

2021.6.23 MIC3 Meeting Agenda/Minutes

Attendance: **Chad Delbridge, Erica Legerski, Joshua Shake, Shelley Hamel, Thom Jones, Lachelle Brant, Representative Burt Marshall, Edward Red, Senator Lynn Hutchings, Nancy Warner, Phillip Wheeler. Jeffery Sheppard** (Replacement for LCDR Shake) **Cherise Imai** (Executive Director at MIC3 - Guest Presenter)

Bold denotes those in attendance

Welcome and Introductions:

9:31

Introductions

New Business:

- Cherise Imai presentation Options and explanations for course of Action for State position for possible inclusion of National Guard and Reserve.
 - Options Include
 - 1. Amend the Compact Statute.
 - a. Pros – would extend compact coverage to all NGR dependents beyond Title 10 in the Compact.
 - b. Cons – the language would need to be adopted in statute by all 50+1 members before the coverage would be active; cost to the commission to fund this effort; time to work with states to pass the language; risk other unapproved modifications to the compact statute
 - c. Additional: Could state legislatures adopt an “administrative amendment” that clarifies that the Compact shall be applied to all children of military families?
 - 2. Amend State Codes Outside of the Compact.
 - a. Pros – States could choose to do this independently; would be in effect immediately upon passage; would not increase annual state dues as it is outside of the compact.
 - b. Cons – Would not be uniform across all member states
 - c. Examples of separate, external language which extends Compact coverage:
 - i. Arkansas covers all NGR children, regardless of title.
<http://www.arkleg.state.ar.us/assembly/2019/2019R/Acts/Act939.pdf>
 - ii. Kentucky covers students of U.S. Department of Defense (USDOD) civilian employees
<https://apps.legislature.ky.gov/law/statutes/statute.aspx?id=3244>

- 3. Create an “Enhanced” Compact
 - a. Explanation – The enhancement could include the additional language needed to extend coverage to reserve component families. The enhanced and the original compact would be binding on states that join the enhanced compact, but only the current MIC3 Compact would bind states that choose not to join. The Nursing Licensure Compact Commission used this model successfully.
 - b. Pros – States that wish to join the enhanced compact could do so, but no state would be required to.
 - c. Cons – The enhancement risks becoming too broad; states might choose to add measures to the enhancement that other states choose not to include; would the current national office staff be sufficient to administer both compacts; might complicate the dues formula if not all states join the enhanced compact.

 - 4. Adopt a Memorandum of Agreement (MOA)
 - a. Explanation – The appropriate official in each state (governor, chief state school officer) could sign a MOA developed by the national office. The MOA would indicate that the signatory states would treat children of reserve component families as though the Compact covers them. Reserve component children would not be counted for purpose of calculating dues.
 - b. Pros – Avoids issues of compliance raised by amending the compact statutes; requires no change to dues formula.
 - c. Cons – Could be canceled by the same official who entered the MOA; might expire after a given period of time

 - 5. Take no action at this time.
 - a. Explanation – a Member State may feel no further action by the Commission is necessary at this time. Some states expressed the Compact was developed by the USDOD to address education challenges encountered by active duty children who move frequently based on their parents’ assignments – and covers the children that need to be covered. Which is why the National Guard and Reserve (beyond Title 10) was not included in the model compact. If the Compact is expanded, some other states expressed interest in expanding the Compact to cover civilian USDOD personnel, and/or all interstate transitioning students since their parents may relocate for jobs or career advancement.
 - b. Pros – This option would not require further action by the Commission. The dependents of National Guard and Reserve under Title 10 would continue to be covered under the Compact.
- Chad asked - “Is there a template that the commission wants every state to use”? ○

Cherise response – The narrative is fine. There is no template provided. It does need to be submitted officially on letterhead. A real simple process

- 10:08 am - Cherise Imai ended presentation

- Nancy Miller asked “So every single state has to vote for this to pass?”
 - Chad - Made sure that LCDR Shake heard the question
 - Chad provided clarification – Each state will send in their recommendation and then at the annual business meeting they will make a decision on the direction they will go. For option 1 to go through, every state would have to agree to that.

- 10:10 am Chad opens discussion. What are your thoughts on the 5 options given?
 - Nancy – I think we all agree, what stands out the most if the movement of the students. How many situations do we have with the guard units where we have had to address the commission?
 - Chad – there are a few things that I asked Erica for help on. She is looking at how many service members we have living in the state under titles 5, 10 and 32. How many NG school aged dependents here in WY and how many of them are getting orders to PCS out of state. Based on this information we can see how many we need to add on fiscally.
 - Nancy did it only cover Title 10?
 - Chad – it would cover everybody
 - Shelley – Seems like everyone is already covered under Title 10
 - Chad any other thoughts?
 - Commander Shake – Active Duty is different than NG and Reserve – they don’t move.
 - Thom - Same as LCDR Shake, based on personal experience, Active Duty is far more likely to move then National Guard or reserves
 - Nancy – I do too. We don’t want to neglect anyone in the service, but do they need us, the commission?
 - Shelley - next steps.. look at the data that Erica is collection to see if changes are needed.

- Questions over the use of money - What is the use for it? Administrative items. ○
Concerns over adding another \$1900.00

- Next meeting is set for August 16th @3:30 – Thom will send out the invite • Shelley will speak to Lachelle Brant to make sure they are aware of the next meeting. • Thom will send Minutes to Chad for the reports
- Shelley proposes two pronged decision – Fiscal Impact and vote to expand

- Can eliminate any fiscal impact going with options 2 or 4 if we decide there is a need
 - Chad – If we don't go with Option 4 would recommend Option 4
- Chad – We will wait until August meeting to make a final decision and wait on data from Erica
- Chad - Can we make sure that LCDR Sheppard had received his application for appointment? - Shelley will handle.

- Adjourn LCDR Shake motioned to adjourn, seconded by Nancy Warner 10:21am