

COMPLIANCE COMMITTEE MINUTES
Thursday, July 14, 2020

PRESENT	Daron Korte Teresa Ferenczhalmy Davina French Shelley Joan Weiss Bruce DuPlanty	Minnesota Commissioner New Mexico Commissioner North Dakota Commissioner Wisconsin Commissioner Arizona Commissioner	Chair
STAFF	Cherise Imai	Executive Director	Secretary
EXCUSED	Terry Ryals	Alaska Commissioner	

ITEM 1 – CALL TO ORDER

1. The meeting was called to order at 2:01 PM ET by Committee Chair and Minnesota Commissioner Daron Korte. Roll call was conducted by Executive Director (ED) Cherise Imai, and a quorum was established.

ITEM 2 – AGENDA AND MINUTES

2. Commissioner Shelley Joan Weiss (WI) motioned to approve the agenda as presented. The motion was seconded by Commissioner Davina French (ND). Motion carried.
3. Commissioner Weiss motioned to approve the minutes as presented. The motion was seconded by Commissioner Teresa Ferenczhalmy (NM). Motion carried.
4. Commissioner Weiss requested an update on her inquiry noted in paragraph #3 of the minutes regarding the Commission's financial liability for canceling or moving the Annual Business Meeting (ABM) from in-person to virtual. ED Imai stated there is no liability because the Little Rock, Arkansas ABM was moved from 2020 to 2021 and not canceled.
5. ED Imai provided the members with additional information regarding increased expenses for 2021 to meet social distancing guidelines and detailed the areas (space, additional tech) that would affect ABM cost.
6. Commissioner Weiss requested periodic updates on mic3.net analytics be provided to the Commission.
7. Commissioner Weiss referred to paragraph #12 and comments made in response to Mr. Don Berry. Commissioner Weiss clarified her impression of the Compact was and is to ensure smooth transitions for military-connected students.

ITEM 3 – REPORTS

8. **Executive Committee (EXCOM)** – Chair Korte updated the Committee on topics discussed at the previous EXCOM meeting. Again, the Chair noted the various reasons the EXCOM considered

when deciding to move the ABM from in-person to virtual. Chair Korte explained each Standing Committee was being asked to submit questions for an FAQ that is being developed for the ABM, but this would be discussed later in the agenda.

9. Chair Korte stated the EXCOM discussed utilization of the Tier Groups and he yielded the floor to ED Imai. ED Imai reported the EXCOM is discussing best practices regarding Tier Groups and wanted to hold the discussion at the ABM before launching a new initiative to gather feedback. The EXCOM also wanted to be mindful of Commissioner's time, especially with the current pandemic situation, schools reopening this fall, and changes to this year's military moving season that will affect school age children.

10. Chair Korte noted feedback from the Mid-year Survey would be available at the next Compliance Committee meeting. [OPEN ITEM]

ITEM 4 – OLD BUSINESS

11. **State Council Meetings** – Chair Korte reminded members the deadline for reporting state council meetings has been extended to September 30, 2020. The Committee will monitor the situation as the deadline approaches. ED Imai interjected that even with the pandemic several states have held their state council meetings virtually and other states have rescheduled their meeting to meet the new deadline. She stated the Commission's virtual platform, GoToMeeting, is available if Commissioners need to shift their meetings to a virtual platform, and the National Office staff has offered to staff those meetings to assist Commissioners.

12. ED Imai noted that several states who were delinquent or missed holding meetings the previous year had been able to hold meetings this year. She noted New Mexico Commissioner Theresa Ferenczhalmay who is working hard to create New Mexico's state council and get people appointed by the Governor so they can hold a meeting but has been unable to at this time due to no fault of the Commissioner. She also highlighted those states with Commissioner vacancies. [OPEN ITEM]

13. **Commissioner Vacancies** – Chair Korte informed the Committee that California has appointed Mr. Khiem Jackson to serve as the Commissioner. The Chair stated both DC and NC have indicated an appointment is forthcoming but have not sent an official appointment letter to the National Office. However, those Commissioner positions should be filled soon.

14. Chair Korte noted there is no change regarding the Commissioner vacancies in Indiana and Mississippi, but he explained that Department of Defense Representative Chuck Clymer has reached out to assist with an appointment for Mississippi and the Chair will follow-up with Mr. Clymer. [OPEN ITEM]

ITEM 5 – NEW BUSINESS

15. **Texas Complaint Letters** – Chair Korte stated the Commission received two complaint letters from parents regarding the lack of a state council in Texas. He noted that Texas is unique because their compact is structured to utilize the Texas Education Agency (TEA) to fulfill the duties of a state council. Chair Korte explained the Compliance Committee took this into consideration when developing Commission Policy *1-2017 State Coordination* which notes Article VIII, State Coordination, Section A, of the model compact language. *“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.”

16. Chair Korte noted that state councils are to report annually how they are doing the interagency functions and to this point Texas has not done that. The Chair stated he had not spoken to Texas' Commissioner, but he expressed an appropriate next step would be for him and ED Imai to contact Commissioner Shelly Ramos (TX) and discuss the communications received by the National Office.

17. Chair Korte yielded the floor to ED Imai who stated she and Commission Chair Don Kaminar (AR) have both spoken to Commissioner Ramos who has always voiced support for the Compact. However, TEA has not provided a report regarding how they are meeting the function of the state council. ED Imai explained that having received a formal complaint she agreed the appropriate next step was to discuss the issues raised with the Commissioner and craft a response to the individuals who sent the correspondence. She asked the Compliance Committee to provide their feedback and concur on next steps since 1-2017 is a newer Commission policy.

18. Chair Korte stated he would prefer he, Chair Kaminar, and Ed Imai contact Commissioner Ramos and discuss the issue presented in the letters. He opened the floor for discussion. Commissioner Weiss supported Chair Korte's proposed next steps. Commissioner Weiss noted the Commissioner may need additional support from the Commission and the National Office to help establish the council based on the content of the letters. She expressed concern that the issues being noted in the communications may be deeper than just having a state council. She concluded stating a response letter needed to be prepared to the complainant and Commissioner Ramos needed to be copied once Chair Korte, ED Imai, and Chair Kaminar had discussed the communications with Commissioner Ramos. Chair Korte agreed. [OPEN ITEM]

19. **2020 Annual Business Meeting – Development of FAQ for Commission** – Chair Korte noted the EXCOM is developing an FAQ to assist the Commission since the ABM is moving to a virtual platform this year. The Chair stated that questions could be sent to him, the National Office, or the EXCOM. Commissioner Ferenczhalmay asked for clarification regarding the type of FAQ being developed. Chair Korte explained the FAQ is focused on meeting participants and assisting them with the technical aspect of logging on to a virtual meeting or providing information on the optimal internet speed – more technical questions or items for the EXCOM to consider as they develop the agenda and organize the meeting.

20. ED Imai stated the goal of the FAQ was to provide guidance and help attendees feel comfortable when attending the virtual ABM. Commissioner Weiss asked for information regarding her written request about the elections and the Leadership Nomination Committee (LNC). She noted the last minutes posted from the LNC was August 2019 and she noted there was a meeting scheduled for June 2020. She asked how elections would be held and how nominations from the floor would be handled regarding the nominee being allowed to address the Commission. Commissioner Weiss concluded that the information did not require an answer at this meeting but could be included in the FAQ. ED Imai noted the LNC would meet on July 28, 2020 and further develop the process since the EXCOM has made the decision to hold the meeting virtually.

21. Commissioner Weiss expressed her concern about equity between a slate of candidates and those nominated from the floor. ED Imai commented the LNC is developing an election guide that will

outline election practices and clarify the process for the Commission. Commissioner Ferenczhalmy questioned how new Commissioners would be included and made to feel welcome in a virtual setting and asked the EXCOM to consider that as they plan the ABM. Commissioner Bruce DuPlanty (AZ) asked if the meeting would be open to general attendees and ED Imai answered the meeting would be open to general attendees and she hoped that more School Liaison Officers would be able to attend this year since they don't have to travel.

22. ED Imai provided a brief scenario on how the virtual ABM would work from an attendee viewpoint. Commissioner DuPlanty commented that Arizona's state board has been participating virtually in their meetings and it functioned the same as the scenario ED Imai provided. ED Imai noted the National Office through the Council of State Governments (CSG) has explored more than 45 virtual platforms ranging from no cost to \$45,000. She explained that other CSG affiliates have used the GoToMeeting platform for their online meetings and were satisfied with the platform's performance. The National Office has used GoToMeeting for webinars, and it has worked well but staff is coordinating with the CSG affiliates to develop a comprehensive list of best practices.

23. The discussion concluded with ED Imai stating several trainings would be held leading up to the meeting to address any issues prior to the virtual ABM.

24. Elections 2020 – Impact on MIC3 – Chair Korte noted the document from the National Governors Association outlining which states would hold gubernatorial elections in November 2020. He explained the document is to make the Commission aware of states that might have a change to their Compact Commissioner due to the election of a new appointing authority. There was no discussion from the floor.

ITEM 6 – OTHER BUSINESS AND ANNOUNCEMENTS

25. Items for the Executive Committee – Chair Korte asked for items or comments for the EXCOM but there were no additional comments from the Committee. The Chair asked Members to email him if they thought of a question after the meeting.

26. Commissioner Weiss complemented the EXCOM and National Office for making the decision to hold the ABM virtually. She also thanked the staff for getting the information out to the Commission in a timely manner.

27. Impact of the COVID-19 Pandemic – Chair Korte asked if the Members would be willing to share how their states are addressing education and school in the fall? Commissioner DuPlanty answered that Arizona schools begin August 4th with virtual instruction because schools are closed until the 17th. Arizona has three plans in place – all virtual, a hybrid of both virtual and in-person, and finally completely in-person with no virtual option. Once the Arizona Governor's order is rescinded on the 17th then it is up to each school district to determine next steps.

28. Commissioner Ferenczhalmy reported New Mexico schools will utilize a hybrid method. She noted the Alamogordo School District she works in will have Cohort A students on campus for two days, Monday-Tuesday, then close the school for cleaning on Wednesday, and have Cohort B students go two days, Thursday-Friday. Parents will have the option for their children to attend school completely virtual depending on the student's grades. She noted the recent rise in COVID-19 cases and New Mexico's Governor stated a continued increase in cases may cause schools to remain closed

instead of opening at the beginning of August. ED Imai asked if New Mexico was one of the states who have canceled fall athletics for this year. Commissioner Ferenczhalmy noted the Governor initially said summer conditioning could begin if social distancing parameters were met, but last week the Governor made the decision to cancel fall sports. She stated they are still considering holding three seasons of sports during the spring semester.

29. Commissioner Weiss noted Wisconsin's Department of Public Instruction originally planned to offer, like other states, three options but now the plan is to take the initial 34-45 days virtually and then reassess. According to the feedback she has access to families would prefer school be completely virtual, but she noted that is dependent on the socio-economic status of the family and is contingent on childcare options. Commissioner Weiss stated information and guidance changes from day to day.

30. Commissioner Ferenczhalmy stated she spoke with her SLO in Albuquerque and there is unease among educators because educator safety has not been addressed. Commissioner Davina French (ND) commented that North Dakota has been mainly untouched by the pandemic and cautioned everyone to be safe.

ITEM 7 – ADJOURNMENT

31. With no further business to conduct, Chair Korte adjourned the meeting at 1:58 PM ET.

Respectfully submitted by,
Lindsey Dablow
Training and Operations Associate