

**2022 ANNUAL BUSINESS MEETING MINUTES
October 19-20, 2022**

Call to Order

National Commission Chair Laura Anastasio (CT) called the meeting to order on Wednesday, October 19, at 8:06 AM CT.

Welcome and Opening Remarks

Chair Anastasio welcomed members and guests to the 2022 Annual Business Meeting (ABM) and expressed pleasure at seeing everyone in-person as previous years' meetings were held virtually due to the COVID-19 pandemic. She encouraged members to enjoy Baton Rouge and all it has to offer. She welcomed new members from Alaska, Arizona, Delaware, District of Columbia, Indiana, Mississippi, Montana, South Dakota, National Military Families Association (NMFA), and proxies from Colorado, Georgia, Hawaii, Illinois, and Minnesota.

Housekeeping Items

Chair Anastasio discussed various housekeeping items regarding the meeting. The audio-visual technician informed members on the use of their microphone. Commissioners, ex-Officio, and guest speakers were asked to state their "first and last name, followed by their state/organization" for the record, and Members were asked to reduce noise by muting their microphones. Chair Anastasio stated presentations would be posted on the website and the slides would list the corresponding page in the Docket Book. Which is notated in blue (i.e., "DB p5") at the bottom of the slides.

Roll Call

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

STATE	SAL.	NAME	STATE	SAL.	NAME
ALABAMA	Dr.	Douglas Ragland	NEVADA	Ms.	Felicia Gonzales
ALASKA	Mr.	Grant Robinson	NEW HAMPSHIRE	Dr.	Kathleen Murphy
ARIZONA	Mr.	Peter Liang	NEW JERSEY	Mr.	Tony Trongone
ARKANSAS	Mr.	John "Don" Kaminar	NEW MEXICO	Ms.	Teresa Ferenczhalmly
CALIFORNIA	Mr.	Khieem Jackson	NEW YORK	Dr.	Debra Jackson
COLORADO	Dr.	Montina Romero*	NORTH CAROLINA	Mr.	Nickolas Sojka, Jr.
CONNECTICUT	Ms.	Laura Anastasio	NORTH DAKOTA	Ms.	Davina French
DELAWARE	Dr.	Michael Rodriguez	OHIO	Mr.	Pete Lupiba
DISTRICT OF COLUMBIA	Ms.	Clara Botstein	OKLAHOMA	Dr.	Darrell Floyd
FLORIDA	Mr.	Bob Buehn	OREGON	Ms.	Cindy Hunt
GEORGIA	Ms.	Patricia Ross*	PENNSYLVANIA	Ms.	Barbara Clemmer
HAWAII	Ms.	Cherry Okahara*	RHODE ISLAND	Ms.	Rosemarie Kraeger
IDAHO	Mr.	Tim McMurtrey	SOUTH CAROLINA	Dr.	Tremekia Priester
ILLINOIS	Dr.	John Price*	SOUTH DAKOTA	Ms.	Ann Pettit
INDIANA	Mr.	Brian Murphy	TEXAS	Ms.	Shelly Ramos
KANSAS	Mr.	Craig Neuenswander	UTAH	Mr.	Ben Rasmussen
KENTUCKY	Mr.	Steven Bullard	VERMONT	Mr.	David Young
LOUISIANA	Dr.	Ernise Singleton	VIRGINIA	Mr.	Dan Dunham
MARYLAND	Ms.	Mary Gable	WASHINGTON	Mr.	Greg Lynch
MASSACHUSETTS	Mr.	J. Clarke Orzalli	WEST VIRGINIA	Mr.	Phillip Cantrell
MICHIGAN	Mr.	Mike Price	WISCONSIN	Ms.	Shelley Joan Weiss
MINNESOTA	Ms.	Wendy Hatch*	WYOMING	Mr.	Chad Delbridge
MISSOURI	Dr.	Brian Henry	USDOD REP**	Ms.	Dianna Ganote
MONTANA	Mr.	Ray Shaw	MISA**	Mr.	Kyle Fairbairn
NEBRASKA	Mr.	Brian Halstead	NMFA**	Ms.	Caitlin Hamon

*Proxy, **Ex-officio (non-voting member)

NOT IN ATTENDANCE		
STATE/ORGANIZATION	SAL.	NAME
IOWA	Ms.	Laura Kacer
MAINE	Ms.	Sarah Forster
MISSISSIPPI	Ms.	Kristen Windham
TENNESSEE	Ms.	Deanna McLaughlin
MCEC	Dr.	Becky Porter
NFHS	Mr.	Davis Whitfield

MIC3 National Office

1. Cherise Imai, Executive Director
2. Lindsey Dablow, Training and Operations Associate
3. Stephanie Ramsey, Communications Associate
4. Samantha Nance and Stuart Michael, General Counsel

Host City Welcome

Chair Anastasio yielded the floor to Vice Chair, Ernise Singleton (LA). On behalf of State Superintendent Dr. Cade Brumley, Vice Chair Singleton welcomed members to Louisiana. She introduced the Louisiana Department of Education Chief Operations Officer, Ken Bradford, to address the Commission. Mr. Bradford stated he had been engaged with the Compact for nearly 10 years and served in her role previously. He noted the presence of active-duty and National Guard members within the state, which equated to 7,500 military-connected students. He described his background, coming from an Army family, and how he enlisted after high school. Mr. Bradford underscored the importance of the Compact and the support it provides for students and described how he assisted a student to attain an anatomy course credit in a Louisiana school district. He concluded his remarks and wished members well, and he hoped they enjoyed their stay in Baton Rouge.

Special Greetings

Chair Anastasio yielded the floor to Lori Phipps, Director for the Department of the Air Force School Liaison Program, who introduced a videotaped message from keynote speaker, Mrs. Sharene Brown, spouse of the 22nd Chief of Staff of the Air Force. Ms. Brown spoke about the importance of the work of the Commission and expressed her and General Brown's unwavering support for military families. She concluded by stating, "we are stronger together."

Agenda

Commissioner Steve Bullard (KY) motioned to approve the agenda. The motion was seconded by Commissioner Shelley Joan Weiss (WI). The motion carried unanimously.

Minutes

Commissioner Rosemarie Kraeger (RI) motioned to approve the 2022 ABM minutes. The motion was seconded by Commissioner Greg Lynch (WA). The motion carried unanimously.

Public Comment

ED Imai stated the Commission had not received any submissions for public comment.

Executive Reports

Executive Committee – Chair Anastasio reported the past year was busy addressing the administration of the Commission. The Executive Committee addressed three legal items, which were resolved; coordinated the dissemination of information and discussion on the National Guard and Reserve; Citation Correction items; and relaunching of the Tier Groups, which will convene at this meeting. She expressed appreciation for the facilitators who have volunteered to serve in this role and lead group discussions. She recognized Commissioners Debra Jackson (NY), Keith Owen (CO), Ben Rasmussen (UT), and Cindy Hunt (OR) for their service and support.

Executive Director – ED Imai noted the past year has been busy for staff as well with oversight of the activities and programs. She recognized new Communications Associate Stephanie Ramsey and noted the administrative position was vacant. Although the staff was few, they were mighty – their focus has been supporting members in their efforts to fulfill our mission. She noted the expansion of training provided by the National Office, due to COVID, and the inability to travel, monthly Compact 101 webinars were scheduled and were well received by stakeholders. She noted hard copies of the Annual Report were provided to members and posted on mic3.net.

ED Imai highlighted several milestones: 99% of states held state council meetings; all but one commissioner seat was filled; the onboarding process for new members was streamlined to quickly acclimate them to their role and identify state gaps. She reviewed the demographics of members with a majority holding full-time employment. About 72% were in the education field, and included the state departments of education, boards of education (both state and local), and district and schools; while other members are in other state government agencies, retired (from the military or other profession), or in other categories.

ED Imai referenced the Case and Inquiry Report noting there were 51 cases this past year - previous averages prior to the pandemic averaged around 86. While most inquiries were from parents or commissioners, and not compact-related, the inquiries that were compact-related dealt with placement and attendance, which mirrors previous years' data. The biggest issue not addressed by the Compact was school choice. She stated the National Office tracks this data to determine trends or areas of concern and reviews this report with the Rules Committee to determine if there is a need for a new or amendment to an existing rule. The receiving states that received the highest number of cases or inquiries were in Tier 1 and highest impacted states. ED Imai noted the report described the cases received only by the National Office and stated most cases are resolved at the commissioner, and school, levels. She concluded her remarks by thanking members for their continued support and hard work.

Vice Chair – Vice Chair Singleton reported the Ex-officio Representatives met in 2022 and noted the importance of ex-officio members to support the Commission's work. Meeting quarterly, we briefed on the work of the Commission and obtained information about the work of their organizations on behalf of military families. Meeting notes are published on the website at mic3.net.

General Counsel – Chair Anastasio stated the Commission retains outside General Counsel to provide guidance for the Commission and its Committees with respect to legal issues, related to their duties and responsibilities under MIC3s by-laws and rules. Actively participating in both dispute resolution and litigation matters related to enforcement of the Compact provisions and rules, Counsel also advises the Commission on issues pertaining to investigation, compliance, and enforcement responsibilities. Note: For member state legal assistance requests, contact Executive Director Cherise Imai in accordance with policy #3-2017 Accessing Legal Counsel. She yielded the floor to Ms. Samantha Nance and Mr. Stuart Michael.

Ms. Nance reported the past year included guidance and enforcement actions. There were three cases this past year: recognition of credit attained in a prior district; participation in extracurricular activities and facilitating the opportunity to tryout; and submission of annual reports and the requirement to hold an annual meeting. She noted the cases were resolved without litigation and were closed.

Ms. Nance provided legal analysis and memorandums on various topics: a legal advisory was issued regarding accreditation and kindergarten; analysis was requested by the Rules Committee on the adoption of proposed rules; and review of proposed legislation from member states regarding issues that were ancillary but not directly related to the Compact. She noted for the Annual Business Meeting (ABM), a webinar on Robert Rules of Order was provided, and a Legal Perspectives brief was prepared.

Extending Applicability to Beyond Title 10 Active-Duty Guard and Reserve Service Members

Background – General Counsel Mr. Michael provided a background of the agenda item, which was discussed by the Commission for several years. He noted the issue was briefed previously at the Tier Group meeting, though it was important to review the information to prepare members for today's discussion. The issue was brought forth to the Commission in 2016 due to a compact statute change in the state of Utah to include all members of the

National Guard and Reserve (NGR) under the Compact. In 2018, the Utah Commissioner proposed the Compact be changed in the same way to provide coverage to all NGR members. In response, a Task Force was convened to study the issue, and in 2020, they recommended the Compact be amended; however, no specific method was provided. After this report, General Counsel recommended several methods for consideration which were presented at the 2021 ABM, however, the Commission did not feel comfortable making a firm decision on how to proceed. A motion was made to seek external legislation; however, the motion was tabled by the Commission to this meeting. The desire was to determine a way forward at this ABM.

Ms. Nance reported post-ABM, Counsel issued a memorandum on the five options before the Commission and referenced the document in the Docket Book. Options were external legislation; memorandum of understanding; an entirely new and separate compact among interested states; compact statute amendment; and no action. The conclusion from the memorandum at that time was external legislation would be the most scalable and legally sound approach. She noted the challenges to the options: a sub-compact or separate compact is outside the scope of the Commission; a memorandum of understanding is informal and non-binding, and lacks the legal soundness some of the members desired; a wholesale change to the compact would create risk, or an opportunity for legislators to make material changes to the Compact which could have unintended consequences and place a member state out of compliance. In addition, this last option requires unanimity and is not effective until all members adopt the amendment.

National Guard Bureau (NGB) Perspective - Ms. Nadine Moore, Chief of Family Readiness, Training, and Certification from the Service Member Readiness for the National Guard Bureau in Washington, DC, joined the meeting by Zoom to weigh in on the issue. Ms. Moore addressed the questions raised by the commission member states.

How often, and under what title, do NGR members move? Ms. Moore stated service members at the state level are generally under Title 32 orders and fall under the state adjutant general. Typically, the only Guard within the state that would be under Title 10 or active duty would be the USPNFO and it is only one person. Most of the other Title 10 service members would be located at the NGB and have a Permanent Change of Station (PCS) to Washington, DC, for short or long-term tours. She stated Title 5 are federal civilians within the Guard. She was unsure about the data regarding the number that move inter- and intrastate, however, if they did move, it would be within the state, as opposed to across state lines. Title 32, active-duty reserve does not tend to move as they are generally located at the Joint Forces Headquarters. There is a handful of Title 32 at the state level, however, they generally do not move to move up in the ranks. We also have Title 32 technicians who do not generally move, and if they do, it is a very small percentage of that population and not under orders.

Are there youth/student challenges due to moves?

She noted they have seen challenges when a service member is deployed, and the family moves to a different location to be near a family network or support. She noted this is not a PCS move, and a decision made by the family to be closer to extended family because they have the flexibility to do so. She concluded that as the Compact covers NGR under active-duty orders that move across state lines, it covers a majority of service members that PCS. There is a small percentage of Title 32 that may PCS across state lines to accept a position in the receiving state, however, it will likely not be under orders.

Other questions

Virginia Commissioner Designee Dan Dunham (VA) asked Ms. Moore to clarify the impact and the frequency of the moves, as they have incoming NGR service members throughout the year. Ms. Moore said most intrastate PCS moves would be under Title 10 active-duty orders, to work at the Pentagon or at the NGB in Washington, DC. These orders would be under ADOS are special short-term mission and 1-3 years in length. Title 5 are federal civilians, they do not have to be a member of the NGR, however, if they move, the government will pay their expenses. She was unsure if Title 5 were covered under the Compact. She said Title 32 AGR, career program employees, do not typically move across states, and only to the Pentagon or at the Guard Bureau in Washington, DC. Ms. Nance clarified that Title 5 as they are civilian contractors, they are not covered under the Compact.

Commissioner Davina French (ND) had a two-part question and said there are long-term schools in Florida, the ADOS tours are in every state, and we've been on COVID orders, and border patrol missions. She asked under Title 10 status, in your state, if there is a problem with a child, who will be responsible for handling that issue? Because the school liaisons are all active-duty - no matter what branch - and there are youth coordinators in every state. Commissioner French asked Ms. Moore if she was giving the National Guard Bureau, for all 50 + 1 states, the authorization for the youth coordinators to handle all MIC3 issues for the National Guard? Ms. Moore responded she understood the discussion was regarding a PCS move, and it was not about the child and youth-related challenges a service member may have when they do not move. She added when soldier goes on a service mission, they are not moving, they are not moving their families. Therefore, in her view, the Compact does not cover those situations. However, if there are youth education-related challenges, the youth coordinator can assist families, and although they are not a school liaison officer, they can assist in talking with schools about what is going on with the family and provide resources, to help the child and deal with the separation.

Commissioner French said in the NGR there are special examples, such as dual status marriages, for many COVID missions, the kid got sent to grandma and grandpa's in different states under Title 10. So, if the youth coordinators aren't given permission, she still has no way to connect the kids for a MIC3 issue to the National Guard. She asked if the youth coordinators were going to be authorized to work on MIC3 issues? The US Department of Defense Representative, Dianna Ganote, stated for the record the service school liaisons support service members regardless of activation status, so NGR can receive support from the school liaison, just as the Coast Guard, National Oceanic Atmospheric Administration (NOAA) and the US Public Health Service (USPHS) do.

Ms. Caitlin Hamon of the National Military Family Association asked if the NGR annual survey on needs assessment identified any issues by families on school transitions. Ms. Moore concurred the needs assessment was conducted annually under a new federal requirement; however, she did not have the information at the time of this meeting.

Commissioner Weiss stated she understood why Ms. Moore did not want to provide estimated numbers on the NGR transitions and asked for her insight into the data and if they could include a question on student school transitions in the Guards annual survey. Ms. Moore said a question could be added to the survey. She does not speak for the Reserve, however, for the Guard, she estimated there were 3,000 personnel at NGB, and the Air Guard Directorate has about 1,000 or so. Most were local, and an estimated 25% of them move annually, under orders or not, for both intra- and interstate moves. She acknowledged they have residence schools at bases, which result in a couple of hundred personnel moving annually – depending on their situation – however, some may have family accompany them, and others may elect not to bring their families. It was up to the member to do so. In terms of a percentage of total force, Ms. Moore noted less than 10% of them would move, and most of those would be under Title 32 orders for school, work at NGB, or something else. There were also bilateral officers that PCS but are moving to other countries. Commissioner Clarke Orzalli (MA) referenced the 2021 ABM minutes in which the USDOD Representative, Mr. Hampton, indicated 7% of NGR students move annually each year.

Commissioner Bullard stated he retired after 35 years of service in the military, from the active duty and National Guard. National Guard service members change states because they change units, and they do it on their own initiative. For example, he has Kentucky Guard members that are assigned to UPS and are transferred to Alaska, so they will move to Alaska and join the Alaska National Guard – so there are moves, but they are driven by the discretion of the service member and never by the needs of the military. In the Kentucky National Guard, they base people across the state, and their unit could move across the state. The service member could choose to remain where they are located, move to the new unit location, or reside in a different state. Therefore, while they are moving for various reasons, the move and where they moved to was the members' choice – and not driven by the needs of the USDOD. Additionally, he noted, Title 32 was a USDOD employee who is required to maintain membership in the Guard, meet their standards and required to wear the uniform. Regarding Title 5, the USDOD carved out a percentage of the Guard jobs that were Title 32, but these personnel do not need to maintain membership in the Guard, do not wear the uniform, and are non-deployable. As a part-time guardsman, a member has a lot of authority and discretion over what they do.

Commissioner French said there are a lot of states that do not have active-duty bases, therefore, how do guardsmen get assistance? Do they get it from sideline states, and how does it work? Ms. Ganote responded states that do not have installations have an assigned school liaison to the state from a nearby location.

Chair Anastasio thanked Ms. Moore for her brief and answering questions. She stated the Commission gained valuable insight into the National Guard and Reserve, which will assist with decision-making.

Commissioner Don Kaminar (AR) and Past Chair motioned to adopt option #1, for each state to adopt an external statute, to extend Compact protections to NGR children. The motion was seconded by Commissioner Bullard.

Discussion

Commissioner Kaminar noted he supported the measure as the best way forward as it was the simplest and fastest as every state could introduce and adopt a statute in any legislative session, or not do so if they chose to. This option would be faster for implementation as it is in effect upon adoption by a state. In comparison, he was not in favor of the Commission amending the Compact statute as it was a high risk for legislators to add additional language that would have unintended consequences. Finally, he felt option #1 was cost-effective as states could find a bill sponsor. In Arkansas, they had already passed an external statute that referenced the Compact statute and provides the same protections as active-duty dependents.

Commissioner Bullard reported Kentucky passed an external statute to provide similar protections for USDOD civilian personnel dependents; he noted the ease of the process to accomplish this. He noted the NGB does not command the State Guard and Reserve, and the command within states was independent. The former adjutant general had expressed sentiment they did not want to be under the USDOD purview. He added he felt the issue was the perception the Compact excludes the Guard and Reserve, which he felt was not true. Finally, he expressed support for the measure.

Commissioner Weiss stated her state council had legal counsel and legislative representation so they have the resources on the council; therefore, she did not see the need for legal advice from MIC3, but she would love for the Commission to share a sample of language that they can use. She did not see the need for a dues increase. Ms. Nance stated General Counsel could provide a Legislative Toolkit to help guide states interested in external language if directed by the Commission.

Commissioner Ben Rasmussen (UT) expressed he did not support the motion, and supported amendment of the compact statute, as providing accommodations for all military students was paramount, and the consistency and enforcement the Compact provided was important. He added that external language would not provide enforcement. Chair Anastasio asked General Counsel for a point of clarification. Ms. Nance stated if the external statute were adopted, an enforcement mechanism would be in place, however, it would rest with each state and would not fall under the Commission.

Ms. Hamon, on behalf of NMFA, expressed support for the motion on the table. NMFA had not heard from families or their partners that school transitions were an issue. Instead, the needs were regarding support when the member deployed, access to mental health resources, and affordable childcare. In addition, the cost and high risk of amending the statute were not favorable. Due to this, NMFA recommended the adoption of the motion and data collection on the number of NGR school transition issues.

Commissioner Kathleen Murphy (NH) expressed her state had high support for the National Guard, and reported the state passed external legislation to extend coverage. Noting her state was the second to the last state to sign onto the Compact.

Commissioner Lynch thanked ED Imai and Mr. Michael for attending Washington's recent state council meeting to brief on the matter. He noted that NMFA's analysis was consistent with their research which indicated the data

was difficult to find. He expressed support for no change. He also noted the motion before the Commission did not obligate states to pass external language itself, but merely provided the option to do so if desired.

Ms. Nance said the external language option was at the disposal of states. It was scalable, states did not require members to be on the same collective timeline, nor require members to coordinate with the Commission. She added there was no obligation for a state to pursue external language. The decision to do so would remain with each member state.

Commissioner French said before everything ended up in flames, she had two things to say. She quoted the Commissioner from Rhode Island who said the Commission should always be about kids. She heard today comments that the Compact statute change would have little impact and that the action would be a token gesture, however, little impact means there is still impact. Commissioner French directed a question to Ms. Hamon of NMFA: if NMFA wanted to collect data, would there be an official way to do this? Ms. Hamon responded it depended on what type of data was desired. Was it the data on the number of children moving interstate? She continued that yes, in theory, federal legislation could be passed at that level, however, as the NGR has its own organization, it would be challenging to think through the feasibility of this. While collecting data is important, we have not heard from NGR families that this was a protection that they wanted or needed. NMFA has heard about healthcare access and duty status reform – however, a family has never said they had an issue with school transitions. She concluded this may be due to the issues being handled at the lowest possible level and with the school liaison's assistance. She commended the liaisons for their efforts and engagement.

Commissioner Brian Murphy (IN) said his state supported not amending the Compact.

Commissioner Price (MI) stated he was retired active-duty, and he noted support for the motion, although he added it was a state solution for a federal problem.

Commissioner Kaminar thanked Ms. Hamon for NMFA's comments and perspective. In the ten years he served in the regular Army he PCS'd four times, and in the Reserve, he PCS'd zero times. He crossed state lines, however, it was his choice. In his experience, the NGR PCS less than regular active duty. He noted the motion would not require an increase to the Commission's budget.

Commissioner Jackson asked Chair Anastasio to call for a vote.

Chair Anastasio called for a roll call vote.

- In favor: AK, AZ, AR, CA, CO, CT, DE, DC, FL, GA, HI, ID, IL, IN, KS, KY, LA, MD, MA, MI, MN, MO, MT, NE, NV, NH, NJ, NM, NY, NC, OR, PA, RI, SC, SD, TX, UT, VA, VT, WA**
- Against: AL, ND, OH, OK, WV, WI, WY**
- Not Present: IA, ME, MS, TN**

Chair Anastasio noted the motion carried with 40 in favor, 7 against, and zero abstentions. Chair Anastasio noted the National Office would consult with General Counsel to draft a Legislative Toolkit.

Chair Anastasio asked Ms. Nance to clarify the motion adopted regarding NGR. Ms. Nance stated the motion adopted was for the Commission to support efforts for external legislation by states, when and if they chose to address the NGR population, and a toolkit will be made available to states who desired to do so.

Compact Statute Citation Correction

Chair Anastasio deferred the floor to General Counsel to provide a background on the issue.

Background

Ms. Nance thanked Commissioner Rasmussen for bringing the item to the Commission's attention, which had been discussed in the virtual Tier Group meetings earlier this year. She referenced Counsel's memorandum in the Docket Book and reported the citation regarding active-duty status was incorrectly cited in the model statute. It

was a drafting error which traced back to the USDoD when the model compact language was developed. Consequently, the error appears in the statutes adopted by most states and appears in the DoDI or Department of Defense Instruction. She noted the error is regarding the definition of active duty and cites “section” vs. “chapter”. Counsel said the legislative intent was to cite “chapter” and was recognized as a technical or scrivener’s error. However, if the Compact, under an enforcement action, was challenged under the law, it opened the Compact to exposure. The exposure was knowing there was an error and not correcting it. Ms. Nance noted states may or may not have a technical amendment process, and acknowledged some states were already working on making the correction. In summary, Counsel recommended correction of the error and for members to discuss with their state councils how to accomplish this.

Commissioner Murphy (IN) indicated his state operates under the intent of the language, and they did not have an interest in correcting the citation.

Commissioner Murphy (NH) asked if there was another way to accomplish the task as we spoke at length about the high risk of opening the statute. Ms. Nance acknowledged her concern, and it was under the state processes if there was a technical amendment process available or if it needed to be corrected under a new bill. For states with a technical amendment process, it would be a low-risk process, however, in states in which a new bill would be required, she advised stressing the matter was a technical amendment and to avoid additional amendments.

Mr. Michael clarified the risk was if a rogue local education agency did not agree with the Compact provisions, did not want to recognize the Compact, and if the state was not able to resolve the issue on their own. In this instance, the Commission would likely litigate. From a legal perspective, a judge could interpret the statute based on the incorrect citation and argue that the Compact is not enforceable – completely disregarding intent. Thus, Counsel has recommended the citation be corrected to avoid this scenario. While the situation is highly unlikely, the risk is still present.

Commissioner Douglas Ragland (AL) expressed support in favor of making the correction and asked if there was a time limit on the action. Ms. Nance replied there wasn’t a time limit on the measure.

Mr. Kyle Fairbairn from the Military Impacted Schools Association (MISA) asked if it would be an issue if some states make the correction and others do not. Ms. Nance said it does not affect the Compact and operations - this was a risk mitigation effort. Mr. Michael stated the Compact is a contract, and typically a judge will ask what the intentions of the parties were upon entering the agreement. He added the more states that correct their citation; it would indicate the initial intention of the contract.

Commissioner Orzalli stated his state did not move on this matter as it was pending the decision on the NGR issue. He indicated Massachusetts was in favor of making the citation correction.

Commissioner Lynch expressed concern regarding hidden costs for states to facilitate the correction. He noted assistance and cost may vary depending on the state and their process. Commissioner Weiss reported her state made the correction to the Wisconsin statute and advised states to connect with the legislators on their state council. She added there was no cost to do this as she utilized her connections.

Commissioner French asked for clarification on the item being voted on.

Commissioner Bullard motioned to authorize the Commission to provide support to member states that choose to make the citation correction as they proceed through the technical amendment to their Compact statute process – whether through a technical amendment or full legislative process. This support could be in the form of a legislative toolkit and/or review of proposed legislation or technical language to correct the citation error. The motion was seconded by Commissioner Designee Dunham.

Chair Anastasio called for the vote. The motion passed unanimously.

Special Briefs

MIC3 Past, Present, and Future – Commissioners Susan Haberstroh, Lynch, and Kraeger provided an overview of the organization's history, from its beginning to present-day, and what's ahead.

Strategic Plan – Mr. Brian Riggs, Consultant, Riggs Enterprises, presented the new third strategic plan, and an overview of the development process.

Committee Reports

Compliance – Chair Bullard reported he was appointed as the committee chair in the Fall of 2021. He expressed appreciation for his predecessor, Daron Korte (MN), who could not be present at the ABM, and his leadership. He referenced the Compact Rules, Chapter 700 – Oversight, Enforcement, and Dispute Resolution provide the Compliance Committee with its mission. Section 7.101-7.103 provides guidance to the Commission for informing, resolving, and enforcing Compliance of the Compact Articles on the member states. He stated MIC3 is one of only six Interstate Compacts adopted by all 50 states and the District of Columbia, and states became members of the Compact by adopting the Model Compact Language. He was pleased to report there were zero Commissioner vacancies which was a milestone for the Commission. He attributed this success to the hard work of the National Office and collaboration with state appointing authority, as well as Boards and Commission offices to fill vacancies quickly. Overall, a tremendous amount of time was spent maintaining relationships with each state to smooth transitions between appointments.

As outlined in *1-2017 State Coordination Policy*, Bullard noted each member state was required to submit the following by June 30th of each year to the National Office: 1) State Council Membership roster; 2) identify or confirm two points of contact for their state; and 3) provide a summary of accomplishments, activities, and presentations for the previous year. The Compliance Committee was tasked with defining and communicating both compliance expectations and responsibilities, and providing how the National Office can assist states when compliance issues arise. The Committee was also tasked with communicating compliance expectations and highlighting those states that are meeting those expectations.

To accomplish this, the Committee ensures each member state holds at minimum one state council meeting annually, although states may hold more than this. When Fiscal Year 2022 ended, 98% of member states had held at least one meeting, and he was happy to report the outstanding member states scheduled meetings before ABM. Those meetings were not reflected in this presentation but would be counted for FY2022.

Goal #2 highlights how the National Office can assist states, so they remain compliant with the Compact. In FY2022, the National Office helped with state council meetings, including hosting meetings utilizing the Zoom platform, preparing agendas and minutes, and briefing on topics for consideration by the Commission.

The National Office also drafts and disseminates reminders to Commissioners on behalf of and at the direction of the Compliance Committee. In FY22, the National Office composed two memos and numerous reminder emails requesting states submit Code of Conduct and Conflict of Interest forms, End-of-Year Reports, and hold a state council meeting to assist the Compliance Committee. under Goal #2 was Tactic #3, which had been handled through the Executive Director and the efforts of the National Office by providing support and assistance in organizing state council meetings when needed.

In addition, ED Imai strengthened the existing onboarding process for newly appointed Commissioners. Prior to this, new members would wait until the ABM to be trained and onboarded. The current process consists of three one-hour sessions focused on the Commission's purpose and implementation, operational and financial structure, Compact 101 Training, and identifying needs and gaps in their state.

Bullard reported the Compliance Committee, to support the National Office's efforts, disseminated an annual memo outlining the *Expectations for a Commissioner's Participation and Engagement at the Annual Business Meeting and Standing Committee Meetings*. Regarding FY2022 State Council Meetings, as noted previously, 98% of the member states held State Council meetings for a total of 67 meetings. This was remarkable given that nine

states appointed new Commissioners during the time period of June 2021 to July 2022. He added the Annual Report illustrates the work of the Compliance Committee in FY22. Finally, as of October 7, 2022, there was 100% compliance regarding state council meetings. He recognized the hard work of the Compliance Committee and thanked them for their support during his first year as Chair.

Commissioner Khieem Jackson (CA) asked for clarity between default and non-compliance. Commissioner Bullard replied a default is an official finding by the Committee that you are not in compliance. He added the Committee contacts members to work toward resolution before placing a state in default. A default would occur only if the resolution process had failed.

Commissioner Jackson (CA) said a member state should not find themselves in default without notification, and in his case, California's attorney general received a default letter regarding a student case. Ms. Nance stated while the compliance escalation process exists, the case resolution and default process depend on the scenario, nature of the enforcement issue, time sensitivity, and how it comes to the attention of the Commission. Chair Anastasio highlighted the importance of keeping the students' needs at hand, especially as any delay in resolution may adversely affect the students' situation - therefore, time is a factor in decision-making.

Commissioner Weiss said she was not aware of the California case details; however, she asked where in the commission documents is enforcement outlined and where she could find the resolution process. Mr. Michael noted the Compliance Committee adopted Policy #1-2019 which outlined the resolution levels. He noted while default is a technical term that is not within the Compact definitions, under the Compact statute, the Commission, can find a state in default. Commissioner Weiss thanked Mr. Michael and stated she was aware of the policy as she serves on the Compliance Committee that developed the document. She also noted Commission documents should not be written for lawyers and should be written for commissioners to understand easily.

Commissioner Jackson (CA) expressed appreciation for the National Office staff, however, at times, they diverged on the interpretation of the issue at hand. He said a series of administrative processes should be followed and he was notified by a letter that the state was in default. While the case was ultimately resolved, he was concerned that a letter was received, especially when there isn't a specific timeline that states need to follow to resolve a case. Additionally, he asked if Counsel represents him or the Commission, especially as he is a volunteer in his role. He does not work for the state department of education, does not have Counsel or legal representation to represent him, nor does he have the resources to do so. Ms. Nance stated they, as Counsel, represent the Commission. In speaking to the default, she noted a default rests with the member state, not the individual Commissioner. Commissioner Jackson (CA) wanted it noted for the record while he appreciated the leadership of ED Imai, Chair Anastasio, and Ms. Nance, there was discord regarding the student case, however, he felt they were on the same page in seeking a resolution.

Ms. Hamon stated military families are stationed at a duty station for two to three years, and the resolution of a case should not take multiple years to accomplish.

Communications and Outreach – Commissioner Delbridge expressed appreciation for Commissioner Henry and those who built the foundation of the Committee. Under the strategic plan, the first goal was clarity and awareness – to enhance the Commission's visibility. The committee's message is to educate on who we are, what we do, and how we can get the information out to those that need it. The Committee developed a communications plan to promote programs and resources through Constant Contact and social media to stakeholders and the public. This included expansion of social media to include Twitter and Instagram; dissemination of monthly newsletters; and promotion during the standing committee meetings. The Committee also developed a Superintendent Memorandum template for states to personalize and promote the Compact to school districts across the state; a new banner; value one pager; and a social media postcard. Commissioner Delbridge reported new webinars were developed on relevant contact to assist members with the implementation of the Compact programs. He emphasized the Committee continues to promote the products developed by colleagues and standing committees. He concluded his report by highlighting the Month of the Military Child and the Toolkit updated by the Committee and utilized by states.

Commissioner Kraeger expressed appreciation to the National Office and leadership for their hard work and focus on building relationships. She recently attended the National Association of Federally Impacted Schools conference, and nearly every speaker mentioned MIC3. This was a testament to the ongoing partnerships our leadership was building across organizations and educating stakeholders on what we do.

Tier Group Breakouts (For Commissioners and Ex-officio)

The Tier Groups met respectively to discuss the data collection clause in the compact statute.

Tier 1: Commissioner Mary Gable (MD) facilitated the group on behalf of Commissioner Keith Owen (CO) who was not present. The group asked for legal clarity on: 1) if the rule was repealed, would this action impact the Compact language, which includes “shalls” in it - shall collect, shall monitor, etc.), and if so, would we be in non-compliance?; 2) does the military identifier cover this?; and 3) if states were directed to collect data, how would we fund the effort as most programs are unfunded mandates and would require resources. Overall, collecting any type of data was time-intensive and costly, however, if it was required, the reporting frequency would need to be determined.

Tier 2: Commissioner Jackson (NY) reported the group said data was important; however, could not individually mandate this to be implemented. If it was pursued, could the Commission work with the USDoD to accomplish this task? Transparency was important, and the group emphasized identifying the need and how the data would be utilized was key.

Tier 3: Commissioner Rasmussen noted the same statements made by his peers, and emphasized data accuracy was paramount. They also asked if the data being sought was to assess if the Commission was meeting its mandate, and if so, this data may not be the best way to assess this – and other options should be considered. Their recommendation was the rule should be repealed.

Chair Anastasio stated Tier Group 4’s facilitator, Commissioner Hunt, had stepped away from the meeting, and a full report would be provided to the Commission on their discussion. Chair Anastasio thanked members for a good and thoughtful discussion on the matter.

Chair Anastasio recessed the meeting at 5:00 PM CT.

Call to Order

National Commission Chair Laura Anastasio (CT) called the meeting to order on Thursday, October 20, at 8:01 AM CT.

Roll Call

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

STATE	SAL.	NAME	STATE	SAL.	NAME
ALABAMA	Dr.	Douglas Ragland	NEVADA	Ms.	Felicia Gonzales
ALASKA	Mr.	Grant Robinson	NEW HAMPSHIRE	Dr.	Kathleen Murphy
ARIZONA	Mr.	Peter Liang	NEW JERSEY	Mr.	Tony Trongone
ARKANSAS	Mr.	John “Don” Kaminar	NEW MEXICO	Ms.	Teresa Ferenczhalmly
CALIFORNIA	Mr.	Khieem Jackson	NEW YORK	Dr.	Debra Jackson
COLORADO	Dr.	Montina Romero*	NORTH CAROLINA	Mr.	Nickolas Sojka, Jr.
CONNECTICUT	Ms.	Laura Anastasio	NORTH DAKOTA	Ms.	Davina French
DELAWARE	Dr.	Michael Rodriguez	OHIO	Mr.	Pete Lupiba
DISTRICT OF COLUMBIA	Ms.	Clara Botstein	OKLAHOMA	Dr.	Darrell Floyd
FLORIDA	Mr.	Bob Buehn	OREGON	Ms.	Cindy Hunt
GEORGIA	Ms.	Patricia Ross*	PENNSYLVANIA	Ms.	Barbara Clemmer

HAWAII	Ms.	Cherry Okahara*	RHODE ISLAND	Ms.	Rosemarie Kraeger
IDAHO	Mr.	Tim McMurtrey	SOUTH CAROLINA	Dr.	Tremekia Priester
ILLINOIS	Dr.	John Price*	SOUTH DAKOTA	Ms.	Ann Pettit
INDIANA	Mr.	Brian Murphy	TEXAS	Ms.	Shelly Ramos
KANSAS	Mr.	Craig Neuenswander	UTAH	Mr.	Ben Rasmussen
KENTUCKY	Mr.	Steven Bullard	VERMONT	Mr.	David Young
LOUISIANA	Dr.	Ernise Singleton	VIRGINIA	Mr.	Dan Dunham
MARYLAND	Ms.	Mary Gable	WASHINGTON	Mr.	Greg Lynch
MASSACHUSETTS	Mr.	J. Clarke Orzalli	WEST VIRGINIA	Mr.	Phillip Cantrell
MICHIGAN	Mr.	Mike Price	WISCONSIN	Ms.	Shelley Joan Weiss
MINNESOTA	Ms.	Wendy Hatch*	WYOMING	Mr.	Chad Delbridge
MISSOURI	Dr.	Brian Henry	USDOD REP**	Ms.	Dianna Ganote
MONTANA	Mr.	Ray Shaw	MISA**	Mr.	Kyle Fairbairn
NEBRASKA	Mr.	Brian Halstead	NMFA**	Ms.	Caitlin Hamon

*Proxy, **Ex-officio (non-voting member)

NOT IN ATTENDANCE		
STATE/ORGANIZATION	SAL.	NAME
IOWA	Ms.	Laura Kacer
MAINE	Ms.	Sarah Forster
MISSISSIPPI	Ms.	Kristen Windham
TENNESSEE	Ms.	Deanna McLaughlin
MCEC	Dr.	Becky Porter
NFHS	Mr.	Davis Whitfield

Committee Reports (continued)

Training – Commissioner Shelly Ramos (TX) provided an update on the Commissioner Mentoring Program, which was launched this past year. The program matches new commissioners with current or former commissioners to help acclimate them to their new position. She introduced the new Terminology Card and Training Videos which were available on mic3.net. Finally, she announced the Committee was working on a new online, on-demand, Learning Management System targeted for launch next year. Finally, she provided an update on training activities by the National Office.

Finance – Treasurer and Finance Chair, Brian Henry (MO) provided an overview of the Committee’s work over the past year which included the Operations Audit, producing a Guidance to assist states who wish to obtain state budget funding for their Compact programs. For FY2022, he reported 100% of dues had been collected and the Commission ended the year 19% under budget. He attributed the lower expenses to the Commission coming out of COVID. He noted the Committee recognized increases in several areas such as travel, therefore, they approved an increase to the Commissioner airfare cap from \$700 to \$1,200 for the ABM. In addition, the Commission launched a new service award program, which required purchasing new pins for commissioners which would be bestowed when the milestone was attained; and the National Office purchased a new office printer and ink. He noted the audit had been completed which reported the finances were in good standing. Treasurer Henry reported on the status of the first quarter FY2022 Dues, Balance, and Revenue & Expenditures, which were in line with the new year expenditures; as well as the history of the Vanguard Investments. Finally, he proposed the FY2024 Dues and Budget proposals which would be voted on later under the Docket under Action Items.

Rules – Commissioner Gable reviewed the proposed rules Technical Amendments: Chapter 100, SEC. 1.101: Definitions; Chapter 300, SEC. 3.102: Application for Transfer of Student Records and Enrollment; and Chapter 600, SEC. 6.102: Eligibility for Extracurricular Participation. These items would be voted on later in the Docket under Action Items.

Ex-Officio Members

Updates were briefed by the five ex-officio, non-voting, members of the Commission which include the: National Federation of State High School Associations – Davis Whitfield; Military Impacted School Association – Kyle Fairbairn; Military Child Education Coalition – Dr. Becky Porter; National Military Family Association – Caitlin Hamon; and the U.S. Department of Defense – Dianna Ganote, Military Representative to the Commission. Note: MCEC and NFHS delivered their reports virtually via Zoom.

Special Briefs

Defense-State Liaison Office – Mr. Jeremy Hilton, South Central Regional Liaison, Defense-State Liaison Office, USDoD, presented an overview of the Office, and briefed the outcomes for 2022, and key issues for 2023 which include; Enhanced Military Spouse Licensure Portability; Military Spouse Occupational Licensure Access; Licensing Compacts; Purple Star Schools Program; Open Enrollment Flexibility; Child Abuse Identification and Reporting; Concurrent Juvenile Jurisdiction; Defining Armed Forces in State Policy (New); Military and Family Life Counselor Licensure Waiver (New); and Licensure Exemptions for Military Family Child Care Providers (New),

National Center for Interstate Compacts (NCIC) – Mr. Dan Logsdon, Executive Director, provided an overview of the NCIC which is part of the Council of State Governments. NCIC also coordinated the development of the Military Compact with the USDoD in 2006. He highlighted current projects which include the occupational licensure compacts such as teacher's licensure.

Panels

Bloom Military Teens – The teen founders of Bloom, shared their perspective on being a military kid, the impact of moving states and schools, and dealing with transition.

Military School Perspectives – facilitated by Vice Chair Singleton which included the following:

- Wendy Nakasone-Kalani, School Liaison at Schofield Barracks, US Army Garrison Hawaii; Keith Mispagel, Superintendent, Fort Leavenworth, Kansas; Chad Delbridge, Wyoming Commissioner and Principal of Freedom Elementary; and Helen Payne, Superintendent, North Hanover Schools, New Jersey.
- Panelists expressed the biggest challenge in working with military students was dealing with the impact of the pandemic in a post-pandemic time: 1) Moving from being remote to being back in person. Student challenges with how to act socially and work with others, including the teachers and classmates. 2) Mental and behavioral healthcare; 3) There was a lack of resources and service providers to meet the need and demand; 4) Students moving from receipt of services remotely and moving back to in-person; 5) Dealing with emotions and behaviors of students and teaching them how to express themselves and make good choices; 6) Student learning loss; 7) Retaining staff and filling vacancies.
- The panelists said the most important factor in dealing with the challenges was open communication in multiple avenues with families and key stakeholders. They noted how people stepped up in their roles beyond their job responsibilities to meet the needs as necessary. They emphasized the importance of building strong working relationships to help deal with the crises and issues as they arose was key.
- They also shared cases in which the compact had helped military kids: In the post-pandemic world, the new normal was equally a challenge and unknown territory, and the impact was going to be felt and dealt with for a long time.

Video Highlights

Videos underscoring Commission and state activities during the Month of the Military Child in April were highlighted throughout the meeting from Colorado, Wyoming, New York, and Wisconsin. Commissioner Delbridge shared the PurpleUp! video compilation produced by the Communications and Outreach Committee.

Action Items

- 2023-2025 Strategic Plan
 - **Commissioner Bullard moved to accept the new strategic plan proposal. The motion was seconded by Commissioner Kaminar. The motion carried unanimously.**

- FY2024 Dues and Budget Proposal
 - **Commissioner Lynch moved to accept the 2024 Dues and Budget proposals. The motion was seconded by Commissioner Kraeger. The motion carried unanimously.**
- Rules Amendments
 - Technical Amendments
 - **Commissioner Clara Botstein (DC) moved to adopt the technical amendments to the rules with one amendment to strike the “an” in 4.101. The motion was seconded by Commissioner Ramos. The motion carried unanimously.**
 - Chapter 100, SEC. 1.101: Definitions
 - **Commissioner Price (MI) moved to adopt Chapter 100, SEC. 1.101: Definitions. The motion was seconded by Commissioner Rasmussen. The motion carried unanimously.**
 - Chapter 300, SEC. 3.102: Application for Transfer of Student Records and Enrollment
 - **Commissioner French moved to adopt Chapter 300, SEC. 3.102: Application for Transfer of Student Records and Enrollment. The motion was seconded by Commissioner Weiss. The motion carried unanimously.**
 - Chapter 600, SEC. 6.102: Eligibility for Extracurricular Participation –
 - **Commissioner Darrel Floyd (OK) moved to adopt Chapter 600, SEC. 6.102: Eligibility for Extracurricular Participation. The motion was seconded by Commissioner Designee Dan Dunham. The motion carried unanimously.**
- Consent Agenda: #1-2022 COVID-19 Vaccination and #2-2022 Open Records Policy
 - **Commissioner Rasmussen moved to adopt the Consent Agenda policies. The motion was seconded by Commissioner Kraeger. The motion carried unanimously.**

Elections

Commissioner Kaminar introduced the slate of candidates for chair, vice chair, and treasurer, which were Commissioner Anastasio, Singleton, and Henry, respectively.

- **Commissioner Bullard motioned to approve the slate. The motion was seconded by Commissioner Douglas Ragland (AL). The motion carried unanimously.**

Awards and Recognition

Stephanie Ramsey, Communications Associate briefed the Awards Program, process, and requirements. She recognized the recipients for 2022, and new commissioner mentors for their volunteerism and support. Finally, she reminded members to contact the National Office should they want to request a Community Award for an outgoing state council member or individuals that have contributed or added value to the state programming.

Future ABM's

Chair Anastasio reminded the Commission that the 2024 ABM would be held in Richmond, Virginia. She stated a location had not been selected for 2025 and asked members to indicate if they were interested. The Commissioners from California, Montana, Utah, and New Mexico indicated interest in hosting the meeting. She noted the National Office would research feasibility of the locales for the meeting.

Announcements and Closing Comments

Chair Anastasio thanked members of the Commission for their time and attendance, as all items on the agenda had been addressed. She reminded Members to complete the post-ABM survey that would be disseminated via Constant Contact following the conclusion of the meeting. ED Imai also reminded Members to review the Travel Policy and file their reimbursement timely. Submittals could be sent by email or mailed via post to the National Office.

Adjournment

With no further business to conduct, Chair Anastasio adjourned the meeting at 2:42 PM CT.