

**COMPLIANCE COMMITTEE MINUTES
TUESDAY, JUNE 12, 2018**

PRESENT	Daron Korte	Minnesota Commissioner	Chair
	Laura Anastasio	Connecticut Commissioner	Vice Chair
	Cheryl Serrano	Colorado Commissioner	
	COL(R) Russ Gullett	Michigan Commissioner	
	Sarah Forster	Maine Commissioner Designee	
	Davina French	North Dakota Commissioner	
	Gary Hartman	Wyoming Commissioner	
	Cherise Imai	Executive Director	Secretary
	Richard Pryor	Communications Associate	
	Rick Masters	Outside Counsel	
OBSERVERS	Rosemarie Kraeger	Rhode Island Commissioner	Comm Chairman
	Pete LuPiba	Ohio Commissioner	Comm Vice-Chair
EXCUSED	James "Robin" Hines	Georgia Commissioner	
	Shelly Ramos	Texas Commissioner Designee	
	Ben Rasmussen	Utah Commissioner	

ITEM 1 – CALL TO ORDER

1. The meeting was called to order at 2:01PM ET by Committee Chair Daron Korte. Roll call was taken by Cherise Imai, Executive Director. Seven voting members and three staff members were present, three Commissioners were excused.

ITEM 2 – AGENDA AND MINUTES

2. The agenda for the meeting was motioned for approval by Commissioner Gary Hartman (WY) and seconded by Commissioner Laura Anastasio (CT). Motion passes unanimously. The minutes from the March 13, 2018 were motioned for approval by Commissioner Cheryl Serrano (CO) and seconded by Commissioner Davina French (ND). Motion passes unanimously.

ITEM 3 – OLD BUSINESS

3. **Executive Session: Litigation Update** – Commissioner Hartman motioned to move into Executive Session, seconded by Commissioner Sarah Forster (ME). Motion passes unanimously. Commissioner Russ Gullett (MI) motioned to end the Executive Session and move into Open Session, seconded by Commissioner Forster. Motion passes unanimously. A motion was made to authorize the General Counsel to communicate a deadline of July 12, 2018 by which the state of Mississippi were to provide details of their state council and Commissioner. Motioned for approval by Commissioner Serrano and seconded by Commissioner Gullett. Motion passes unanimously. **(OPEN ITEM)**

4. **2017-2018 State Council Meeting Report** – Chair Korte reported that several states had not reported meeting dates in the last two fiscal years (FY17 and 18). The recommendation of the committee was to reach out to these states and ascertain if they had conducted meetings but not reported them and offer assistance. There were four states that had not responded AZ/ID/IL/ND, Chair Korte has subsequently spoken with Commissioner French and she would follow up with her information.

Chair Korte added that he had received communication from the Commissioner of Pennsylvania who reported they had not conducted any meetings and had no intention on holding any in the future as the Department of Education handles all Compact related activity.

Chair Korte stated that there was no specific requirement in the rules or the compact language that require annual state council meetings. The compact states *“That 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.”* Chair Korte asked the committee if they felt they had the legal grounds to say that by not holding state council meetings they are in default, if not, should they be looking at more encouragement and support for states who take this position.

General Counsel Masters added that this was implied however in order to coordinate the Compact, you have to at least meet occasionally. He agreed however the statute does not explicitly state that you are required to have these meetings. General Counsel Masters added felt the committee needed to promulgate a rule to address this issue before trying to enforce the matter.

Commissioner Anastasio asked if they should approach Pennsylvania and ask them to provide documentation that the Department of Education is conducting some kind of coordination. Chair Korte acknowledged the comments but felt that the rule was a better option. General Counsel Masters added that this committee could draft the rule prior to sending it to the Rules Committee. Commissioner Gullett suggested that it might be better to wait until the annual meeting in order that the entire Commission could discuss this. General Counsel Masters stated that the rule will still require to be discussed by the Commission prior to approval. Commissioner Anastasio added that by not drafting the rule now would delay any possible rule by another 12 months.

Chair Korte made a motion that the Compliance Committee create a draft rule for submission to the Rules Committee that would create a requirement for member state councils to meet annually. Motioned for approval by Commissioner Anastasio and seconded by Commissioner Hartman, the motion passes unanimously. (OPEN ITEM)

5. **The Strategic Plan** Chair Korte reviewed the Strategic Plan: (OPEN ITEM)
- **Strategy 2, Goal 1** - Training would be taking the lead on this item and this committee would provide support where needed.
 - **Strategy 1, Goal 3** – Chair Korte stated that we collect much of this information from states already. We have the coordination policy and the national office will be sending out a mid-year survey to gather information on state’s needs. Chair Korte will work with the ED Imai on this item but felt that this was completed.
 - **Strategy 2, Goal 2** - Chair Korte felt there may be some capacity issues on the way in which this could be conducted.

ITEM 4 – NEW BUSINESS

6. **MIC3 State Coordination Policy Report** – ED Imai reported on the roll out of the policy and asked that the deadline date of June 30 be extended to July 31 for information to be submitted to the national office. ED Imai added that some states have been submitting information periodically throughout the year. Commissioner Serrano added that those states that have completed this should be informed when the reminder is distributed. Chair Korte made a motion to allow the national office to extend the deadline for reporting under the State

Coordination Policy to July 31 and to report back to the Compliance committee on any states that did not report by that date. Motioned for approval by Commissioner Anastasio, seconded by Commissioner Gullett. Motion passes unanimously. (OPEN ITEM)

7. **Developing Guidelines for States and Boards and Commissioner Offices on New Commissioner Appointments** – Chair Korte informed the committee that he would be working with the national office on producing a draft document on guidelines for new commissioner appointments. A draft would be available for discussion at the next meeting. (OPEN ITEM)

8. **Developing a Compact Checklist for Commissioners on Responsibilities and Tasks** – ED Imai spoke on the checklist explaining that the draft was taken from a previous document and reformatted. The draft has been updated with items that are often asked about by Commissioners during their on-boarding. Commissioner Anastasio added that the annual reporting requirement and dues payment be added. ED Imai added that Lindsey Dablow, Training and Operations Associate is working on a state comparative document that will be available once complete. Chair Korte asked for comments or suggestions to be submitted to the national office prior to the next meeting. (OPEN ITEM)

9. **States that do not have State Councils in their Statute** – Chair Korte informed the committee that he had received an email from Commissioner Shelley Ramos (TX) stating they were not required to have a state council. Chair Korte reached out to her asking that they provide information on how they are carrying out their obligations as required by the Texas statute. As of this meeting he had not received a response from Commissioner Ramos. Commissioner Serrano stated that as the Commission grows that this is how issues should be dealt with. General Counsel Masters added that by proposing a new rule requiring state councils would resolve this.

ITEM 5 – ADJOURNMENT

10. Chair Korte thanked everyone for their time and work on the Committee, and stated the next meeting was scheduled for Wednesday, September 12th at 2:30PM ET.

11. With no other business to conduct, Commissioner Serrano moved to adjourn the meeting, seconded by Commissioner Gullett. Chair Korte adjourned the meeting at 3:06 PM ET.

Respectfully submitted by,



Cherise Imai
Executive Director/Secretary