

**INTERSTATE COMPACT ON EDUCATIONAL OPPORTUNITY FOR MILITARY CHILDREN
HAWAII STATE COUNCIL
GENERAL BUSINESS MEETING**

Brig Gen (Ret) Kathleen Berg, Hawaii State Commissioner

NOTICE OF MEETING

**Hawaii State Capitol
415 South Beretania Street, Room #414
Honolulu, HI 96813**

**Friday, December 8, 2017
9:00am-11:00am**

MINUTES

Attendance

Council Members Present:

- Mr. Charles De Ville for CAS Heidi Armstrong, Complex Area Superintendent, Leeward: Campbell-Kapolei, HIDOE
- Brig Gen (Ret) Kathleen Berg, State Commissioner, Hawaii State Council, MIC3
- Mr. Mark Arinaga for CAS Robert Davis, Complex Area Superintendent, Central: Leilehua-Mililani-Waialua, HIDOE
- Lt Col John Hill for Col Stephen Dawson, Commander, U.S. Army Garrison-Hawaii (USAG-HI)
- CDR John Dewey, Staff Judge Advocate, U.S. Coast Guard (US CG) 14th District
- Mr. Calvin Shimomura for CAS John Erickson, Complex Area Superintendent, Central: Aiea-Moanalua-Radford, HIDOE
- Mr. Raymond Fujino, Executive Director, Oahu Interscholastic Association
- Ms. Amy Kunz for Dr. Christina Kishimoto, Superintendent, HIDOE
- Lt Col Brian Cohn for Col Raul Lianez, Marine Corps Base Hawaii (MCBH)
- Ms. Wendy Nakasone-Kalani, School Liaison Officer
- Ms. Cherry Okahara, Military Liaison, HIDOE
- Col Peter Santa Ana, Director, J1, U.S. Pacific Command

Unable to Attend:

- Ms. Lanelle Hibbs, Complex Area Superintendent, Kailua-Kalaheo, HIDOE
- CAPT James Jenks, Chief of Staff, Navy Region Hawaii
- Senator Michelle Kidani, Hawaii State Legislature
- Mr. Thomas Lee, Military Liaison, Office of Governor David Ige
- Col Douglas Pierce, Commander, Hickam Air Force Base, 647th Airbase Group
- Representative Justin Woodson, Hawaii State Legislature

1. Call to Order: 9:00 a.m.
2. Welcome/Farewell
The following guests were welcomed:
 - Mr. Dan Miyamoto, Office of Curriculum and Instructional Support, HIDOE
3. Approval of the Previous Meeting Minutes: The minutes from the January 20, 2017 meeting were approved unanimously with minor corrections. The contact list was also updated.

4. Report: National Commission and Annual Business Meeting

- Commissioner Berg reported that the Annual Business Meeting (ABM) of the Military Interstate Children's Compact Commission (MIC3) was held in Rhode Island in October 25–27, 2017. Guided by the new strategic plan and revised mission and vision adopted the previous fall, the National Office made significant progress during 2017 in meeting their milestones. Executive Director Cherise Imai and staff accomplished the overdue revision of the MIC3 website and rebranding of the organization's logo and collaterals. Much of their work was focused on ensuring that the Compact is implemented in all member states. The ABM agenda included an increased number of breakout sessions in an attempt to better serve the varying stakeholders in attendance and to provide for more interaction and exchange among attendees. The first annual report by MIC3 was presented to the commissioners at the ABM. Copies of the MIC3 2017 Annual Report were provided to the Hawaii State Council members, and Commissioner Berg pointed out among the important data featured on its pages the fact that most military children attend public schools (76%), which demonstrates the importance of the Interstate Compact mission to ease school transitions for children of military families. Along with Commissioner Berg and HIDOE Military Liaison Okahara, others from Hawaii who attended the ABM were Senior Assistant Superintendent/Chief Financial Officer Amy Kunz, Army School Liaison Officer (SLO) Wendy Nakasone-Kalani, and the Regional Manager, Child & Youth Program of Navy Region Hawaii, Dr. Kimberly Moore.
- As a member of the MIC3 Rules Committee, Commissioner Berg shared some of that committee's activities that have direct impact on Hawaii issues and concerns. Over the last couple of years several states worked together on the issue of "temporary housing" which results in lots of military children having to change schools a second time when their families' "permanent housing" is determined, often many weeks after they have moved to their new station and begun attending school in the geographic area of their temporary location. A lot of work was done to propose rule changes at the 2016 ABM to help ease these intrastate school transitions. However, after lengthy discussion the Commission did not adopt the proposed rule change, after commissioners determined that the current situation allowed more flexibility for accommodation by member states because no rule could cover every situation but could restrain the possible solutions. Over the ensuing year, however, some states, including California and Arizona, enacted laws to help facilitate smoother transitions for military students by allowing remote and early enrollment in schools in the receiving state. In Hawaii, the Joint Venture Education Forum (JVEF) began looking into remote enrollment by reviewing other school district policies (specifically those from San Diego and Fairfax, Virginia) to see what might work here. The Rules Committee also worked on developing a "Case Report Form" to collect best practices on Compact application from commissioners and others; the form is being field tested.
- Army SLO Wendy Nakasone-Kalani, who had attended previous ABMs, noted that this was the first time that the SLOs met separately from the commissioners to share best practices among themselves. In addition, the twenty-five SLOs in attendance were tasked to create a Parent Frequently Asked Questions (FAQs) document. Their draft of ten questions and answers was submitted to the National Office for appropriate review.

5. Old Business

a. Update: Training/Meeting Report

HIDOE Military Liaison Cherry Okahara reported that training sessions on the Compact were provided at the following events and meetings by State Commissioner, Dr. Kathleen Berg, HIDOE Military Liaison Cherry Okahara, and School Liaison Officers (SLOs).

- 21 February 2017 – Honolulu District Principals’ Meeting, Cherry Okahara and SLOs
- 02 March 2017 – Joint Base Pearl Harbor-Hickam Area Commanders’ and Senior Enlisted Meeting, Cherry Okahara
- 07 March 2017 – Kailua-Kalaheo Principals’ Meeting, Cherry Okahara
- 03 August 2017 – Military Family Life Counselor (MFLC) Orientation Briefing, SLOs and Cherry Okahara
- 28 September 2017– HIDOE Community Engagement Office Workshop Series – Windward District, Dr. Kathleen Berg and Cherry Okahara
- 29 September 2017 – HIDOE Community Engagement Office Workshop Series – Hawaii District, Cherry Okahara
- 03 October 2017 – HIDOE Community Engagement Office Workshop Series – Leeward District, Cherry Okahara

b. Update: Hawaii Case Matrix

Commissioner Berg explained that two issues have been consistent concerns raised by families both in Hawaii and on the national level: kindergarten enrollment and high school graduation. The kindergarten issue will be addressed under New Business later in the agenda. But recently there has been an interesting twist regarding high school graduation brought to our attention by the Washington State Commissioner. Throughout the last school year, Washington experienced several incidents where spouses of military service members who were also high schools students relocated from California and Hawaii to Washington. The students—military spouses—were seeking “protection” under the Compact. The Washington Commissioner asked whether or not a military spouse is covered under the Compact and if the rules could be changed to clearly specify that. In particular, he was asking if one of the high schools in Hawaii would cooperate with a Washington high school to make sure a transferring senior who was a military spouse could graduate on time. While we awaited a legal opinion from the MIC3 Counsel, we agreed that such coverage was certainly within the “spirit” of the Compact if not specifically covered in the Compact, and we asked the schools to operate as if the situation were covered. There was more discussion at the ABM, where it was determined that the language of the Compact specifically limits its legal applicability to “children of active duty military members” so that a rule change that would allow coverage of a spouse who was not also a child of a military family was not possible within the law. Legal counsel reminded us that any accommodations of military family members that a state is willing to provide are permissible, however, but under Compact law such accommodation is not required.

c. Update: State Compact Dues

Hawaii’s dues as a member of the Compact are \$20,839 total. In June, \$4,000 was paid by the HIDOE to MIC3. The remaining will be processed when the HIDOE receives their General Funds. Dues are currently set at \$1 for every school-aged military dependent living in the state per the military database, DEERS (Defense Enrollment Eligibility Reporting System).

d. GPA Calculation

Mr. Dan Miyamoto of HIDOE provided a report to the group about development of the GPA Calculation Document within the Department. In May 2017, HIDOE Military Liaison Cherry Okahara provided Mr. Miyamoto with the February 3, 2016 document that had been briefed to the Hawaii State Council by her predecessor, Ms. Cherise Imai. Mr. Miyamoto created a new version of the document (reformatted and with updated information as needed). In November 2017, Ms. Okahara provided Mr. Miyamoto with feedback from Commissioner Berg and Executive Director Cherise Imai of MIC3. A new version (dated December 6, 2017) was drafted. That document was shared with the Council. The HIDOE uses a two-part formula to calculate a student’s GPA. The course grade is converted to points and multiplied by the number of attempts to determine the total course points. Then the sum of total course points is divided by the sum of attempts to determine the grade point average (GPA).

6. New Business
Legal Advisory: Documentation for Enrollment in Kindergarten

Article IV, Section D. of the Compact, in relevant part provides:

“Kindergarten and First grade entrance age – Students shall be allowed to continue their enrollment at grade level in the receiving state commensurate with their grade level (including Kindergarten) from a local education agency in the sending state at the time of transition, regardless of age.

MIC3 Rule 3.102 (b) provides, in relevant part, that:

“Students shall be allowed to continue their enrollment at grade level in the receiving state commensurate with their grade level (including Kindergarten) from an LEA in the sending state at the time of transition, regardless of age. In the case of a Kindergarten student, the student must have been enrolled and attended class in the sending state in order to assure continued attendance in Kindergarten in the receiving state.”

MIC3 Rule 3.102 (b) (3) provides, in relevant part, that:

“In order to be admitted into a school of the state (to which the student is) being transferred such a student transferring from an out-of-state school must provide the following data:

(i) Official documentation that the parent(s) or guardian(s) were resident(s) of the state in which the child was previously enrolled in school;

(ii) An official letter or transcript from the proper school authority which shows the record of attendance, academic information, and grade placement of the student;”

Commissioner Berg provided a quick history and how this issue was elevated to the National Office. She reminded the members that since the 2014-15 school year in Hawaii, children must be five years of age on or before July 31 of the school year. Incoming families who are not familiar with Hawaii state law or who have come from states where children are allowed enroll in kindergarten at the age of four have expressed frustration with this and have tried to seek ways to get around it. Hawaii schools and administrators have encountered families that move to Hawaii, establish residence here, then one of them returns to the previous state and enrolls their child, having their child attend only one day in most cases, then coming back to Hawaii. Commissioner Berg asked for an official legal opinion from the MIC3 National Office as a way for our school personnel to better understand the conditions under which they must allow a military child to attend kindergarten in Hawaii even though the child is only 4 years old, which would be a violation of a state law, as well as the conditions under which enrollment must be denied, consistent with state law.

The legal opinion establishes that if the family moves to Hawaii then one of them returns to the previous state and enrolls the child, the condition in MIC3 Rule 3.102 (b) (3) (i) likely cannot be met. And if the child attends only one day, then the conditions in MIC3 Rule 3.102 (b) (3) (ii) “which require a transcript showing a record of attendance and academic information could not possibly be available.”

7. Next State Council Meeting – Ms. Okahara will contact council members to seek out possible dates in May or June for the next meeting.
8. Public Comment (5 min per individual)

9. Adjourned at 10:26 a.m.

Point of Contact: Brig Gen (Ret) Kathleen Berg
Hawaii State Commissioner
Email: kberg@hawaii.edu
Phone: 808-262-5008