

Pennsylvania

State Statute language attached to MIC3 Statute

Language bearing on the implementation or appointment of the Commissioner are highlighted in yellow.

§ 7303. When and how compact becomes operative

(a) General rule.--When the Governor executes the Interstate Compact on Educational Opportunity for Military Children on behalf of this State and files a verified copy thereof with the Secretary of the Commonwealth and when the compact is ratified by at least ten other states, upon publication in the Pennsylvania Bulletin under subsection (b), then the compact shall become operative and effective between this State and such other states. The Governor is hereby authorized and directed to take such action as may be necessary to complete the exchange of official documents between this State and any other state ratifying the compact.

(b) Publication in Pennsylvania Bulletin.--The Secretary of the Commonwealth shall forward the ratified compact to the Legislative Reference Bureau for publication in the Pennsylvania Bulletin and the Pennsylvania Code when the conditions set forth in subsection (a) are satisfied and shall include in the notice the date on which the compact became effective and operative between this State and any other states in accordance with this act.

§ 7304. Force and effect of compact rules

Rules promulgated by the Interstate Commission on Educational Opportunity for Military Children under Article XII of the Interstate Compact on Educational Opportunity for Military Children [FN1] shall not be subject to any of the following:

- (1) Sections 201, 202, 203, 204 or 205 of the act of July 31, 1968 (P.L. 769, No. 240), [FN2] referred to as the Commonwealth Documents Law.
- (2) Section 204(b) of the act of October 15, 1980 (P.L. 950, No. 164), [FN3] known as the Commonwealth Attorneys Act.
- (3) The act of June 25, 1982 (P.L. 633, No. 181), [FN4] known as the Regulatory Review Act.
- (4) The provisions of 2 Pa.C.S. (relating to administrative law and procedure).

§ 7305. Action to enforce compliance against member states

An action by the Interstate Commission on Educational Opportunity for Military Children to enforce compliance by the Commonwealth or a political subdivision with a provision of the Interstate Compact on Educational Opportunity for Military Children [FN1] or with a rule promulgated under Article XII of the compact must be brought against the Commonwealth and not against a political subdivision.

§ 7306. State Council on Interstate Educational Opportunity for Military Children

(a) Establishment.--Consistent with Article VIII of the Interstate Compact on Educational Opportunity for Military Children, [FN1] there is established the State Council on Interstate Educational Opportunity

for Military Children. The council shall conduct all business pursuant to 65 Pa.C.S. Ch. 7 (relating to open meetings) and the act of February 14, 2008 (P.L. 6, No. 3), [FN2] known as the Right-to-Know Law. The council shall consist of the Secretary of Education; four members appointed by the Governor, one a superintendent of a school district with a high concentration of military children, one a representative of a military installation, one a representative of the Pennsylvania School Boards Association and one a representative of the executive branch; and one member each appointed by the President pro tempore of the Senate, the Minority Leader of the Senate, the Speaker of the House of Representatives and the Minority Leader of the House of Representatives.

(b) Terms.--The term of a member of the council hereafter appointed, except to fill a vacancy, shall be four years and until a successor has been appointed, but in no event more than 90 days beyond the expiration of the appointed term. The term of a member of the council who is appointed by virtue of serving as a member of the General Assembly shall continue only as long as the individual remains in that office.

(c) Vacancy.--A vacancy occurring in an office of a member of the council for any reason shall be filled by the appointing authority for the remainder of the term.

§ 7307. Appointment of compact commissioner

The compact commissioner shall be appointed by the Governor. The compact commissioner must have experience in school district administration, school district operations, student attendance, enrollment, transfers or education law. The compact commissioner shall serve as a member of the State Council on Interstate Educational Opportunity for Military Children and as a member of the Interstate Commission on Educational Opportunity for Military Children established pursuant to Article IX of the Interstate Compact on Educational Opportunity for Military Children.

§ 7308. Compensation and expenses of compact commissioner

The compact commissioner who represents this State under the Interstate Compact on Educational Opportunity for Military Children shall not be entitled to any additional compensation for his duties and responsibilities as compact commissioner but shall be entitled to reimbursement for reasonable expenses actually incurred in connection with his duties and responsibilities as compact commissioner in the same manner as for expenses incurred in connection with other duties and responsibilities of his office or employment.