

2019 MIC3 Annual Business Meeting Minutes
October 23-24, 2019

Call to Order

National Commissioner Chair Don Kaminar (AR) called the 2019 Annual Business Meeting (ABM) to order at 10:00 AM MST on October 23, 2019 in Colorado Springs, Colorado.

Welcome Remarks

Chair Kaminar welcomed attendees to the 2019 ABM of the Military Interstate Children's Compact Commission (MIC3). He extended his gratitude to Commissioner Keith Owen (CO) for graciously hosting the ABM. Forty-seven states were represented in addition to four ex-officio member organizations who were present. A record number of 116 attendees registered for the 2019 ABM.

Roll Call

Executive Director (ED) Cherise Imai called the roll and a quorum was established.

IN ATTENDANCE					
STATE	SAL	NAME	STATE	SAL	NAME
ALABAMA	Dr.	Douglas Ragland	NEVADA	Ms.	Felicia Gonzales
ALASKA	Mr.	Terry Ryals	NEW HAMPSHIRE	Dr.	Kathleen Murphy
ARIZONA	Mr.	Bruce DuPlanty	NEW JERSEY	Mr.	Tony Trongone
ARKANSAS	Mr.	John "Don" Kaminar	NEW MEXICO	Ms.	Teresa Ferenczhalmy
CALIFORNIA	Ms.	Jacie Ragland	NEW YORK	Dr.	Debra Jackson
COLORADO	Dr.	Keith Owen	NORTH DAKOTA	Ms.	Davina French
CONNECTICUT	Ms.	Laura Anastasio	OHIO	Mr.	Pete LuPiba
DELAWARE	Dr.	Susan Haberstroh	OKLAHOMA	Dr.	Darrell Floyd
FLORIDA	Mr.	Bob Buehn	OREGON	Ms.	Cindy Hunt
GEORGIA	Dr.	Will Hardin	PENNSYLVANIA	Ms.	Barbara Clemmer
HAWAII	Dr.	Kathleen Berg	RHODE ISLAND	Ms.	Rosemarie Kraeger
IDAHO	Mr.	Tim McMurtrey	SOUTH CAROLINA	Ms.	Yolande Anderson
ILLINOIS	Dr.	Darcy Benway	SOUTH DAKOTA	Mr.	Alan Kerr
IOWA	Ms.	Misty Nissen	TENNESSEE	Ms.	Deanna McLaughlin
KANSAS	Mr.	C. Neuenswander	TEXAS	Ms.	Shelly Ramos
KENTUCKY	Mr.	Steven Bullard	UTAH	Mr.	Ben Rasmussen
LOUISIANA	Dr.	Ernise Singleton	VERMONT	Mr.	David Young
MAINE	Mr.	Tyler Backus	VIRGINIA	Mr.	Daniel Dunham
MARYLAND	Ms.	Mary Gable	WEST VIRGINIA	Mr.	Chris Cmiel
MASSACHUSETTS	Mr.	Clarke Orzalli	WISCONSIN	Ms.	Shelley Joan Weiss
MICHIGAN	Mr.	Russ Gullett	WYOMING	Mr.	Chad Delbridge
MINNESOTA	Mr.	Daron Korte	USDOD REPRESENTATIVE**	Mr.	Chuck Clymer
MISSOURI	Dr.	Brian Henry	MCEC**	Dr.	David Splittek
MONTANA	Mr.	Elsie Arntzen*	MISA**	Mr.	Kyle Fairbairn

NEBRASKA	Mr.	Scott Summers*	NFHS**	Mr.	Davis Whitfield

*Proxy

**Ex-Officio (Non-Voting)

NOT IN ATTENDANCE

STATE	SAL	NAME	STATE	SAL	NAME
INDIANA		VACANT	WASHINGTON		EXCUSED
MISSISSIPPI		VACANT	NMFA		VACANT
NORTH CAROLINA		EXCUSED	-		-

MIC3 National Office Staff in Attendance

1. Cherise Imai, Executive Director
2. Lindsey Dablow, Training and Operations Associate
3. Beth Workman, Communications Associate
4. Rick Masters, Outside General Counsel

2019 Annual Business Meeting Agenda

Chair Kaminar reported the agenda items to be moved around to accommodate travel schedules and maintain a quorum.

Commissioner Shelley Joan Weiss (WI), moved to amend the agenda so policies developed since the 2018 Annual Business Meeting could be discussed. The motion was seconded by Commissioner Deanna McLaughlin (TN).

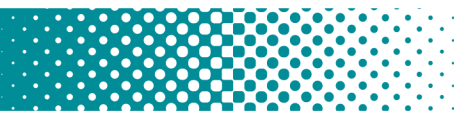
Commissioner Daron Korte (MN) stated he would be discussing some of the policies during the Compliance Committee Report and it may be more appropriate to discuss them then. General Counsel Rick Masters reminded the Commission that the new policies could be discussed during the New Business section of the agenda. Commissioner Kathy Berg (HI) supported Mr. Masters' recommendation.

Commissioner Pete LuPiba (OH) remarked that the motion from Commissioner Weiss did not specify the section for the discussion. Mr. Masters recommended that the discussion occur during the General Session and not in a standing committee.

Commissioner Rosemarie Kraeger (RI) moved to amend the motion on the floor to place the proposed discussion of the newly enacted policies in the General Session under New Business. This motion was seconded by Commissioner Douglas Ragland (AL).

Commissioner Weiss stated that if all the recently passed policies, including the appointing authority of the Chair, are discussed during the Compliance Committee Report then she would withdraw her motion.

Commissioner McLaughlin spoke in support of the amended motion.



Vice Chair Laura Anastasio (CT) noted that Commissioner Weiss participated in and discussed her concerns regarding the policies at the Executive Committee's (EXCOM) October Meeting. At that meeting she requested the ABM Agenda be amended to accommodate this topic. However, the EXCOM determined this would not be an appropriate item to include on the agenda, since the policies were vetted and voted on through committees.

Commissioner LuPiba questioned why the EXCOM determined that it was inappropriate to add to agenda. Commissioner Anastasio reported the policies were brought through the standing committees for discussion and vote. It was the understanding of the EXCOM that the commissioners on those committees were vetting the proposed policies and since no comments were provided back to the EXCOM the policies were voted and passed by the committees. Commissioner LuPiba responded that he had no knowledge of policies.

Commissioner Korte clarified that as the Chair of the Compliance Committee, he would present the policies voted and passed by the Compliance Committee during his Committee Report.

Commissioner Taneka Miller (DC) requested clarification on how the policies were passed. Chair Kaminar responded that (some of) the policies were discussed during Standing Committee Meetings, such as the Compliance Committee, and these policies were then enacted by the EXCOM.

General Counsel Masters clarified that the motion to amend (made by Commissioner Kraeger) would be voted on first, then the original motion (made by Commissioner Weiss) would be voted on (per Robert's Rules of Order). If a majority of the commission votes for the amendment, then the policy discussion will occur during the General Session under New Business.

The vote on the amended motion to designate the New Business Section of the General Session Agenda, as the time for the policy discussion, passed by majority vote.

Commissioner Ernise Singleton (LA) requested clarification on Commissioner Weiss' motion. General counsel responded the original motion made by Commissioner Weiss was to amend the ABM agenda to include a discussion of recently adopted policies to the ABM Agenda.

Commissioner Weiss' motion to amend the 2019 ABM Agenda passed by majority vote. Those opposed: South Dakota, Virginia, Colorado, Connecticut, Alabama, Rhode Island, and New Jersey. Abstaining: South Carolina.

2018 ABM Minutes

Commissioner Tyler Backus (ME) requested a date correction from 2019 to 2018 in the 2018 ABM Minutes. Having no further discussion, **Commissioner McLaughlin motioned to approve the minutes as amended, second by Commissioner Weiss. Motion carried.**

Public Comment

No public comments were submitted to the Commission.

Leadership Development Committee – 2019 Elections Presentation

Commissioner Kraeger, Chair of the Leadership Development Committee (LDC) provided the committee updates. She emphasized the LDC is separate from the EXCOM and worked to be transparent through the entire nomination and election process. The goal was to oversee diverse leader nominations that understand the commitment and possess skills necessary to lead.

Commissioner Kraeger presented the candidates and noted that nominations would be accepted on the floor. If there were nominations from the floor, then a ballot would be provided, and a confidential vote conducted. She added that the LDC created a survey to gather feedback on the election process on the back of the ballot form.

General Counsel Masters clarified according to Robert's Rules of Order, should the slate not be contested, an election by acclamation would occur.

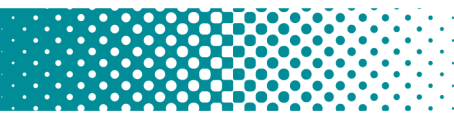
Commissioner Davina French (ND) asked if the LDC 2019 accomplishments were to detail how elections are conducted, then when will the LDC begin to cultivate commissioners for leadership positions in 2020. Commissioner Kraeger stated the LDC recommended the committee transition to a standing committee and focus on nominations rather than succession planning, and other standing committees will discuss leadership development and succession.

Commissioner Kraeger presented **the Slate of Candidates: Chair – John “Don” Kaminar (Arkansas), Vice Chair – Laura Anastasio (Connecticut), Treasurer – Craig Neuenswander (Kansas)** and asked for nominations from the floor; hearing none, **the vote to accept the slate of candidates as presented carried unanimously.** Commissioner Kraeger thanked the LDC members for their hard work.

Commissioner Clarke Orzalli (MA) requested confirmation that the vote to approve the slate negates a secret ballot. General Council Masters confirmed. Chair Kraeger explained LDC would issue the election survey before adjournment of the 2019 ABM.

Reports

National Oceanic Atmospheric Administration (NOAA) – Director of Commissioned Personnel Center, Captain Devin Brakob briefed NOAA's history and background. He



stated that the Compact applies to the children of the NOAA Commissioned Officers and added that NOAA has 321 commissioned uniformed officers. A FY20 goal for NOAA is to establish five regional (Oregon, Hawaii, Maryland, Virginia, and Florida) contacts throughout the U.S. and confirm a Memorandum of Agreement (MOU) with MIC3 within the next three years.

Executive Reports

Chair – Chair Kaminar stated in the past year the EXCOM created the National Guard and Reserve Coverage Task Force (NGRTF) chaired by Commissioner Berg. The NGRTF is tasked to review data and examine extending Compact coverage eligibility to National Guard and Reserve member families. The Task Force will report at the 2020 ABM. Chair Kaminar explained the EXCOM developed a new three-year strategic plan that the Commissioner will review during the ABM. Chair Kaminar thanked the EXCOM members for their hard work and dedication over the last year.

Executive Director – In her 4th year as Executive Director of MIC3, ED Imai thanked the Commission for the opportunity to serve. The Commission has grown over the past year, and she has on-boarded 9 new Commissioners this year. The National Office focused on establishing new partners and trained new National Office staff. Finally, ED Imai provided the case inquiry report and explained that inquiries have more than doubled since last year.

Vice Chair – Vice Chair Anastasio reported the EXCOM discussed the role of the Ex-Officio organizations and they determined that the Ex-Officio members serve on MIC3 due to agency parallels. During the last year, Ex-Officio members met three times to be apprised of Compact updates including the new three-year strategic plan, Code of Conduct (COC), and Conflict of Interest (COI) policies. This format allowed Ex-Officio members to participate in all aspects of the Commission and offers a direct line of communication to the EXCOM.

Commissioner Weiss understood that Ex-Officio members are nonvoting members but inquired why they were not included in the EXCOM's strategic plan discussion. Commissioner McLaughlin supported the statement by Commissioner Weiss. Vice Chair Anastasio reported all of the Ex-Officio members were included in the strategic planning discussion and given the opportunity to provide input during the process.

Chair Kaminar responded that the MOU between the U.S. Department of Defense (DoD) and the Commission excludes the DoD Representative from participating in governance decisions regarding the Commission, as the strategic plan is a governing tool, the MOU prohibited this.

Commissioner Weiss asked if the Ex-Officio member meetings are listed on the MIC3 website and Commissioner Anastasio responded that the meetings are informal meetings and no official minutes are taken.

General Council – Mr. Masters reminded the Commission that each state commissioner is charged with implementing the compact and ensuring compliance. Since the 2018 ABM, two matters have led to litigation due to compliance of the law. Both cases were resolved through remedial action, which resulted in voluntary dismissal and settlement agreements.

Meeting Recess

At approximately 11:50 AM MST a motion to recess was made by Commissioner Berg and seconded by Commissioner Singleton. Motion carried.

.....

Reconvening

The meeting was reconvened at 1:01 PM MST by Chair Kaminar.

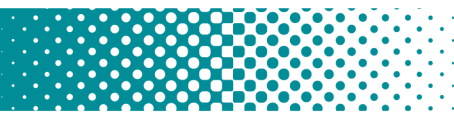
2020-22 Strategic Plan Consultant Brian Riggs of The Dialogue Shop explained that the strategic plan is a joint initiative between the consultant, EXCOM, and National Office. He described the strategic planning process and engagement with input from Chair Kaminar and ED Imai. The MIC3 is an evolving entity and the goal of the strategic plan is to continue to grow effectively with the commission. Commissioners were surveyed and provided input on goals and tactics.

Mr. Riggs presented the new strategic plan, which builds on the past plan. Both plans were designed to envision and transition into the future, while focusing on several key goals. There are three goals in the new strategic plan: Goal 1: Clarity and Awareness; Goal 2: Cohesive and Aligned; Goal 3: Foundation and Future. Each of the goals has corresponding tactics assigned to the standing committees. The purpose of the plan is to engage Commissioners and cultivate involvement and investment in the future of the Commission. The standing committees will meet during this afternoon to discuss tactics and timelines for the 2020-2022 Strategic Plan.

U.S. Public Health Service (USPHS) Report – Mr. Jim Currie, Executive Director of the USPHS Commissioned Officers Association, reported there are over 5,500 members in the USPHS with the majority being medical professionals. The Commissioner Corps has deployed 800 times in the past five years, namely to natural disasters and disease outbreaks. ED Cherise Imai stated that Commissioned Officers of the USPHS are covered by MIC3. The National Office has requested a breakdown by state from the USPHS and will distribute that information to the commission once it is available.

Standing Committee Reports

Finance – Treasurer Bob Buehn (FL) reviewed the FY19-20 balance sheets, income statements, state dues collection, and the proposed FY21 budget. Commissioner McLaughlin requested explanation on income statement variances and if variances are discussed and approved by the Finance Committee. Treasurer Buehn responded the



committee reviews but does not vote on variances during the Finance Committee meetings. ED Imai explained that the budget is projected and approved two years in advance, so variances are expected. The National Office is mindful when making expense decisions and records all expenses on the appropriate line item for future budgeting purposes. The National Office is required to provide the auditor with a detailed explanation for any items that exceed the budgeted amount. Commissioner Orzalli commented that budgets need to be viewed by year not by month because of the nature of expenses throughout the year.

Compliance – Commissioner Korte reported that a number of policies and processes were passed this year. *The Commissioner Appointment Process* and *Checklist for Commissioners* were created to provide clarification for appointing authorities and the Commissioner in each state. Commissioner Korte stated a majority of member states are in compliance. He concluded his report noting that the Conflict of Interest and Code of Conduct forms are due to the National Office by January 31, 2020.

Commissioner Weiss requested additional information and state coordination policy passed during the 2018 ABM. Chair Kaminar stated the inquiry raised by Commissioner Weiss should be addressed in the New Business Section of the General Session, as that was the vote taken by the Commission regarding the agenda amendment.

Rules – Commissioner Mary Gable (MD) reported on the *Promulgation of Rules Guide* with input from Commissioner Berg. The *Promulgation of Rules Guide* outlines how new rules or amendments may be proposed for consideration.

Chair Kaminar stated Standing Committee assignments are appointed based on survey feedback. Another survey requesting commissioner preference regarding committee assignments will be distributed by email following the ABM. Chair Kaminar advised commissioners to update their email with the National Office staff to ensure receipt.

Meeting Recess

A motion to recess the meeting was made by Commissioner Ben Rasmussen (UT) and seconded by Commissioner Singleton. The motion carried and the meeting recessed at 3:28 PM MST.

.....

Reconvening

Chair Kaminar reconvened the meeting on Thursday, October 24, 2019 at 8:01 AM MST.

Roll Call

Vice Chair Anastasio called the roll. There being no change to the commissioners' present, a quorum was established.

Remarks

Chair Kaminar thanked Commissioner Owen and Air Force School Liaison Officer (SLO) Kent Lawrence for arranging the evening reception, sponsored by the Military Impacted Schools Association. The Chair also recognized, that due to travel arrangements, there was a potential that the Commission could lose quorum therefore agenda items requiring a vote would be moved up on the agenda.

New Business

FY2021 Annual Budget – Treasurer Buehn presented the proposed FY2021 budget to the Commission. Commissioner Korte asked if the Finance Committee discussed cost of living increases for the National Office staff. Treasurer Buehn confirmed that it was discussed in the Finance Committee. ED Imai responded that there is enough budgeted for salary increases in the next two years.

Commissioner LuPiba inquired about the status of Kentucky Employee Retirement System (KERS). Commissioner Buehn responded that there has been no change since the end of August. ED Imai explained that there is proposed legislation, that if passed will give the affiliates of Council of State Governments (CSG) an option to exit KERS. Commissioner Buehn stated that the Finance Committee has considered various strategies and tactics and confirmed that MIC3 is in a good position to exit KERS.

Commissioner Alan Kerr (SD) moved to approve the FY2021 Budget as presented, seconded by Commissioner French. Motion carried.

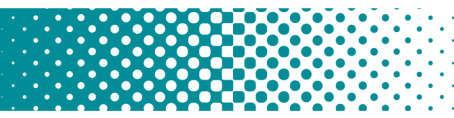
By-laws Change – Leadership Nomination Committee – Chair Kaminar explained the By-laws change was requested by the Leadership Development Ad Hoc Committee to become a standing committee and change the name to the Leadership Nomination Committee (LNC). The task of the LNC would be to coordinate the nomination application process and timeline for the annual elections.

Commissioner Kerr motioned to approve the recommended By-laws change as presented, seconded by Commissioner Brian Henry (MO). Motion carried with two dissenting votes – South Dakota and South Carolina.

Standing Committee Reports (cont.)

Training – Commissioner Ernise Singleton (LA) reported the Training Committee's largest project this past year was developing the New Commissioners Mentoring Program. Additional projects from the previous year also included working with the Communications and Outreach Committee on the bookmarks and developing the 2019 ABM Breakout Sessions.

Communications and Outreach – Commissioner Henry thanked the members of the committee. The committee developed and approved a definition for the MIC3 partner,



created materials for Purple Up! and assisted the Training Committee with the bookmark project.

Standing Committee – Strategic Plan Reports

- Finance – Commissioner Buehn reminded commissioners that the Finance Committee meetings are open, and commissioners are encouraged to attend. The Committee reviewed the tactics and determined that transparency and sustainability are key to the next three years of implementation.
- Compliance – Commissioner Korte expressed that the work of MIC3 is about the kids and that should be the number one priority. Compliance discussed committee tactics, specifically how to notify new commissioners of role and responsibilities and engaging all commissioners.
- Rules – Commissioner Gable stated the Rules Committee does not have specific goals and tactics within the strategic plan; however, the committee is committed to supporting the strategic plan by assisting the committees with their goals.
- Training – Commissioner Singleton said the committee is considering ways to organize the resources and training material to support to the commission as it pertains to training.
- Communications and Outreach – Commissioner Henry reported the committee's main focus is on how to best support the needs of transitioning military-connected children through the implementation of a communications plan.

Update on State Council Military Representatives and U.S. DoD Key Issues – Mr. Bill Hampton, Deputy Director, Military Community and Family Policy, Defense Liaison Office U.S. Department of Defense provided an update on key issues regarding the MIC3, including the DoD Instruction (DoDI) and how this pertains to the military representatives. States are assigned regional liaisons and member states can have more than one military representative. Mr. Hampton explained that he emails MIC3 Commissioners at least twice a year to check on the status of their MILREP and any concerns. Commissioners should expect a report from him in March 2020.

Ad Hoc Committee Reports

National Guard and Reserve Task Force (NGRTF) – Commissioner Kathleen Berg (HI) reported that the second meeting of the NGRTF on October 23, 2019 focused on how Utah extended Compact coverage to Guard and Reserve connected families within their state. She reported that current data supports there are about 1.5 million military-connected children total, including the National Guard and Reserve, but not a lot of data supporting members being ordered to move interstate. Commissioner Berg explained the military is moving toward being more inclusive of the National Guard and Reserve members, regardless of the data. She added there is a national effort to extend coverage to treat all military families the same.

Commissioner Berg informed the Commission that currently the Military Student Identifier (MSI) does not collect information on National Guard and Reserve connected

families, leading to a gap in services for children while the parent is deployed, however there is a movement to include the National Guard and Reserve children in the MSI count.

Commissioner Berg concluded her report by highlighting Kentucky and California, which have external legislation that extends the provisions of the Compact to additional service-related groups. However, Utah amended the state compact statute creating a situation where Utah is out of compliance with the Compact and the other 49 members.

Commissioner Miller requested that the NGRTF consider the fiscal impact on member states when making their final recommendation to the Commission. Commissioner Berg agreed that a cost analysis would be conducted.

Meeting Recess

A motion to recess was made by Commissioner Miller and seconded by Commissioner Berg. The motion carried and the meeting recessed at 9:21 AM MST.

Reconvening

The meeting was reconvened on Thursday, October 24, 2019 at 1:15 PM MST by Chair Kaminar.

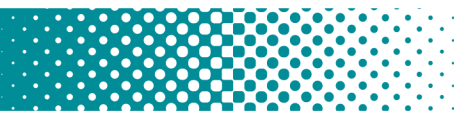
Colorado Highlight: Building Resilience – Socio-Emotional Wellness Panel and Systems of Support

Commissioner Kraeger moderated the panel focused on socio-emotional wellness specific to K-12 schools in Colorado. Panelists included:

1. Liza Zimprich, former School Psychologist and current Director of Special Education, Fountain-Fort Carson 8 School District
2. Anne Marsh, School Behavioral Health Provider through Evans Army Hospital
3. Cindy and Ryan McLaughlin, Parent and Student
4. Barb Becker, Colorado Behavioral Healthcare Council, Director of Mental Health First Aid Colorado

The Compact and External Legislation – ED Imai reported on external legislation for 2018 and 2019 related to the educational transitions of K-12 military children.

Commissioner Dunham added Virginia had an advanced enrollment statute as well. Chair Kaminar shared Arkansas' recently passed external legislation, which extend the Compact coverage to include National Guard and Reserve connected children and create a military liaison at highly impacted school districts. ED Imai stated that the National Office's goal in the coming year is to track state legislation related to the Compact with the assistance of CSG.



Ex-Officio Reports

U.S Department of Defense (USDoD) – Mr. Chuck Clymer, Education Services Program Manager for the US Navy, introduced himself as the new USDoD Representative to the Compact, and deferred to Ms. Kathy Facon, former USDoD Representative to the Commission for his report. Ms. Facon reviewed the past year’s trainings, compact cases, and resource development. Chair Kaminar thanked Ms. Facon for her service and warmly welcomed Mr. Clymer to the Commission.

Military Impacted Schools Association (MISA) – Mr. Kyle Fairbairn, Executive Director, reported on the collaboration between MISA and the MIC3 to provide training and increase awareness of the Compact. He yielded the floor to National Association of Federally Impacted Schools (NAFIS) Executive Director Hilary Goldmann to discuss the importance of impact aid. ED Goldmann spoke briefly about the role of NAFIS and agreed to distribute information regarding what states are receiving and what states should receive so the Commissioners could follow up to ensure proper funding for school districts in their states.

Military Child Education Coalition (MCEC) – Dr. David Splittek, Program Manager, Higher Education Initiatives, stated MCEC’s purpose is to offer inclusive, quality education for military-connected students through smooth transitions. MCEC began with the Student to Student program, which is still very effective and utilized throughout the nation. He concluded his report stating the Military Student Identifier (MSI) is key to school districts in serving military-connected students and MCEC is an advocate for adding National Guard and Reserve children to the MSI.

National Federation of State High School Associations (NFHS) – Mr. Davis Whitfield, Chief Operating Officer, reported the NFHS is comprised of 50 member states, plus DC. A Federation means the states govern and the national association provides guidance, such as writing playing rules. State associations have specific criteria for participation and as military-connected students transfer, the families need to contact the state executive director and/or commissioner to ensure eligibility. Mr. Whitfield stated NFHS reviews case studies to determine areas of improvement and operations.

New Business (cont.)

Agenda Amendment – Policy Discussion – Chair Kaminar reminded Commissioners to follow Robert’s Rules of Order and be judicious of time. The Chair stated that Commissioner Weiss had been in communication with the EXCOM prior to the ABM regarding her request to discuss the policies and Mr. Kaminar asked Commissioner Weiss if she was amenable to the commissioners being apprised of the communications. Having no objection, Chair Kaminar asked if there was a motion for the EXCOM to share the communication responses with the general body.

Commissioner Gable moved and Commissioner Kraeger seconded. Motion carried. The National Office staff distributed copies of the email sent by Commissioner

Weiss on October 23, 2019 and the EXCOM response communication with Commissioner Weiss.

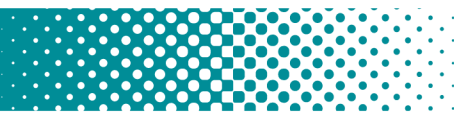
Chair Kaminar yielded the floor to Commissioner Weiss. Commissioner Weiss stated she wanted to ensure that the time, energy, expertise, and budget of the MIC3 are being utilized to focus on serving military-connected students. Commissioner Weiss believes in using evidenced based data to affect change within the Commission and for the Commission to be transparent in its engagement. Commissioner Weiss noted her concerns:

- **Code of Conduct** – Commissioner Weiss asked who and what determines “*disgraceful conduct*”, “*prejudicial to the commission, any other commissioner, or any other state?*” The statement seems somewhat arbitrary. She questioned who is making this determination of prejudicial or derogatory behavior and who would be investigating it? What behavior or data constituted the language for the Code of Conduct form?
- **Guidelines for Commission Meetings** – Commissioner Weiss asked why does MIC3 need this policy when the Commission already has By-laws and follows Robert’s Rules of Order? What behavior and/or data prompted this policy?
- **Ex-Officio Representative Role and Conduct** – Commissioner Weiss mentioned that the roles of the Ex-Officio members seem to be changing. She referenced minutes of the EXCOM meeting, in which the Ex-Officio was asked not to participate in Strategic Planning Process. Commissioner Weiss understands that Ex-Officio members are nonvoting representatives, but in an organization that focuses on transparent engagement it is important to hear all voices, particularly when they serve the second largest military-connected children population.
- **Defining the Role of Commissioner, Designee and Proxy** – Commissioner Weiss explained her concern was for every member state to have representation, since the two references to time in the document are 30 days and 60 days but does not address representation in the case of an emergency. She requested clarification on what to do in an emergency situation, in which a Commissioner could not attend the ABM, but still allow the state to be represented.
- **By-laws. Article 3. Section 2** – Commissioner Weiss requested clarification on officers and duties. She understands the Chair has the authority to appoint Commissioners to committees, but does the chair have the authority to appoint the chair of the committee?

Finally, Commissioner Weiss pointed out that not all of the policies had several readings before being adopted by the EXCOM.

Chair Kaminar asked Commissioner Weiss to clarify what action she is requesting from the Commission since the EXCOM addressed her concerns in the email response following the October EXCOM meeting.

Commissioner Weiss requested the evidence or data that lead to the language in the policies. She also wanted other Commissioners to have the opportunity to have a voice



regarding the issues. She expressed concern that dissenting opinions and diversity of voices are not always welcomed.

Commissioner Berg commented that Commissioner Weiss is incorrect, that since 2009, standing committee chairs have always been appointed by the Chair of the Commission. Historically vice chairs of committee were elected within the committee, however the standing committee chairs were selected by the Chair of the Commission.

Commissioner Orzalli stated that four policies have been approved by the EXCOM since the 2018 ABM and stated that this is within the purview of the EXCOM responsibilities. He asked if the four policies should be rules since they address compliance? Commissioner Orzalli questioned the role of the DoD Representative in leadership and wondered where it stated that the DoD Ex-Officio cannot be part of management decisions.

Chair Kaminar explained that any policy can become a rule, but it is a longer process and once a rule is implemented it is more difficult to rescind or amend. Chair Kaminar requested that ED Imai look up the language regarding the role of the DoD Representative for Commissioner Orzalli.

ED Imai responded that in the Model Compact Language, Article IX, Section E states: *"The U.S. Dept. of Defense, shall serve as an ex-officio, nonvoting member of the executive committee."* Mr. Masters added that Article IX, Section C addresses the role of ex-officios who are members of interested organizations.

Mr. Masters further clarified that Article XI, Section C, 10 clearly provides the EXCOM with the ability to adopt policies. The same article states that *"The executive committee shall have such authority and duties set forth in the bylaws."* Mr. Masters stated that the articles clearly state that EXCOM has the authority to provide for the creation of rules, operating procedures and administrative and technical support functions. He continued whether it should be in the form of Rules rather than procedures is debatable. Mr. Masters recommended a motion to postpone the discussion due to time limitations and to refer the matter to the EXCOM or Rules Committee for further investigation.

Commissioner French (ND) requested permission to speak freely. She stated that there has been tension for the last couple of years. Commissioner French stated that she fell on the "not the popular side" of the election two years ago, then was released from her leadership duties within a few days of that election. Commissioner French stated that she essentially was "fired" as the Training Committee Chair.

She added that she never received the committee preference survey last year, as such she does not feel that she is serving her committee well, since it is not her committee of preference, nor expertise. Commissioner French mentioned that she does not want to continue to feel like she is walking on eggshells.

Chair Kaminar responded that the survey was sent out via Constant Contact to all Commissioners and he tried to accommodate Commissioners' wishes pertaining to committee preference. Chair Kaminar requested that ED Imai provide the results of the survey to the entire Commission post ABM.

Commissioner McLaughlin (TN) commented that in her experience, committees make recommendations to the full body, but since Commissioners only serve on one committee, not all have the opportunity to vet the policies and provide feedback. It is important for all Commissioners to participate in the process, especially if the policy affects all Commissioners, such as the Code of Conduct. Commissioner McLaughlin expressed her opinion that it is important for the Ex-Officio representatives to be involved in the strategic planning process. Specifically, the involvement of the U.S. Department of Defense Education Activity (DoDEA), which serves the largest number of military-connected children, is an important stakeholder to include in planning processes. Chair Kaminar thanked Commissioner McLaughlin for her comments.

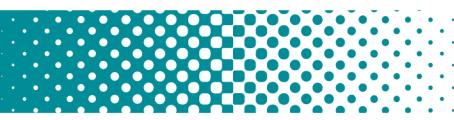
Commissioner Misty Nissen (IA) said that as a new Commissioner, she can see the tension in the group. She brought up the need for inclusion for all commissioners, Ex-Officio members and school liaison officers. Commissioner Nissen stated the ultimate goal of the discussion is to ensure that everyone who wanted to be included, is present to provide input. Chair Kaminar thanked Commissioner Nissen for her comment.

Commissioner Susan Haberstroh (DE) stated that she has been with the Commission since day one and has been present at all of the ABMs except one. She explained that all of the Commissioners need to know how the policies and administrative practices are being developed and what is the formal process. **Commissioner Haberstroh motioned that the Rules Committee develop a procedure for developing policies and procedures. Commissioner Nissen seconded the motion.**

Commissioner Miller (DC) requested clarification stating the Rules Committee is focused on the Compact Rules, whereas the EXCOM is within their power to focus on Commission policies and there is a very clear distinction between a rule, law, and policy, which have very different process paths. She asked for the distinction to be made in the motion.

Commissioner Cindy Hunt (OR) said she had several questions for general counsel. First, if a Commissioner has a question or comment about a policy, what is the process for raising that question? Second, what is the process if a Commissioner would like to amend or repeal a current policy?

General Counsel Masters answered that the Model Compact Language is not clear on the specific circumstances involved if the commission decided to amend or repeal a policy. Mr. Masters replied that the motion made by Commissioner Haberstroh should address the questions raised by Commissioner Hunt.



Commissioner Hunt appreciated the response by Mr. Masters and spoke in favor of the motion.

Commissioner Gable asked for very specific language and clarification to direct the Rules Committee.

Commissioner Buehn requested clarification from general counsel regarding the status of the four policies mentioned by Commissioner Weiss if the motion passed.

General Counsel Masters stated that the status of the policies is still on the table to be considered by the Commission and the motion that was made might need an amendment to address the four policies that are of concern to Commissioner Weiss.

Commissioner Haberstroh **amended her original motion to request the Rules Committee develop a procedure for how policies and rules are considered from this point forward. Commissioner Nissen seconded the amended motion.**

Commissioner Orzalli stated his concern for all of the policies that have been questioned by Commissioner Weiss since the motion has been amended to address future policies and not the due diligence of the four policies in question.

Chair Kaminar answered that the motion to move forward is separate from what Commissioner Miller requested, which is to consider what to do with the four policies in question.

Commissioner Weiss responded that she supported the amendment to the motion. Once the Commission has voted on Commissioner Haberstroh's motion, then she requested that the Commission return to the four established policies, which the Commission can vote to rescind those policies until a rule has been put in place as requested by the motion.

Commissioner Ragland (AL) asked for clarification if the EXCOM can take up the issue of the established policies rather than the Commission as a whole.

Chair Kaminar answered that Mr. Masters had previously mentioned a motion could be made to postpone the discussion of the four policies to the Rules Committee or EXCOM.

ED Imai questioned that Travel Policy is required by the Counsel of State Governments, thus rescinding it would affect MIC3's ability to provide reimbursements.

The amended motion made by Commissioner Haberstroh was carried by majority vote. The member states that opposed were recorded by the secretary: Louisiana,

Missouri, Rhode Island, Connecticut, New York, and Idaho, voted in opposition. Alabama abstained.

Commissioner Gable asked that the commission consider the Travel Policy and have a separate discussion on the remaining three policies.

Commissioner Berg moved to approve the Travel Policy as amended so that it conforms with CSG. Commissioner French seconded the motion.

Commissioner Miller asked for point of order, to address the motion she made regarding discussion of the four established policies separate from Commissioner Haberstroh's motion. **Commissioner Miller made the motion to vote to approve the four established policies. Commissioner Kraeger seconded the motion.**

Commissioner Hunt requested clarification from general counsel if the body can adopt policies that have already been approved and what about all policies that have been adopted by the Commission?

Mr. Masters followed that it is up to the Commission for how to proceed forward with the policy adoption.

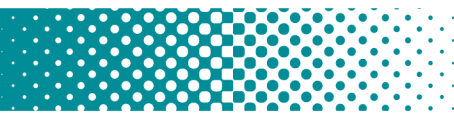
Commissioner Weiss stated that with the motion to direct the Rules Committee to create a procedure or policy for how policies are promulgated, her issues are satisfied. Commissioner Weiss spoke that as it stands, there is no rule for how Commissioners can impact policy, and she asked that the Commission develop the process so that all Commissioners can have a thorough review of policy being proposed before it is passed. If the Rules Committee accomplishes this, then her issues were satisfied.

Chair Kaminar appreciated Commissioner Weiss' clarification. Chair Kaminar stated that the Commission needs a clearly defined process for how it establishes policies with input from the Commissioners.

Commissioner Orzalli thanked Chair Kaminar and ED Imai for providing the Ex-Officio role and responsibility clarification in the Model Compact Language. He requested each state's Compact Statute be reviewed for specific language regarding Ex-Officio, specifically the language pertaining to the DoD Representative.

Chair Kaminar requested that ED Imai conduct this review with National Office staff.

Commissioner Yolande Anderson (SC) moved that the discussion be tabled until the Commission meets again allowing the Rules Committee to move forward with the procedure for how a policy is created. The motion was seconded by Commissioner Trongone (NJ). The motion carried.



Future Annual Business Meetings

Chair Kaminar stated he looked forward to hosting the 2020 ABM in his home state of Arkansas on October 1-2, 2020 in Little Rock and encouraged all members to attend. The 2021 ABM will be held in Louisiana – dates and location are forthcoming. Chair Kaminar said that the National Office is seeking proposals to host the 2022 ABM. Commissioner Dunham of Virginia offered to host the 2022 ABM.

Adjournment

Commissioner McLaughlin moved to adjourn the meeting, which was seconded by Commissioner Anderson (SC). The meeting adjourned at 4:39 PM MST.

DRAFT