



MILITARY INTERSTATE
CHILDREN'S COMPACT
COMMISSION

RULES COMMITTEE MINUTES

FISCAL YEAR 2022

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RULES COMMITTEE MINUTES
Tuesday, August 17, 2021

PRESENT	Mary Gable Kathleen Berg Daniel Dunham Darrell Floyd Cindy Hunt Deanna McLaughlin Ben Rasmussen	Maryland Commissioner Hawaii Commissioner Virginia Commissioner Designee Oklahoma Commissioner Oregon Commissioner Tennessee Commissioner Utah Commissioner	Chair
EXCUSED	Susan Haberstroh	Delaware Commissioner	
STAFF	Cherise Imai Lindsey Dablow	Executive Director Training and Operations Associate	

ITEM 1 – CALL TO ORDER

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

ITEM 2 – ROLL CALL

2. Roll call was taken by Cherise Imai, Executive Director (ED). A quorum was established.

ITEM 3 – APPROVAL OF AGENDA

3. Commissioner Kathleen Berg (HI) motioned to approve the agenda as presented. The motion was seconded by Commissioner Designee Daniel Dunham (VA). Motion carried.

ITEM 4 – APPROVAL OF MINUTES FROM JUNE 15, 2021

4. Commissioner Ben Rasmussen (UT) motioned to approve the minutes as presented. The motion was seconded by Commissioner Darrell Floyd (OK). Motion carried.

ITEM 5 – REPORTS

5. **Executive Committee** – Commissioner Gable was absent at the last EXCOM meeting and asked the National Office staff to give the report. ED Imai summarized the meeting from July 15th, 2021. ED Imai said she reported on State Council meetings she had attended: New Jersey, California and Hawaii. The EXCOM reviewed the recent training during the National Training Seminar held by the Military Child Education Coalition that was held in July; Midwest Superintendent meeting in Chicago was also in July; Military Impacted Schools Association virtual summer meeting and a training in Alabama. ED Imai also said there is an article being written on the Commission and that more information would be released in the upcoming ED Update. She also stated they had been approached by the Office of Migratory Education that handles migratory students and their leadership want to have a meeting to find out more about creating their own Interstate Compact Commission. She also said that CSG has applied for a Paycheck Protection Program (PPP) loan and MIC3, as an affiliate, was included in the loan. MIC3 did receive reimbursement from that process. They discussed the Successful Compact Transition Video program the Communication and Outreach (C&O) Committee

launched and that had not received any submittals. They will relaunch in the fall and hopefully will receive videos. C&O also released a cover letter and updated toolkits completing one of their priorities in the strategic plan. Training is working on making shorter training videos to expand training resources. The first video will be the graduation video to be released at the Annual Business Meeting (ABM). Leadership Nominating Committee is preparing for elections in the fall and are considering what the format will be if it is virtual. The operations audit, under guidance of the Finance Committee, is in process and the result will be released at the ABM. Approval was given to the Federal and State Legislation Policy Tracking Report. This will help the states that are not plugged into their state's military education policy. They discussed ABM and awards. The organization Partners in Promise's Executive Director presented an overview of their organization. Commissioner Rasmussen (UT) had a question regarding the PPP loan. ED Imai answered the PPP loan is a reimbursement that covers salaries and benefits due to the employees during the pandemic. Since MIC3 is an affiliate of CSG they were included in this. Ms. Dablow also added that it is a payment protection program. It helped employers retain their employees throughout COVID-19, it is a federal government program. Commissioner Designee Dunham asked if that meant that CSG now has extra funds. ED Imai answered it was reimbursed to last year's fiscal year. It will show as a revenue and the Finance Committee will review it. The money goes into the reserve. Commissioner Berg said that the money could be used to cover any loss from ABM. Commissioner Deanna McLaughlin (TN) added that ABM was already included in the budget and that this money is just extra that will be in the reserves. ED Imai said that was correct. Commissioner McLaughlin also asked if they will be voting on the National Guard and Reserve at ABM. ED Imai answered that voting is the intent.

ITEM 6 – NEW BUSINESS

6. **Amend Policy**– Commissioner Gable explained they needed to vote on the addition of the MIC3 Merit Award that would be added to the Awards Policy. Commissioner Berg motioned to approve the policy, Commissioner Cindy Hunt (OR) seconded. Commissioner Gable opened the floor for discussion. Commissioner Berg had two questions; her first regarded section IV and V and wanted to know if Commissioner Designees could also be added alongside State Commissioners. ED Imai answered that they can be added to both sections. Commissioner Berg's second question regarded Section V. B; she stated that a verb was missing. Commissioner Gable summarized that Section IV. A and Section V. A needed an "and designee" added. ED Imai said that section VI. A should be "and/or" and that it will be corrected. Commissioner Gable added that Section V. B should be changed to "the award is made when" and that Designee should also be added. Commissioner Gable asked if there were any other concerns. Commissioner Berg said that in the very last paragraph (VI. B) that State Designee should also be added. She suggested the easiest way to do it would be to add "/State Designee" after State Commissioner. ED Imai noted for the record that this award was a task from the strategic plan for the Executive Committee and the award policy will close out one of their goals. ED Imai also noted that this award will be presented at the Annual Business Meeting during the reception, and it will be launched this year in 2021. Commissioner Berg motioned for the policy to be passed with the corrections. Commissioner Designee Dunham seconded. Motion carried.

ITEM 7 – OLD BUSINESS

7. **FY21 Case and Inquiry Report** -- ED Imai presented the Case and Inquiry Report and started with the summary. ED Imai stated the report only covers the cases that have been sent to the National Office. She noted that the total cases were 54; slightly lower than years past, but that this could reflect COVID-19. She stated most cases were from parents and most inquiries were not Compact related. The highest not applicable case topics were school choice and school enrollment documents. ED Imai

also highlighted that under the receiving states healing, most were from higher impacted states. Tier 1 had the majority of cases at 41%, Tier 2 and Tier 3 were both at 17% and Tier 4 had the lowest at 9%.

8. Commissioner Berg suggested that the National Office track their conversations with parents when they direct them to another agency. This way it gives credit to the National Office when they do assist with a case even though it is not related to the Compact. ED Imai answered that they had been getting more referrals this past year as they have been doing virtual trainings. ED Imai also stated the National Office should capture where or how the parent found out about the Compact. She also noted the not applicable case topics is interesting to see the different type of situations families find themselves in. ED Imai said these cases are significant because the National Office refers to them in training. Lindsey Dablow, Training and Operations Associate, uses the cases in the Compact 201 training so the audience can see real life scenarios of how the Compact has assisted.

9. Commissioner Designee Dunham asked what the percentages beside the receiving state represented. ED Imai responded that the percentages represent the percentage of the total. Commissioner Dunham said it does not seem correct and that the percentages seem off. ED Imai responded that the National Office would fix that error for the Docket Book. Commissioner Berg asked if these cases were only ones that came directly to the National Office or if some of the cases were from Commissioners. ED Imai answered that these were only a reflection of cases that came directly to the National Office. Commissioner Berg asked about the case submission form that Commissioners can fill out and if it is still being used. ED Imai said that the case submission is still active, and it is not being used as much. But perhaps it should be pushed out more at ABM to emphasize that resource.

ITEM 8 – OTHER BUSINESS AND ANNOUNCEMENTS

10. **Feedback for the EXCOM** - ED Imai gave an update on ABM, and said it is set up to be hybrid because there was concern with Arkansas COVID-19 case numbers. She said that the decision for it to be moved fully virtual would have to be decided by the EXCOM. Commissioner Gable asked if anyone had any concern regarding ABM. Commissioner Berg said that she was undecided if she would attend, and she was upset with the current Arkansas case numbers. She also asked what the date was they had to commit to the hotel. Ms. Dablow answered that she recommends that commissioners go ahead and book their room as they can cancel their room up until the day before ABM. Commissioner Hunt encouraged ED Imai to look into how many hospital beds are opened in Arkansas as well as policies regarding face coverings to be weighed into her decision. ED Imai answered that Arkansas has no face coverings law.

11. ED Imai also stated she would be meeting with Commissioner Kaminar who would have all the data ready to share. ED Imai assured the Committee, Commissioner Kaminar and the EXCOM are concerned about the health and safety of the attendees. She said when they had begun planning months ago, everyone's numbers were down, and it was unexpected that the cases rose so quickly. Commissioner Dunham wanted to point out in Virginia he has seen a rise in calls of parents wanting to enroll their children in the virtual program that is state-wide for military families. The cutoff date for this program has passed and military families that have arrived in July and August to Virginia have missed the deadline. Virginia schools are requiring face-to-face instruction. Commissioner Berg shared that Hawaii is having the same problem with not enough space in virtual learning for military families.

12. **Proposed Rule or Amendment to Rules Calendar** - Commissioner Gable went over the announcements, stating that the August meeting is the final meeting. She reminded

the Committee of the upcoming Commissioner Townhall: ABM Review and Discussion would be held Wednesday, August 18, 2021, at 2:00 PM ET. Also, the End-of-Year Reports are due Tuesday, August 31, 2021.

ITEM 9 - ADJOURNMENT

13. With no further business to conduct, Commissioner Designee Dunham motioned to adjourn the meeting. Commissioner Hunt seconded the motion. Motion carried. The meeting was adjourned at 2:53 PM EDT.

RULES COMMITTEE MINUTES
Tuesday, February 8, 2022

PRESENT	Mary Gable Kathleen Berg Daniel Dunham Darrell Floyd Ben Rasmussen Cindy Hunt	Maryland Commissioner Hawaii Commissioner Virginia Commissioner Designee Oklahoma Commissioner Utah Commissioner Oregon Commissioner	Chair
EXCUSED	Susan Haberstroh Davina French Phillip Cantrell	Delaware Commissioner North Dakota Commissioner West Virginia 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 Commissioner Mary Gable (MD) at 2:01 PM EDT.

ITEM 2 – ROLL CALL

2. Roll call was taken by Stephanie Ramsey, Communications Associate. A quorum was established.

ITEM 3 – APPROVAL OF AGENDA

3. Commissioner Designee Daniel Dunham (VA) motioned to approve the agenda as presented. The motion was seconded by Commissioner Ben Rasmussen (UT). Motion carried.

ITEM 4 – APPROVAL OF MINUTES FROM JUNE 15, 2021

4. Commissioner Rasmussen motioned to approve the minutes as amended. The motion was seconded by Commissioner Kathleen Berg (HI). Motion carried.

ITEM 5 – REPORTS

5. **Executive Committee (EXCOM)** – Commissioner Gable deferred to Executive Director (ED) Cherise Imai to provide an overview. She noted in April the EXCOM will meet in person in Lexington, KY for the first time in three years due to the pandemic. The focus of the meeting will be to conduct general business and to develop the new three-year Strategic Plan. ED Imai reported Brian Riggs, Consultant, will contact various Commissioners to obtain feedback to develop the next Strategic Plan. ED Imai reported they discussed the post Annual Business Meeting (ABM) survey results, and that feedback will also be included in the strategic planning process. The EXCOM also discussed reintroducing the Tier Groups meetings and holding those virtually this year. ED Imai stated Jenny Cogbill's Research Survey on the Commission was released.

ITEM 6 – NEW BUSINESS

6. **FY22 Case and Inquiry Report** – Training and Operations Associate Lindsey Dablow stated most cases pertain to requests for assistance from commissioners or parents. A majority of cases are not Compact related. Ms. Dablow also pointed out that under the “Not Applicable Case Topic” most cases dealt with School Choice, which the Commission saw frequently last year. For cases that were applicable to the Compact; Placement and Enrollment had the highest percentage. In alignment with previous years, Tier One states, which are most heavily impacted, had the majority of cases.

7. Ms. Dablow highlighted a recent California Case regarding World History. This case has been ongoing since September 2021, but the National Office was not contacted until January 2022. Ms. Dablow summarized the case and noted the CA Commissioner requested legal counsel. She stated that because the Commissioner requested legal assistance, the case has been presented to the EXCOM and the Compliance Committee due to potential increase in legal fees for the Commission. EXCOM agreed to secure legal counsel to assist with the California case. Commissioner Designee Dunham had a question regarding the Inquiry Report Summary. He asked about the categorization of a case that fell under Charter School Inclusion and why that was classified as not compact related instead of compact related. Ms. Dablow responded that this specific case was regarding how the school administered their enrollment lottery but that she would move the case under compact related.

8. **Policy Review** – ED Imai presented *1-2022 Policy for COVID-19 Vaccination* for review. She explained the policy is a Council of State Governments’ (CSG) policy and MIC3, as an affiliate group, would have to adhere to the policy. Commissioner Rasmussen asked if MIC3 was referred to as a federal contractor because the parent organizer accepts federal funds. ED Imai responded he was correct that CSG is a federal contractor, but MIC3 is not because MIC3 does not accept any federal funds. Commissioner Berg added that because MIC3 uses CSG’s facilities, it makes them subject to this mandate. Commissioner Berg motioned to approve the policy and Commissioner Darrell Floyd (OK) seconded. Commissioner Rasmussen abstained. Motion carried.

9. **Open Records Request** – ED Imai explained the Commission has received an increase in requests for information requests pertaining to records and historical documentation. She added addressing has proven difficult and time consuming for staff. A policy would help set the parameters of what can be requested and would also set a standard timeframe for requests to be processed. ED Imai shared Kentucky’s Open Records Act and requested the Committee’s thoughts on proceeding with a similar structure to develop a policy to address this issue. Commissioner Berg voiced her concerns of privacy for school-aged children as Kentucky Open Records Act is very broad. Commissioner Berg asked ED Imai if she has gotten requests for records that would contain identifiable information. ED Imai answered that when asked for details on cases, the Commission always is careful to leave out details that would identify a specific child or school district.

10. ED Imai said that her biggest concern was getting requests for information that is archived and hard to obtain, even with time-consuming research. Commissioner Berg noted the Compact’s archives would be hard to sort through as they are not set up to be searchable. ED Imai also stated that the policy would establish what the requestor would need to pay in fees for hard copies, as the Commission must pay for printing services and the time it takes to process

requests. ED Imai emphasized this policy would set a timeframe for the Commission to respond to a request.

11. It would also establish the intentions of the requestor whether the information is being used for research or personal use. Commissioner Floyd asked if the language of the policy protects against what format the material would be sent. ED Imai answered that the Kentucky State Police uses a form document that the Commission could use as a template. The Kentucky State Police document outlines the type of information that can be requested, a timeframe, what format, and what the information would be used for. Chair Gable asked if the National Office has looked at any Kentucky public schools records request process. ED Imai said she would research it and provide information to the Committee at their next meeting. Chair Gable said this would be useful in protecting children and their privacy. Chair Gable also added it would be good to have established parameters for requestors. Commissioner Rasmussen added that he is the public records officer for his agency and that the policy should have fees for paper copies and shipping. Commissioner Floyd stated this policy would be beneficial in protecting MIC3 and not having to accommodate every request. ED Imai said a draft policy would be presented at the next meeting.

12. **Compact Rules Review** – Chair Gable said it had been sometime since the last Compact Rules review, so the Committee has been asked to do a thorough review of the current Rules. ED Imai added that Commissioner Berg has raised concerns regarding a Hawaii case on Rule SEC 3.102 which has formatting errors. Chair Gable asked Commissioner Berg to share the case. Commissioner Berg said she was contacted by a school liaison regarding a 4-year-old child that had moved from Maine. The child did not meet the kindergarten entry age in Hawaii, which is 5 years old, by July 31. Commissioner Berg sought to reference this Rule to back up the decision for this child not being admitted to kindergarten but found a formatting error within the Rule.

13. The case also dealt with accreditation as the child had come from a school in Maine that was non-accredited. Commissioner Berg found accreditation is not defined in the Rules book, making it unclear, with state-to-state transfers, how accreditation is defined. Commissioner Berg has requested legal review regarding the definition of an “accredited school”, and how it should be applied in reference to the Compact. Commissioner Berg requested the Committee’s permission to move forward with a review by legal counsel. Chair Gable shared that she has dealt a lot with accreditation and agreed it varies vastly from state to state. She stated the definition would need to be broad so as not to create unnecessary constraint for states. Commissioner Rasmussen stated in Utah, accreditation only applies to secondary schools and the situation with kindergartens would not apply. Chair Gable called for the motion. Commissioner Rasmussen motioned to request a Legal Advisory on kindergarten accreditation. The motion was seconded by Commissioner Designee Dunham. Motion carried.

ITEM 7 – OLD BUSINESS

14. Commissioner Floyd asked ED Imai about a recent case regarding a New York student that moved to Fort Sill in Oklahoma, and the family wanted their child to attend a small school outside the district to play basketball. The school liaison told them they can, but Commissioner Floyd told them no, that they can’t supersede Oklahoma’s athletics association regulations. The question arose would it make a difference if it was the student’s first entrance into high school. ED Imai answered that she reviewed the Oklahoma athletic rule, and it did state that if it was the first school the student attended in Oklahoma, it would be allowed but would not apply to this case since the student is already attending a school in Oklahoma.

ITEM 8 – OTHER BUSINESS AND ANNOUNCEMENTS

15. **Feedback for the EXCOM** – Commissioner Designee Dunham shared that the MIC3 team is providing excellent service. There was a recent incident on Facebook and the National Office was quick to make Commissioner Designee Dunham aware of the situation and it was resolved quickly. Commissioner Berg also gave praise to the monthly Compact 101 courses that are being held virtually.

16. **Upcoming Webinar** – ED Imai shared the upcoming webinar for February that MIC3 is presenting will be on the Military Child Education Coalition's cloud-based student record-keeping system SchoolQuest™. The webinar will take place on February 16th at 2:00 PM EST.

17. **Follow MIC3** – Lastly, Chair Gable reminded the Committee to follow MIC3 on social media to keep up with upcoming events.

ITEM 9 - ADJOURNMENT

18. With no further business to conduct, Commissioner Designee Dunham motioned to adjourn the meeting. Commissioner Rasmussen seconded the motion. Motion carried. Chair Gable adjourned the meeting at 2:59 PM EDT.

RULES COMMITTEE MINUTES
Tuesday, April 12, 2022

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

ITEM 1 – CALL TO ORDER

1. The meeting was called to order by Rules Chair, Commissioner Mary Gable (MD), at 2:01 PM ET.

ITEM 2 – ROLL CALL

2. Roll call was taken by Cherise Imai, Executive Director (ED). A quorum was established.

ITEM 3 – APPROVAL OF AGENDA

3. Commissioner Davina French (ND) motioned to approve the agenda as presented. The motion was seconded by Commissioner Ben Rasmussen (UT). Motion carried.

ITEM 4 – APPROVAL OF MINUTES FROM FEBRUARY 8, 2022

4. Commissioner Darrell Floyd (OK) motioned to approve the minutes as presented. The motion was seconded by Commissioner Rasmussen. Motion carried.

ITEM 5 – REPORTS

5. **Executive Committee (EXCOM)** – Chair Gable deferred to ED Imai to provide an overview of the last EXCOM meeting. She noted the EXCOM will meet for the annual Spring Retreat in person in Lexington, KY on April 19-21, 2022. The focus of the meeting will be to conduct general business and develop the new three-year Strategic Plan. ED Imai reported the Training Committee is reviewing Learning Management Systems (LMS) platforms and will decide which LMS to pursue in upcoming meetings. The Training Committee is also working on Article V training videos that will be launched at the Annual Business Meeting (ABM). The Communication and Outreach Committee has launched the Purple Up! Toolkit and ED Imai

reminded the Committee to utilize the Toolkit during Month of the Military Child. The Compliance Committee is focused on getting the state's End-of-Year reports by the June 30th deadline. ED Imai also noted that the Commission currently had no Commissioner vacancies for the first time in the Commission's history. The Leadership Nomination Committee is working on finalizing the documents for the election process and guide that will be released this summer.

ITEM 6 – NEW BUSINESS

6. **FY22 Case and Inquiry Report** – ED Imai reported that there have been 45 cases that have come to the National Office since the start of the fiscal year in July. ED Imai stated that most cases are not Compact related. ED Imai also pointed out that under the “Not Applicable Case Topic” most cases dealt with School Choice, which the Commission saw frequently last year. The Tier One states, which are most heavily impacted, had the majority of cases. ED Imai also noted that athletic tryouts and high school classes taken in the eighth grade for high school credit have been seen frequently by the National Office in the past year.

7. ED Imai informed the Committee of two cases where legal counsel has been engaged by the EXCOM. These cases, related to extracurricular participation and high school credits earned in the eighth grade, will be discussed by the EXCOM during the Spring Retreat to decide if any further action will be taken.

8. ED Imai highlighted a recent Compact-related success case involving a sixth-grade student transferring between school districts in Oklahoma. This student wanted to participate with the sending school at the upcoming National archery tournament while also being enrolled at the receiving school. This was resolved by allowing the student to compete with the sending school if they remained enrolled in one online class with the sending school thus meeting the conditions of the National Archery in the Schools Program Rule 1.5.2.

9. Commissioner Kathleen Berg (HI) asked if School Liaisons are exempt from the state boards and application process if they want to be a part of the State Council. ED Imai answered that she had spoken to the Department of Defense Representative to the Commission, Chuck Clymer, on developing guidelines that would provide uniformity across the services regarding who can serve on the State Council.

10. **Open Records Request Draft** – The Chair recognized ED Imai to provide background to the Members on this subject. ED Imai summarized why the Commission needs an Open Records Policy stating requests for Commission records and historical documentation has increased over the years. ED Imai also noted that she was advised by legal counsel to create a policy that would define the type of information the Commission can provide. Legal counsel recommended following Kentucky's law on Open Records Request.

11. The Committee discussed the Open Records Request policy draft. Commissioner Rasmussen recommended replacing all the “should” with “shalls” for consistency. He also had a concern regarding *Section IV. Process, subsection iv. State Records* as it states that state specific data will be directed to the state's Compact Commissioner because each state may have different regulations and there is no consistency in what information each state is required to have. The Committee discussed this and agreed to change the language to: *“Request for state specific data or information may or may not be subject to open records laws. A requestor should consult the respective state's open records laws to determine how or if a request is possible.”*

12. Commissioner Hunt asked that *Section II. Applicability* be updated from “KRS Chapter 61.870” to “KRS 61.870- 61.884.” She also asked if certain records should be noted in the policy as exempt to protect privacy such as attorney client privileged information or personal information provided under the understanding it would be kept private such as employee health information, social security numbers, or email addresses.

13. Commissioner Hunt also recommended providing a cost estimate that could include an administrative fee or a fee if the National Office had to contact legal counsel in addition to the cost for paper copies. The Committee discussed and decided to include an administrative fee and a legal fee, if appropriate. Commissioner Rasmussen suggested including language that states the Commission may require the fee be paid in advanced.

14. ED Imai stated staff would take the Committee’s suggestions and edit the policy draft so it can be voted on at the next committee meeting. **(OPEN ITEM)**

15. **Compact Rules Review** – The Committee reviewed Chapters 100-400. Chair Gable suggested the third paragraph of the Introduction to explicitly include “Commissioned Corp of the National Oceanic and Atmospheric Administration and Public Health Services” instead of implying it through the current language regarding uniform services. She also asked if “Active Duty” needed to be further defined, and Commissioner Berg answered as it is Model Compact Language (MCL) it cannot be changed but that further defining “Active Duty” could provide clarity with different interpretations.

16. Commissioner Berg noted the definition of “accreditation” provided by legal counsel should be added to *Chapter 100, SEC. 1.101 Definitions*.

17. Commissioner Rasmussen asked if *Chapter 200, SEC 2.101 (a)(3)* should be deleted as “regional group of States” is not applicable. ED Imai stated it could be further defined to include “by military impaction” to clarify that this refers to Tier Groups. Commissioner Berg added the definition of Tier Group(s) should be added to the Definitions.

18. Commissioner Rasmussen asked if *Chapter 200, SEC 2.101 (l)* is legally allowable, and the Committee decided to request a ruling from legal counsel as this is not in the MCL. Chair Gable stated that under *Chapter 200, SEC 2.101, subsections (e), (f), and (g)* should be reformatted to paragraph numbers and the subsections beginning with the current *subsection (h)* would be reformatted to *subsection (e)*. ED Imai replied that the National Office would review the original red Rules Book and reformat as needed.

19. As the Committee was overtime, ED Imai suggested that she would take the other two comments Commissioner Rasmussen provided prior to the meeting to legal counsel and present that feedback at the next meeting. The Committee decided that for the next meeting they would pick up where they ended for the Rules Review and that ED Imai would present legal counsel’s opinions. The Committee tabled the Legal Advisory on Accreditation requested by the Commissioner from Hawaii for the next meeting. **(OPEN ITEM)**

ITEM 7 - ADJOURNMENT

20. Commissioner Rasmussen motioned to adjourn the meeting. Commissioner Designee Daniel Dunham (VA) seconded the motion. Motion carried. Chair Gable adjourned the meeting at 3:05 PM ET.

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.