



RULES COMMITTEE MINUTES
Tuesday, June 14, 2022

PRESENT	Mary Gable Daniel Dunham Darrell Floyd Ben Rasmussen Cindy Hunt Clara Botstein Susan Haberstroh	Maryland Commissioner Virginia Commissioner Designee Oklahoma Commissioner Utah Commissioner Oregon Commissioner District of Columbia Commissioner Delaware Commissioner	Chair
EXCUSED	Davina French Phillip Cantrell Kathleen Berg	North Dakota Commissioner West Virginia Commissioner Hawaii Commissioner	
STAFF	Cherise Imai Lindsey Dablow Stephanie Ramsey	Executive Director Training and Operations Associate Communications Associate	

ITEM 1 – CALL TO ORDER

1. The meeting was called to order by Rules Chair, Commissioner Mary Gable (MD) at 2:00 PM ET

ITEM 2 – ROLL CALL

2. A quorum was not established at the beginning of the meeting. A quorum was established at 2:36 PM ET.

ITEM 3 – APPROVAL OF THE AGENDA

3. Due to a lack of quorum initially, approval of the agenda was deferred.

ITEM 4 – APPROVAL OF THE MINUTES

4. Due to a lack of quorum initially, approval of the minutes from April 12, 2022 was deferred.

ITEM 5 – REPORTS

5. Due to business before the Committee and in the interested of time the Executive Committee was deferred until the end of the meeting, time permitting.

ITEM 6 – NEW BUSINESS

6. **Compact Rules Review** – The Committee reviewed *Chapter 200, SEC 2.101*. At the last meeting, Commissioner Ben Rasmussen (UT) asked if *Chapter 200, SEC 2.101 (i)* was legally acceptable. The question was passed on to the Commission's legal counsel. Executive Director (ED) Cherise Imai read the response from legal, saying that it is standard as it is reiterated in *Article XII, Section C*.

7. Commissioner Rasmussen also questioned the phrase “regional group of states” in *Chapter 200, SEC 2.101 (a)(3)* as the Commission no longer uses that terminology, utilizing “Tier Groups” instead. ED Imai answered that since it is in the statute, the phrase “regional group of states” could not be removed. The Committee discussed and determined the best course of action was to add a footnote to clarify the language as referring to states grouped “by military impactation.”
8. Commissioner Susan Haberstroh (DE) asked about states reporting data in *Chapter 200, SEC 2.102 (a)* for the transfer and enrollment of students. She asked if that was applicable as not all states have access to this data. She expressed concern that having it in the language will require states to have this information readily available. ED Imai responded the rule wasn’t activated and the Commission had not mandated states to report this data at this time. She explained that general counsel Rick Masters stated the Commission did not need to enact this rule. Commissioner Designee Daniel Dunham (VA) asked if there could be a footnote added stating that it has not been activated. Chair Gable added that she agreed that it is overwhelming and that states do not have the ability to collect the data. The Committee discussed and asked ED Imai to have legal counsel draft a footnote for the next meeting.
9. Moving on to Chapter 300, ED Imai noted that the dash is too big in *Chapter 300, SEC 3.101 (b)*.
10. Commissioner Rasmussen asked what “school board” refers to in *Chapter 300, SEC 3.102 (c)(1)* and if it referred to local education agency or to a state education board, as well as is it referencing the school board of the sending or receiving state. This question was poised to legal counsel for clarification. Legal counsel responded the answer is not clear from the language which it is referring to and suggested the Rules Committee consider re-writing this section to provide clarification. Chair Gable asked Commissioner Rasmussen what he thought of the advice from legal and he suggested changing the language to “acceptable under the law to which the state they are transferring from.” The Committee discussed and decided to request clarifying language from legal counsel for this subsection.
11. Commissioner Rasmussen asked if the language that refers to states as member states or nonmember in *Chapter 400, SEC 4.103 (a)*, is still necessary to refer to the states as members now that all 50 states have joined the compact. Legal Counsel responded that the language is necessary as states could leave the compact in the future.
12. Chair Gable pointed out that LEA in *Chapter 600, SEC 6.101 (a)(1)* is abbreviated but is also spelled out in other sections and that for consistency purposes should be changed to be spelled out. Chair Gable also pointed out that the sentence in *Chapter 700, SEC 7.101 (a)* needs a period at the end of the sentence.
13. Chair Gable stated that the asterisks in *Chapter 700, 7.102 (b)(2)(v)(b)* does not have a footnote attached to it. ED Imai answered the National Office would check the archives to see if the asterisk refers to anything.
14. Commissioner Rasmussen inquired about assessing damages in *Chapter 700, SEC 7.103 (a)* and said he did not see a situation where this would apply. ED Imai answered that damages refers to litigation fees, filing fees, and court costs. The Committee discussed further what damages would refer to and asked to have legal counsel define or clarify “damages”.

ITEM 7 – OLD BUSINESS

15. The members reviewed the Legal Advisory on Accreditation definition (HI). Commissioner Rasmussen made a motion to ask legal counsel for a definition of “accreditation” and approve the accreditation document. Commissioner Designee Dunham seconded. Motion carried.

ITEM 9 – ADJOURNMENT

16. With no further business to conduct, Commissioner Haberstroh motioned to adjourn the meeting. Commissioner Cindy Hunt (OR) seconded the motion. Motion carried. Chair Gable adjourned the meeting at 3:04 PM ET.