



MILITARY INTERSTATE
CHILDREN'S COMPACT
COMMISSION

COMPLIANCE COMMITTEE MINUTES

FISCAL YEAR 2018

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**COMPLIANCE COMMITTEE MINUTES
FRIDAY, SEPTEMBER 22, 2017**

PRESENT	Pete LuPiba	Ohio Commissioner	Chair
	Laura Anastasio	Connecticut Commissioner	Vice Chair
	Sarah Forster	Maine Commissioner Designee	
	COL(R) Russ Gullett	Michigan Commissioner	
	Susan Haberstroh	Delaware Commissioner	
	Gary Hartman	Wyoming Commissioner	
	James "Robin" Hines	Georgia Commissioner	
	Cindy Hunt	for Dr. Salam Noor, Oregon Commissioner	
	Daron Korte	Minnesota Commissioner Designee	
	Ben Rasmussen	Utah Commissioner	
	Cheryl Serrano	Colorado Commissioner	
	Cherise Imai	Executive Director	Secretary
	Richard Pryor	Communications Associate	
	Rick Masters	General Counsel	
EXCUSED	Mary Gable	Maryland Commissioner	
ABSENT	Marcy Herman	Alaska Commissioner Designee	
	Dr. Brian Henry	Missouri Commissioner	
	Shelly Ramos	Texas Commissioner Designee	
	VACANT	Indiana Commissioner	
	VACANT	Iowa Commissioner	

ITEM 1 – CALL TO ORDER

1. The meeting was called to order at 2:31 PM ET on September 22, 2017, by Pete LuPiba, Ohio Commissioner and Compliance Committee Chair. Eleven voting members and three staff members were present.

ITEM 2 – AGENDA AND MINUTES

2. The agenda for the meeting was motioned for approval by Gary Hartman (WY) and seconded by Susan Haberstroh (DE). Motion passes unanimously. The minutes from May 23, 2017 was motioned for approval by Haberstroh (DE) and seconded by Sarah Forster (ME). Motion passes unanimously.

ITEM 3 – OLD BUSINESS

3. *Commissioner Vacancies and State Councils* – Chair LuPiba reviewed the status report and activities by the national office and himself in working with New Jersey and Indiana over the past year to fill their vacant Commissioner positions and standing up their State Councils. (OPEN ITEM)

a. For New Jersey, it has been one year since the former Commissioner's resignation, and we have had numerous communications with Brett Canaval of the Boards and Commissions Office. Also, the Commissioner nominee, Jim Sarruda, submitted his packet last December and has spoken with Canaval a number of times on his appointment confirmation. For Indiana, it has been 5 months with no action on filling the position and they have never held a State Council meeting. On September 13th, LuPiba spoke with former Commissioner, Laura Snyder, and she did not have an update at that time. Gary Hartman

(WY) motioned that the Committee recommend to the Executive Committee (EXCOM) that a notice of default from General Counsel Rick Masters be issued to the states of New Jersey and Indiana and that corrective action be taken within 30 days, which was seconded by Cindy Hunt (OR). A roll call vote was taken, and the motion was approved unanimously.

b. For the states of Iowa and North Carolina, the national office will continue to work with them on filling their vacancies.

c. **State Councils** – Hartman (WY) motioned for Executive Director Cherise Imai to issue 30-day notification letters to the states of Missouri and Mississippi on the status of their State Councils. It was seconded which was seconded by Hunt (OR). A roll call vote was taken, and the motion was approved unanimously.

4. **State Council Meeting Report Matrix** – Cherise Imai said the report will be finalized by Monday. Commissioners are responding and providing their meeting dates for the past and current fiscal years. The matrix will be published in the Annual Business Meeting (ABM) Docket Book. The report will also be reviewed by the Committee.

ITEM 4 – NEW BUSINESS

5. **State Coordination Policy Webinars** – Chair LuPiba and Vice Chair Anastasio reported that they facilitated two webinars to inform the Commissioners and answer any questions. The series went well and it was well received.

6. **DOD Military Representatives (MILREP) to State Councils** – Imai reported that Bill Hampton of the Department of Defense (DOD) provided a new report that outlines the appointments. Most states have been assigned a MILREP, however there are a couple of states that have vacancies. The appointment process begins with the Commissioner submitting a MILREP request for their state to Bill Hampton. Hampton, with Kathy Facon, DOD Representative to the Commission, conducted training in August for new MILREPS, and they are also producing an “E-Book” guide for uniformed representatives. The process was long however the DOD has worked tremendously hard over the past year on the approval of the DOD Instruction (DODI), appointments, and supporting the Compact implementation.

7. **The meeting for the October 10, 2017 was cancelled.** The next meeting will be held in person at the ABM in October.

ITEM 5 – ADJOURNMENT

8. With no other business to conduct, the Committee meeting was adjourned at 3:10 PM ET.

Respectfully submitted by,



Cherise Imai
Executive Director

Approved January 9, 2018

Compliance Committee of 27 October 2017 (Friday)
Providence Rhode Island – The Renaissance Hotel, Room 33
Convened at 8:40 a.m. EST

In Attendance: The States of Oregon (Hunt), Minnesota (Korte), Wyoming (Hartman), Maine (Forster), Connecticut (Anastasio), Utah (Rasmussen), Colorado (Serrano), Georgia (Hines), Alaska (Herman), Michigan (Gullett), Delaware (Haberstroh), and Ohio (LuPiba) --- plus MIC3 General Counsel R. Masters.

Called to Order at 8:40 a.m. by P. LuPiba.

Absent: The States of Maryland (Gable), Missouri (Henry), and Texas (Ramos).

Report on Missouri, per B. Henry to P. LuPiba: the MIC3 State Council matters have been resolved—the Council has been appointed and will be meeting on November 29.

The offices of the Governor have received notice of non-Compliance in the States of Indiana and New Jersey. They have until November 4 to respond respectively to MIC3, R. Masters. The Commission can take further action.

S. Forster will meet with the Indiana Attorney General to see if her/his Office is aware of the MIC3 non-compliance.

Mississippi: no movement per C. Imai to P. LuPiba on October 24. R. Masters recommends that we issue Notice of Default. G. Hartman Motioned, D. Korte Seconded. Committee unanimous in sending official Delinquency letter (with “cc:” to Mississippi Attorney General.) (Possible Action)

R. Masters, L. Anastasio, and/or P. LuPiba will notify ExCom Members of this Committee’s unanimous recommendation. (Possible Action)

C. Hunt noted that it might be advisable to refer to the Budget on Legal Services; asking ExCom since we anticipate legal fees and expenses for as many as 3 Cases. R. Masters noted that there is a line item in the Budget and that there is sufficient funding. R. Masters will use the template from the previous MIC3 legal Cases. Suggesting a possible Compliance Plan (Technical Assistance) to help get the State(s) back into MIC3 Compliance, including Dates by which the State(s) must complete certain tasks (appointing a State Commissioner, State Council.)

Question from the Floor: Virtual Training for State Commissioners and State Councils. Make Training relevant? Purposeful of Training? (Possible Action)

Maine and Alaska: have seats on their MIC3 State Council for K-12 Student Members.

Compliance Report on the Strategic Plan: Strategy 1/Goal 1 Completed; Goal 3, needs assessment is ongoing Strategy 2/ Goals 1, 2, 3 in process (...assessing state councils, key measures for effectiveness, checklist of items, works to complete.) (Possible Action)

Approved January 9, 2107

R. Masters and/or R. Pryor: collects lists of what they (Staff) want: Agendas, Minutes in Progress.

Question from the Floor: several MIC3 Commissioners did not come to the ABM. What happens when Commissioners do not show and do not send a substitute State representative, temporary delegate, designee? (Possible Action)

Adjournment at 9:50 a.m. with a Motion by R. Gullett and a Second by R. Hines.

For the next Compliance Committee meeting, on our MIC3 Committee listing, it says: “Tues, Dec 11, 2017 @ 2:30 PM ET” but December 11 is a Monday. (Possible Action)

**COMPLIANCE COMMITTEE MINUTES
THURSDAY, JANUARY 9, 2018**

PRESENT	Daron Korte	Minnesota Commissioner	Chair
	Laura Anastasio	Connecticut Commissioner	Vice Chair
	Sarah Forster	Maine Commissioner Designee	
	Davina French	North Dakota Commissioner	
	COL(R) Russ Gullett	Michigan Commissioner	
	Gary Hartman	Wyoming Commissioner	
	James "Robin" Hines	Georgia Commissioner	
	Ben Rasmussen	Utah Commissioner	
	Cheryl Serrano	Colorado 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	None		
ABSENT	Shelly Ramos	Texas Commissioner Designee	
	VACANT	Indiana Commissioner	

ITEM 1 – CALL TO ORDER

1. The meeting was called to order at 2:00PM ET on by Committee Chair Daron Korte. Roll call was conducted by Cherise Imai, Executive Director and nine voting members and three staff members were present, with one Commissioner absent.

ITEM 2 – AGENDA AND MINUTES

2. The agenda for the meeting was motioned for approval by Gary Hartman (WY) and seconded by Russ Gullett (MI). Motion passes unanimously. The minutes from the September 22, and October 27, 2017 meetings were motioned for approval by Ben Rasmussen (UT) and seconded by Hartman. Motion passes unanimously.

ITEM 3 – OLD BUSINESS

3. **Executive Session** – Commissioner Hartman motioned to move into Executive Session, seconded by Davina French (ND). Motion passes unanimously. Hartman motioned to end the Executive Session and move into Open Session, seconded by Ben Rasmussen (UT). Motion passes unanimously.

4. **Commissioner Vacancies and State Councils** (OPEN ITEM)

a. Commissioner Vacancy/New Jersey – Commissioner Hartman motioned to make a recommendation to the Executive Committee that we send an additional letter and notice of default to the New Jersey Attorney General and the new Governor of New Jersey (with a copy of the first notice of default letter sent to former Governor Chris Christie) and providing two weeks to respond or litigation will be filed. The motion was seconded by Serrano. Motion passes unanimously.

- b. Commissioner Vacancy/Indiana – Masters is following up with the Attorney General on the status.
- c. State Council/Missouri – ED Imai reported that Missouri Commissioner Brian Henry held his first State Council meeting on November 29th. She attended the meeting and briefed on the Compact. The meeting was well-attended with representatives from highly impacted military school districts and legislative sponsors of the Compact. They discussed cases and ways to communicate the Compact to schools and districts.
- d. State Council/Mississippi – ED Imai reported that she spoke to the education advisor in the Governor's office through emails and phone calls, who said they were working on it, and has not heard back from them to date. All members agreed that has been going on for a long time. Commissioner Hartman motioned to recommend that a notice of default letter to inform that they are non-compliant, providing 30 days for a response, with legal action to follow.

ITEM 4 – NEW BUSINESS

5. *Executive Committee Retreat and the Strategic Plan* – Chair Korte reported that the Executive Committee met in early December in Rhode Island hosted by Chair Rosemarie Kraeger on the next steps of the Commission and to plan for the upcoming year.
6. He referred to the Strategic Plan and that he spoke with Don Kaminar, the new Training Chair and how they could partner together. He asked the members to review the committee's current goals and the need to discuss if we want to update to identify new goals. He also wants to discuss if the overall committee role – if we continue focusing on strictly compliance or if we want to move into more into a “support role” to help Commissioners with their day-to-day work or if this is more of a training (committee) function. He asked that members email him their thoughts and suggestions. (OPEN ITEM)

ITEM 5 – ADJOURNMENT

7. Closing comments – Chair Kraeger thanked everyone for their commitment and dedication to the Commission and work on the committee.
8. With no other business to conduct, French moved to adjourn the meeting, seconded by Gullett. Chair Korte adjourned the meeting at 2:41 PM ET.

Respectfully submitted by,



Cherise Imai
Executive Director/Secretary

**COMPLIANCE COMMITTEE MINUTES
TUESDAY, MARCH 13, 2018**

PRESENT	Daron Korte	Minnesota Commissioner	Chair
	COL(R) Russ Gullett	Michigan Commissioner	
	Gary Hartman	Wyoming Commissioner	
	James "Robin" Hines	Georgia Commissioner	
	Shelly Ramos	Texas Commissioner Designee	
	Cheryl Serrano	Colorado 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	Laura Anastasio	Connecticut Commissioner	Vice Chair
	Sarah Forster	Maine Commissioner Designee	
	Davina French	North Dakota Commissioner	
	Ben Rasmussen	Utah Commissioner	

ITEM 1 – CALL TO ORDER

1. The meeting was called to order at 2:30PM ET on by Committee Chair Daron Korte. Roll call was conducted by Cherise Imai, Executive Director and six voting members and three staff members were present, with four Commissioners excused.

ITEM 2 – AGENDA AND MINUTES

2. The agenda for the meeting was motioned for approval by Russ Gullett (MI) and seconded by Gary Hartman (WY). Motion passes unanimously. The minutes from the January 9, 2018 meeting with corrections was motioned for approval by Gary Hartman (WY) and seconded by Russ Gullett (MI). Motion passes unanimously.

ITEM 3 – OLD BUSINESS

3. **Executive Session: Litigation Update** – Cheryl Serrano (CO) motioned to move into Executive Session, seconded by Gary Hartman (WY) Motion passes unanimously. Cheryl Serrano (CO) motioned to end the Executive Session and move into Open Session, seconded by Russ Gullett (MI). Motion passes unanimously.

ITEM 4 – NEW BUSINESS

4. **MIC3 Coordination Policy and the 2017-18 Member State Council Meetings Report** – Chair Korte reviewed the policy and presented the report. The Committee agreed that Chair Korte would work with ED Cherise Imai on a process to reach out informally to member states on the status of their State Council Meeting for the current year. **(OPEN ITEM)**

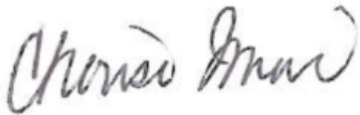
5. **Strategic Plan** Chair Korte reviewed the Strategic Plan and asked the members to email or contact him with thoughts and suggestions on the Committee's goals and actions items. **(OPEN ITEM)**

ITEM 5 – ADJOURNMENT

6. Chair Korte thanked everyone for their time and work on the Committee, and stated the next meeting was scheduled for Tuesday, June 12th at 2:00PM ET.

7. With no other business to conduct, Robin Hines (GA) moved to adjourn the meeting, seconded by Cheryl Serrano (CO). Chair Korte adjourned the meeting at 2:59 PM ET.

Respectfully submitted by,

A handwritten signature in black ink, appearing to read 'Cherise Imai', is written over a light blue dotted background.

Cherise Imai
Executive Director/Secretary

**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