from state to state, computation of GPA and class ranking, ensuring that all course work is accurately captured on transcripts and finally ensuring that the child is eligible to compete in high school athletics.*

*My wife and daughter have been embroiled in these issues - on top of everything else that accompanies an overseas move - for months now. They have diligently sought out requirements and provided documentation in every case to ensure my daughter is not penalized by my military service.*

This Service Member goes on to describe some roadblocks this young woman faced in becoming eligible for sports and coursework she needed. In addition, she discovered four classes she needed to take in order to graduate that were not requirements in her previous school. Because this student is a top scholar and had brought documentation and letters from her previous school, she was able to get the school district to waive some of these requirements so she could continue to take her AP classes and graduate on time. The COS of Navy Region Southwest helped advocate to get her on the gymnastics team.

You might be thinking that this would not happen in Hawaii and therefore there is not reason for Hawaii to join the Interstate Compact. However, these kinds of scenarios are being played out across our nation every day. By joining the Compact, Hawaii would do their part in assuring that military students do not

face these situations and demonstrate strong support for military families stationed in Hawaii and throughout the world.

DoD is very concerned about the impact of frequent moves on military children, but there are also other issues at play. DoD is also concerned with military readiness. This Commander should not have to worry about and have to deal with school issues when his focus needs to be on his mission in Iraq.

In addition, DoD realizes that many military families will choose not to reenlist when they see that their children are paying a price for their military service. We know that the decision to remain in the military or not is often made around the kitchen table. When parents feel that staying in the service is going to have an adverse impact on their child's education, they often choose to not remain in the Service. Service Members should not have to choose between serving their country and getting a quality education for their children.

I understand that the Joint Venture Education Forum has voted to fund Hawaii's membership in the Compact this first year.

I appreciate the opportunity to submit testimony and look forward to Hawaii's leadership in adopting this vital compact supporting our military children. Please do not hesitate to contact me if you have any concerns or questions.

Dr. Laurie Crehan  
858-274-3314  
[lcrehan@juno.com](mailto:lcrehan@juno.com)





**Testimony to the Senate Committee on Ways and Means**

**Wednesday, March 4, 2009**

**9:30 AM**

**Conference Room 211**

**RE: SENATE BILL NO.1164, RELATING TO INTERSTATE COMPACT ON EDUCATIONAL OPPORTUNITY FOR MILITARY CHILDREN**

**Chair Mercado Kim, Vice Chair Tsutsui, and members of the committee:**

My name is Charles Ota and I am the Vice President for Military Affairs at The Chamber of Commerce of Hawaii (The Chamber). I am here to state The Chamber's support of Senate Bill No.1164, Relating to Interstate Compact on Educational Opportunity for Military Children.

The Chamber's Military Affairs Council (MAC) serves as the liaison for the state in matters relating to the U.S. military and provides oversight for the State's multi-billion dollar defense industry.

The measure proposes to enact the interstate compact on educational opportunity for military children to remove barriers to educational attainment faced by children of military families due frequent moves and deployment of parents.

Military families encounter inordinate challenges that are unique to being in the military. They are ordered on assignments to all parts of the world, often on short notice and in the middle of the school year. Their school aged children enter schools at inconvenient times during the school year and encounter new systems and different school policies and requirements.

The interstate compact recognizes that the children of military families face inordinate stresses as they relocate from another state or from an overseas area. Participating on the compact council should contribute towards minimizing the effects of these stresses and ease the child's transition to a new school in a totally new environment.

In specific reference to **Article XVIII, paragraph -2 State Council**, please note that Naval Station Pearl Harbor and Hickam AFB will become a joint base under a Navy commander in 2010. Suggest that the wording on state council membership clearly provide for one military representative for Navy families and one military representative for Air Force families for this new joint base.

For these reasons, the MAC strongly recommends that SB 1164 be passed.

Thank you very much for the opportunity to testify.



**EXECUTIVE CHAMBERS**  
HONOLULU

LINDA LINGLE  
GOVERNOR

Written Testimony of  
**Linda L. Smith**  
Senior Policy Advisor to the Governor

Before the  
**SENATE COMMITTEE ON WAYS AND MEANS**  
Wednesday, March 4, 2009, 9:30 a.m.  
Room 211, State Capitol

**SB 1164 SD1 RELATING TO INTERSTATE COMPACT ON EDUCATIONAL  
OPPORTUNITY FOR MILITARY CHILDREN**

Chairs Mercado Kim, Vice Chair Tsutsui, and Members of the Committee:

The Administration supports with amendments SB 1164 SD1, a bill similar to the Administration's SB 897 enacting the Interstate Compact on Educational Opportunity for Military Children. We believe this Compact is essential to improving educational opportunities and the quality of life for military families.

The Interstate Compact on Educational Opportunity for Military Children provides standards addressing issues such as enrollment, placement, and graduation of children whose parents are active duty service members or recent veterans of the military. Rather than suffering frustrations and delays, this Compact would allow military children to quickly integrate into and transition out of Hawaii's classrooms. Adopting this Compact to aid the transition of military children would greatly improve their quality of life and access to education.

Currently, the Department of Education already has some transition and integration measures in place for military children in Hawaii. Through the Department's initiatives with the Joint Venture Education Forum (JVEF), military children have received some of the help they need. Yet, more can be done to provide consistency and uniformity for these children arriving or leaving our state. Adopting the Compact is a natural step forward, since it ensures that military children have the help they need not only when they are in Hawaii, but also before they arrive in our State and after they leave our State.

The Administration notes that in addition to adopting the Compact, various provisions have been added to this bill. Some of these additions include furnishing

records only if all student financial and school obligations are met, and allowing principals to determine whether space is available to accommodate a child's placement. To the extent that these additional provisions will clarify various administrative issues, the Administration supports such changes.

However, the Administration is concerned with provisions that allow the Board of Education to appoint the State Compact Commissioner and establish the State Council without section 26-34 appointment procedures. While the Compact allows each State to determine its own appointment process, that process should be open and transparent. Given that the Department of Education and its Board are not the only stakeholders of this Compact, a proven appointment process that allows for input from all stakeholders is needed. Additionally, in order to ensure transparency and accountability, the State Council should not be exempt from public notice, public hearing and rulemaking requirements. As such, the following amendments should be made to:

- Subject the State Compact Commissioner and State Council to appointment procedures as provided in section 26-34 of the Hawaii Revised Statutes; and
- Subject the State Council to public notice, public hearing, and rulemaking requirements, in addition to open meeting requirements.

These amendments are necessary to ensure that stakeholders other than the Department of Education and the Board of Education are involved in the implementation of the Compact. These changes are needed so that the State Council remains accountable to all stakeholders. The recommended amendment language attached will not invalidate the Compact, and has been reviewed and approved by Mr. Rick Masters, the Special Counsel for Interstate Compacts from the Council of State Government.

Thank you for the opportunity to provide testimony on this measure.

## REQUESTED AMENDMENTS

### ARTICLE VIII STATE COORDINATION

A. Each member state shall, through the creation of a State Council or use of an existing body or board, provide for the coordination among its agencies of government, local education agencies and military installations concerning the state's participation in, and compliance with, this compact and Interstate Commission activities. While each member state may determine the membership of its own State Council, its membership must include at least: the state superintendent of education, superintendent of a school district with a high concentration of military children, representative from a military installation, one representative each from the legislative and executive branches of government, and other offices and stakeholder groups the State Council deems appropriate. A member state that does not have a school district deemed to contain a high concentration of military children may appoint a superintendent from another school district to represent local education agencies on the State Council.

B. The State Council of each member state shall appoint or designate a military family education liaison to assist military families and the state in facilitating the implementation of this compact.

C. The compact commissioner responsible for the administration and management of the state's participation in the compact shall be ~~[recommended by the superintendent of education with the approval of the board of education]~~ appointed in accordance with section 26-34.

D. The compact commissioner and the military family education liaison designated herein shall be ex-officio members of the State Council, unless either is already a full voting member of the State Council.

**§ -2 State council.** There is established within the board of education for administrative purposes the state council on educational opportunity for military children~~[-]~~ consisting of members who shall be appointed in accordance with section 26-34 as follows: ~~[The board of education shall establish the state council, as required by Article VIII of the compact. The membership of the state council shall include, at a minimum, the]~~ The superintendent of education or the superintendent's designee; the complex area superintendents of the administrative districts that contain the Leilehua, Radford/Moanalua, and Kalaheo school complexes; the military liaison from the

department of education; one military representative each from the United States Pacific Command, Schofield Barracks, Naval Base Pearl Harbor, Hickam Air Force Base, and Marine Corps Base Hawaii; a representative from the Coast Guard; a representative of the executive branch of government; the chairperson of the senate education committee or the chairperson's designee; the chairperson of the house education committee or the chairperson's designee; and other offices and stakeholder groups the state council deems necessary. Members of the state council may delegate voting authority to another person for a specified meeting or meetings. The state council shall appoint or designate a military family education liaison to assist military families and the state in facilitating the implementation of this compact. The compact commissioner and the military family education liaison designated herein shall be ex-officio members of the state council, unless either is already a full voting member of the state council.

~~[The council shall establish policies and procedures governing its operations without regard to the public notice, public hearing, and the gubernatorial approval requirements of chapter 91, but subject to the open meeting requirements of chapter 92.]~~

**§ -3 Appointment of compact commissioner.** As required by Article VIII of the compact, ~~[the state superintendent of education shall recommend, with approval of the board of education,~~ the compact commissioner shall be appointed in accordance with section 26-34, who shall be responsible for the administration and management of the State's participation in the compact."

STATE OF HAWAII  
DEPARTMENT OF DEFENSE

TESTIMONY ON SENATE BILL 1164 SD1  
A BILL FOR AN ACT RELATING TO INTERSTATE COMPACT ON  
EDUCATIONAL OPPORTUNITY FOR MILITARY CHILDREN

PRESENTATION TO THE  
SENATE COMMITTEE ON WAYS AND MEANS

BY

MAJOR GENERAL ROBERT G. F. LEE  
ADJUTANT GENERAL  
March 4, 2009

Chair Mercado Kim, Vice Chair Tsutsui, and Members of the Committee:

I am Major General Robert G. F. Lee, State Adjutant General. I am testifying on Senate Bill 1164 SD1. This bill enacts the interstate compact on educational opportunity for military children.

We support Senate Bill 1164 SD1. Passage of this bill will remove educational barriers to educational success imposed on children of military families due to service directed moves and deployment of their parents.

The adoption of the compact will address key issues regarding kindergarten through high school eligibility, enrollment, placement and graduation of children whose parents are active duty service members or recent veterans of the military. The bottom line is that it will tremendously improve the transition for military dependent children transferring into or out of the Hawaii public school system.

However, we are concerned with the provisions that allow the Board of Education to appoint the State Compact Commissioner and establish the State Council. We would like to offer that the Compact Commissioner and the State Council follow the appointment processes that are established in Section 26-34 of the

Hawaii Revised Statutes and subject the State Council to public notice, public hearing, and open meeting requirements.

Thank you for the opportunity to provide this written testimony.