

COMPLIANCE COMMITTEE MINUTES

FISCAL YEAR 2023

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# MAY 11, 2021 No Quorum



## COMPLIANCE COMMITTEE MINUTES

**Tuesday, July 19, 2022**

|  |  |  |  |
| --- | --- | --- | --- |
| PRESENT | Steven Bullard | Kentucky Commissioner | Chair |
|  | John “Don” Kaminar | Arkansas Commissioner |  |
|  | Daron Korte | Minnesota Commissioner |  |
|  | Peter Laing | Arizona Commissioner |  |
|  | Ann Pettit | South Dakota Commissioner |  |
|  | Shelley Joan Weiss | Wisconsin Commissioner |  |
|  | Nick Sojka | North Carolina Commissioner |  |
|  | Sarah Forster Wayne Marquis | Maine Commissioner Alaska Commissioner |  |
| EXCUSED | Michael Price Ray Shaw | Michigan Commissioner Montana Commissioner |  |
|  | Davis Whitfield Lindsey Dablow | NFHSTraining & Operations Associate | Ex-officio |
| STAFF | Cherise Imai | Executive Director |  |
|  | Stephanie Ramsey | Communications Associate |  |

**ITEM 1 – CALL TO ORDER**

1. The meeting was called to order at 2:03 PM ET by Compliance Chair Steven Bullard (KY).

## ITEM 2 – ROLL CALL

1. Executive Director Cherise Imai conducted roll call and a quorum was established.

## ITEM 3 – APPROVAL OF THE AGENDA

1. Commissioner Shelley Joan Weiss (WI) motioned to approve the agenda as presented. The motion was seconded by Commissioner John “Don” Kaminar (AR). Motion carried.

## ITEM 4 – APPROVAL OF THE MINUTES

1. Commissioner Weiss motioned to approve the minutes from May 10, 2022, as presented. The motion was seconded by Commissioner Kaminar. Motion carried.

## ITEM 5 – REPORTS

1. **Executive Committee (EXCOM)** - Chair Bullard reported the EXCOM met on May 19th and June 16th. Reports were provided by the Standing Committee Chairs. The Rules Committee is conducting a review of the Rulebook to correct formatting and grammatical errors. Should the Committee determine a rule needs to be amended to clarify intent or language those proposed changes will be presented at the Annual Business Meeting (ABM).
2. The Compliance Committee is gathering member state’s End-of-Year Reports and Annual dues and tracking state council meeting per the *1-2017 State Coordination* policy. The reports are due by June 30, 2022, for states to remain in compliance with the policy.

July 27, 2022

1. The Leadership Nomination Committee released the Election Guide and online 2022 Application on June 1, 2022.
2. The Communications and Outreach Committee reviewed outcomes for Month of the Military Child and recent social media campaigns. The deadline for the Successful Compact Transitions Video project was June 1, 2022; unfortunately, there were no submissions.
3. The Finance Committee reported the finances of the organization were in alignment with 3rd quarter projections. Treasurer Brian Henry noted some line items, such as General Counsel and legal expenses, are projected to be higher than expected due to the engagement of General Counsel on several items before the Commission. Following the 2021 ABM, the EXCOM has worked with Legal on the National Guard and Reserve issue, correcting the Compact statue, requests from states for statute reviews, and several Compact-related cases.
4. The EXCOM will release registration for the 2022 ABM in Baton Rouge, LA at the end of

July. The ABM will be held October 19-20, 2022. Finally, all the Tier Groups have met. The Tier Group meeting recordings and the two memoranda, one on the Compact Statute Correction and the other on the National Guard and Reserve, are posted on mic3.net to the National Guard and Reserve page and also on the Commissioner page.

## ITEM 6 – OLD BUSINESS

1. **State Council Meetings: FY22 Non-Compliant States –** The Committee reviewed the states that did not meet the June 30th deadline per the State Coordination Policy. Commissioner Kaminar motioned for the outstanding states to be elevated to a Level 1 status and required ED Imai to contact the non-compliant states to remind them of their obligation and to hold or report their meeting as soon as possible. The motion was seconded by Commissioner Weiss. Motion carried. [OPEN ITEM]
2. Commissioner Weiss suggested the mentors for new commissioners work with them to hold their meeting.
3. **End-of-Year Reporting –** The Committee reviewed the states that did not meet the June 30th deadline per the State Coordination Policy. Chair Bullard noted for the record the state for Arizona was compliant and had submitted their report. Chair Bullard noted the state of New Jersey was not compliant for last year in FY21 and the current year, FY22.
4. Commissioner Nick Sojka (NC) motioned for the outstanding states to be elevated to a Level 1 status and required ED Imai to contact the non-compliant states to remind them of their obligation and to hold or report their meeting as soon as possible. The motion was seconded by Commissioner Weiss. Motion carried. [OPEN ITEM]
5. **Resolving Compliance Issues Policy –** The Committee reviewed the sample policies from the Council of State Governments, Adult Offenders Compact, and Juvenile Offenders Compact. Commissioner Kaminar motioned for headquarters to draft a recommended policy for the review at the next meeting. The motion was seconded by Commissioner Weiss. Motion carried. [OPEN ITEM]

## ITEM 7 – NEW BUSINESS

1. **Case Updates: Participation in Extracurricular Activities –** Chair Bullard reported the EXCOM determined the student was provided notification of the baseball practice sessions, and the Kentucky case was closed. The parent was contacted by ED Imai and notified of the outcome.
2. He added he submitted a rule proposal to the Rules Committee for consideration. The proposal attempts to clarify the requirements by schools to inform families and students of athletic practices.
3. **Case Updates: Awarding Credits Earned –** Chair Bullard stated General Counsel reported the school district provided a waiver to the graduation requirements and the student would not need to retake the World History course – therefore the California case was closed.

## ITEM 8 – OTHER BUSINESS AND ANNOUNCEMENTS

1. **Items for the Executive Committee (EXCOM) –** Commissioner Weiss reported in accordance with the Military Representative instruction, she emailed Bill Hampton from the US Department of Defense, State Liaison Office several times to request assistance with identifying a new representative for her state council, however she has not heard back from him. In addition, she emailed both the National Oceanic & Atmospheric Administration (NOAA) and the U.S. Public Health Service directly to identify representatives and has not heard back from either. She asked for the EXCOM to draft guidance and assist her to establish contact. Chair Bullard said he would bring this concern to the EXCOM.

## ITEM 9 – ADJOURNMENT

1. With no further business to conduct, Chair Bullard adjourned the meeting at 2:24 PM ET.



## COMPLIANCE COMMITTEE MINUTES

**Tuesday, September 13, 2022**

|  |  |  |  |
| --- | --- | --- | --- |
| PRESENT | Steven Bullard | Kentucky Commissioner | Chair |
|  | Daron Korte | Minnesota Commissioner |  |
|  | Peter Laing | Arizona Commissioner |  |
|  | Ann Pettit | South Dakota Commissioner |  |
|  | Shelley Joan Weiss | Wisconsin Commissioner |  |
|  | Nick Sojka | North Carolina Commissioner |  |
|  | Sarah Forster | Maine Commissioner |  |
|  | Michael Price | Michigan Commissioner |  |
| EXCUSED | John “Don” Kaminar | Arkansas Commissioner |  |
|  | Ray Shaw | Montana Commissioner |  |
|  | Davis Whitfield | NFHS | Ex-officio |
| STAFF | Cherise Imai | Executive Director |  |
|  | Stephanie Ramsey | Communications Associate |  |
|  | Lindsey Dablow | Training & Operations Associate |  |
|  | Stuart Michael | General Counsel |  |

**ITEM 1 – CALL TO ORDER**

1. The meeting was called to order at 2:01 PM ET by Compliance Chair Steven Bullard (KY).

## ITEM 2 – ROLL CALL

1. Training and Operations Associate Lindsey Dablow conducted roll call and a quorum was established.

## ITEM 3 – APPROVAL OF THE AGENDA

1. Commissioner Shelley Joan Weiss (WI) motioned to approve the agenda as presented. The motion was seconded by Commissioner Peter Laing (AZ). Motion carried.

## ITEM 4 – APPROVAL OF THE MINUTES

1. Commissioner Weiss motioned to approve the minutes from July 19, 2022 as presented. The motion was seconded by Commissioner Laing. Motion carried.

## ITEM 5 – REPORTS

1. **Executive Committee (EXCOM)** - Chair Bullard reported the EXCOM met on July 16, 2022 and August 18, 2022. The EXCOM’s focus was the Annual Business Meeting (ABM). He directed Members to Ms. Dablow should they have any questions or need assistance with lodging.
2. Chair Bullard informed the Committee that the Rules Committee completed their review of the Rules Book and would present edits and amendments at ABM. The ABM Public Meeting Notice was distributed via Constant Contact on Thursday, September 15, 2022.



1. The Chair stated Commission Treasurer Brian Henry reported the Commission’s annual audit came back with no findings and the Commission was on target financially for the first quarter of FY23. Finally, the Tier Groups met a second time to discuss the Compact Citation correction and National Guard and Reserve issue. The meetings were recorded and posted on mic3.net.
2. Commissioner Weiss asked for an update on questions submitted to EXCOM during the July 19, 2022 committee meeting. Executive Director Cherise Imai responded meetings were set with the Department of Defense State Liaison Office to discuss the Military Representative appointment process, and both the U.S. Public Health Services and The National Oceanic Atmospheric Administration to collaborate and assist Commissioner Weiss with obtaining an appointment for Wisconsin’s State Council. Executive Director Imai states she would reach out to Commissioner Weiss after those meetings.

## ITEM 6 – OLD BUSINESS

1. **State Council Meetings: FY22 Non-Compliant States –** Chair Bullard informed Members that North Dakota had not held a State Council meeting in FY22 as required by statute. Per policy *1-2019 Resolving Compliance Issues*, Executive Director Imai contacted the Compact Commissioner for North Dakota on September 2, 2022 and the Compliance Chair sent a second email on September 8, 2022. Chair Bullard requested the Commissioner hold a State Council meeting prior to October 7, 2022 so it would take place prior to the ABM and could be counted for FY22. As of the Compliance Meeting, North Dakota’s Commissioner had not responded to either email.
2. Chair Bullard asked for a motion so the issue could be discussed by the Committee. Commissioner Nick Sojka made a motion to elevate North Dakota’s failure to hold a State Council Meeting in FY22 to Level Three as outlined in the policy. Chair Bullard reminded Members a second to the motion would allow the Members to discuss the agenda item. There being no second the motion failed.
3. **End-of-Year Reporting –** Chair Bullard reviewed the End-of-Year Reporting document reminding Members the Committee voted to elevate New Jersey to a Level Four and referred that state to the EXCOM for further action. The EXCOM requested General Counsel prepare a letter of default to send to the Compact Commissioner for New Jersey and during the preparation of that document the Commissioner submitted reports for both FY21 and FY22.
4. Chair Bullard reminded the Members that for the past two years the Committee has extended the deadline to receive reports. He noted this required the National Office to spend additional time contacting delinquent states, tracking, and preparing late reports, so the Committee may want to consider not extending the deadline in FY23 since states have had five years to acclimate to the policy.
5. Commissioner Weiss stated developing online forms for the End-of-Year Report, Code of Conduct, and Conflict of Interest made it easier for states to submit their information in a consistent manner. Commissioner Sarah Forster (ME) noted the benefit of taking additional time to contact delinquent states did allow the states to submit their reports which is the goal of the policy. Chair Bullard thanked both Commissioners and stated this would be discussed at future committee meetings.
6. **Review of Current Compliance Policies –** Chair Bullard stated during the May meeting the Committee discussed, “What policy is in place to address any situation where the Commissioner is out of Compliance?” In July, the Members reviewed policies from the Interstate Commission for Juveniles



and the Interstate Commission for Adult Offender Supervision. At the July meeting Members requested the National Office review current MIC3 policies and present a recommendation to this Committee.

1. Mr. Michael stated General Counsel is reviewing the documents to provide appropriate guidance to the Committee. Mr. Michael noted a superficial review of the documents indicated some policies could be made into Rules, but General Counsel will provide additional information at a later meeting once the review has been completed.
2. Commissioner Weiss thanked General Counsel for their brief and reminded the Committee that Commissioners are not employees or appointed by anyone at the national level and serve at the will of the appointing authority in their state. She cautioned against creating any friction between the Commission and member states. Mr. Michael responded MIC3 is a national organization with delegates from every state, and while it does have some authority to appoint members to the EXCOM or to delegate committee assignments there are certain restrictions on what the Commission can’t do. However, the Commission has a core mission to serve the best interests of military-connected children through the Compact, recognizing that the states have different needs, but all are focused on that goal.

## ITEM 7 – NEW BUSINESS

1. **2022 ABM Compliance Committee Report –** Ms. Dablow reviewed the Compliance Committee report that will be presented at the ABM. Commissioner Weiss made a motion to accept the Compliance Committee report as presented. Commissioner Forster seconded the motion. Motion carried.
2. **Expectations for Commissioner’s Participation and Engagement at the ABM and Standing Committee Meetings –** Chair Bullard reminded Members the memo being reviewed was disseminated prior to the 2021 ABM. He noted that 35% of the Commission had never attended an in- person meeting and this information would be timely for those Members. Commissioner Weiss made a motion to accept the memo and distribute it on October 10, 2022 prior to ABM. Commissioner Laing seconded the motion. Motion carried.

## ITEM 8 – OTHER BUSINESS AND ANNOUNCEMENTS

1. **Items for the Executive Committee (EXCOM) –** Commissioner Weiss asked if the Committees would meet during the ABM and Executive Director Imai responded they would not be. The Members had no further questions or comments for the EXCOM.

## ITEM 9 – ADJOURNMENT

1. With no further business to conduct, Chair Bullard adjourned the meeting at 2:38 PM ET.



## COMPLIANCE COMMITTEE MINUTES

**Tuesday, January 10, 2023**

|  |  |  |  |
| --- | --- | --- | --- |
| PRESENT | Steven Bullard | Kentucky Commissioner | Chair |
|  | Daron Korte | Minnesota Commissioner |  |
|  | Peter Laing | Arizona Commissioner |  |
|  | Shelley Joan Weiss | Wisconsin Commissioner |  |
|  | Nick Sojka | North Carolina Commissioner |  |
|  | Khieem Jackson | California Commissioner |  |
|  | Michael Price | Michigan Commissioner |  |
|  | John “Don” Kaminar | Arkansas Commissioner |  |
|  | Caitlin Hamon | NMFA | Ex-Officio |
| EXCUSED | Sarah Forster | Maine Commissioner |  |
|  | Ray Shaw | Montana Commissioner |  |
| STAFF | Cherise Imai | Executive Director |  |
|  | Stephanie Ramsey | Communications Associate |  |
|  | Lindsey Dablow | Training & Operations Associate |  |

**ITEM 1 – CALL TO ORDER**

1. The meeting was called to order at 2:03 PM ET by Compliance Chair Steven Bullard (KY).

## ITEM 2 – ROLL CALL

1. Training and Operations Associate Lindsey Dablow conducted roll call and a quorum was established.

## ITEM 3 – APPROVAL OF THE AGENDA

1. Commissioner Don Kaminar (AR) motioned to approve the agenda as presented. The motion was seconded by Commissioner Shelley Joan Weiss (WI). Motion carried.

## ITEM 4 – APPROVAL OF THE MINUTES

1. Commissioner Weiss motioned to approve the minutes from September 13, 2022 as presented. The motion was seconded by Commissioner Michael Price (MI). Motion carried.

## ITEM 5 – WELCOME AND INTRODUCTIONS

1. Chair Bullard welcomed the Committee Members to the first meeting of 2023 and proceeded with introductions.

## ITEM 6 – REPORTS

1. **2023 Committee Meetings and Establishing Quorum –** Chair Bullard noted this was his second year as Chair of the Compliance Committee and recognized the dedication and hard work of the Members. He reminded the Committee to notify the Chair or National Office if they are unable to attend a committee meeting to ensure there is a quorum at each meeting and business can be accomplished in a timely manner.



1. **Executive Committee (EXCOM)** - Chair Bullard reported the EXCOM met on December 16 and 19, 2022. The National Office was working with Commissioners and Ex-officio representatives to address the language of the National Defense Authorization Act amendment that passed at the end of the legislative session. General Counsel, in collaboration with the EXCOM, was reviewing a legislative toolkit for states that want to propose external statute language that would provide National Guard and Reserve (NGR) families with similar coverage to the Compact.
2. The EXCOM reviewed the 2022 Annual Business Meeting (ABM) post-survey results and cost analysis for the 2022 ABM. Based on feedback prior to, during, and after ABM regarding the cost of holding the ABM in-person that matter has been referred to the Finance Committee for further review and discussion.
3. The Chair concluded his report noting the updated Compact Rules book, featuring the four new Rules passed at ABM, was available on mic3.net and Members could order hard copies through the website.

## ITEM 7 – OLD BUSINESS

1. **State Council Meetings –** Chair Bullard updated the Members on the State Council Meetings held in FY22 and FY23. He reminded the Committee during the September 13, 2022 meeting it decided not to elevate North Dakota to a Level Three or Four under *1-2019 Resolving Compliance Issues*. However, Chair Bullard reported North Dakota did respond to his inquiry and assured him a meeting would be held on September 30, 2022. The Chair stated the National Office is waiting for the meeting agenda and minutes of the September 2022 meeting to update North Dakota’s page on mic3.net.
2. Chair Bullard referred to the State Council document in the meeting packet noting some states have held their FY23 meeting. He noted the Committee will review this document at each meeting as the deadline, June 30, 3023, to hold a State Council meeting in FY23 approaches. Chair Bullard concluded the report stating the National Office would send reminder emails out leading up to the deadline.
3. **Code of Conduct (CoC) and Conflict of Interest (CoI) Reporting –** Chair Bullard stated the CoC and CoI forms are not due until January 31, 2023, so there are no compliance issues at this time but wanted the Members to review the report for their awareness. The Chair noted headquarters would continue to send out reminders to the Commission as the deadline approaches.
4. Commissioner Weiss complimented the development of the online forms allowing Commissioners to submit these documents electronically.
5. **Review of Current Compliance Policies –** Chair Bullard stated during the September meeting General Counsel stated they were reviewing the Commission policies and would make a recommendation to the Compliance Committee. The process is still underway, and a recommendation would be made to the Committee at the March 2023 meeting.

## ITEM 8 – NEW BUSINESS

1. **2023-2025 Strategic Plan: Compliance Committee –** Chair Bullard reminded Members the 2023-2025 Strategic Plan was presented during the ABM. The Chair reviewed the action items assigned to the Compliance Committee, noting these tasks would be worked on over the next three



years. First, the Committee is tasked with identifying opportunities to inform and educate Commissioners and State Councils on their role and responsibilities; Review policies and rules to ensure they align with expectations.

1. Chair Bullard noted the Committee began this task by reviewing the *2-2017 Code of Conduct*, *2- 2019 Conflict of Interest*, and *1-2019 Resolving Compliance Issues* policies. He stated the Committee would continue to work with General Counsel over the next two years to evaluate the Commission policies reviewing for additional guidance or compliance issues related to the Model Compact Language or Commission Rules.
2. Chair Bullard asked the Members for feedback related to drafting a Memo for Commissioners to provide to their state councils that outline the Commissioner’s role and responsibilities, as well as the State Councils roles and responsibilities. Commissioner Price supported the idea of developing additional guidance. He noted Michigan’s State Council recently held a meeting and it would be helpful to provide more information to the State Council on their role and responsibilities as it relates to the Compact.
3. Commissioner Weiss supported the idea but recommended expanding this to include webinars or other engaging formats available to provide relevant information to states. Commissioner Kaminar supported Commissioner Weiss’ suggestion. Ms. Dablow reminded Members the Training Committee created and the Communications and Outreach Committee updated the Commissioner and State Council Toolkits on mic3.net. She outlined the type of information contained in those documents. The Committee agreed to review the toolkits and making edits to those documents prior to creating new items to address this tactic.
4. Chair Bullard reviewed the tasks under Goal Two, noting the first two tasks would be addressed when the Committee reviews the policies with the assistance of General Counsel. The Chair stated the third task focused on data collection to reflect state progress is something the Commission has talked about for many years. This task was assigned to both the Rules and Compliance Committees and would be done in collaboration to obtain feedback from a wider audience.
5. Chair Bullard concluded the review of the Strategic Plan with the Committee’s final task under Goal two. He noted this task was assigned to all the Committees and would be discussed throughout the next three years in partnership with the other committees to determine the impact of the Compact and develop a reporting apparatus for states.
6. Commissioner Weiss asked which parties or individuals would work on the tasks assigned to the Committee on the Strategic Plan. Chair Bullard replied it would require correspondence outside the main meetings but would be worked on by the Committee over the course of three years. Commissioner Weiss recommended scheduling work groups to work on the tasks assigned to the Committee.
7. **Citation Corrections (Update) –** Chair Bullard deferred to Executive Director (ED) Cherise Imai for an update on the citation correction. ED Imai reported headquarters has followed up with the states that indicated on the survey they intended to make the correction during the current legislative session. Currently, there are nine to ten states making the correction this year. ED Imai informed Members headquarters and leadership met with the newly designated Director for the Department of Defense State Liaison Office, and she agreed to assist those states that need it when the time comes. She reminded Members this is a three-year initiative and updates would be provided at future Compliance Committee meets.



## ITEM 8 – OTHER BUSINESS AND ANNOUNCEMENTS

1. **Items for the Executive Committee (EXCOM) –** Commissioner Weiss asked why the Commission is not provided the results of the 2022 Post ABM Survey and the rational for not providing the raw data to the Commission.
2. Commissioner Weiss thanked headquarters and leadership for trying to connect with the National Oceanic and Atmospheric Administration and U.S. Public Health Services and noted frustration at the unresponsiveness of those groups.
3. Commissioner Weiss asked for information on the Month of the Military Child to be distributed as soon as possible so planning for April could begin.

## ITEM 9 – ADJOURNMENT

1. With no further business to conduct, Chair Bullard adjourned the meeting at 2:48 PM ET.



## COMPLIANCE COMMITTEE MINUTES

**Tuesday, March 14, 2023**

|  |  |  |  |
| --- | --- | --- | --- |
| PRESENT | Steven Bullard | Kentucky Commissioner | Chair |
|  | Daron Korte | Minnesota Commissioner |  |
|  | Peter Laing | Arizona Commissioner |  |
|  | Shelley Joan Weiss | Wisconsin Commissioner |  |
|  | Nick Sojka | North Carolina Commissioner |  |
|  | Khieem Jackson | California Commissioner |  |
|  | John “Don” Kaminar | Arkansas Commissioner |  |
|  | Ray Shaw | Montana Commissioner |  |
|  | Caitlin Hamon | National Military Family Association (NMFA) | Ex-Officio |
| EXCUSED | Sarah Forster | Maine Commissioner |  |
|  | Michael Price | Michigan Commissioner |  |
| STAFF | Cherise Imai | Executive Director |  |
|  | Lindsey Dablow | Training & Operations Associate |  |
|  | Stuart Michael | General Counsel |  |

**ITEM 1 – CALL TO ORDER**

1. The meeting was called to order at 2:01 PM ET by Compliance Chair Steven Bullard (KY).

## ITEM 2 – ROLL CALL

1. Training and Operations Associate Lindsey Dablow conducted roll call and a quorum was established.

## ITEM 3 – APPROVAL OF THE AGENDA

1. **Commissioner John “Don” Kaminar (AR) motioned to approve the agenda as amended. The motion was seconded by Commissioner Shelley Joan Weiss (WI). Motion carried.**

**ITEM 4 – APPROVAL OF THE MINUTES**

1. **Commissioner Weiss motioned to approve the minutes from January 10, 2023 as presented. The motion was seconded by Commissioner Khieem Jackson (CA). Motion carried.**

**ITEM 5 – WELCOME AND INTRODUCTIONS**

1. Chair Bullard welcomed Committee Members.

## ITEM 6 – REPORTS

1. **Executive Committee (EXCOM)** - Chair Bullard reported the EXCOM met on Thursday, February 16, 2023, Executive Director (ED) Cherise Imai updated EXCOM on the Defense State Liaison Office (DSLO) initiative to update the definition of “military” or “armed forces” in every state’s statutes to include Space Force. The Commission has a legal advisory stating, as a division of the Air Force, Space Force is included in the Compact statute. Unfortunately, the language of the DSLO’s

August 14, 2023

proposed legislation does not differentiate the Compact statute from other statutes so headquarters and leadership are working with the newly appointed Director of the DSLO to educate on the Commission’s process for amending the Compact statute and determine a way forward.

1. The Chair reminded Members the National Guard and Reserve Legislative Toolkit was distributed to Commissioners through the Commission’s newsletter on January 20, 2023. It is also available on the National Guard and Reserve page on mic3.net.
2. Chair Bullard stated ED Imai informed the EXCOM of House Bill (HB) 1929 in the Virginia Legislature. HB 1929 is a proposed external statute referencing Virginia’s Compact statute that seeks to extend the protections of the Compact to members of foreign services and civilian employees. However, the Compact statute specifically states federal civilian employees cannot be covered by the Compact. General Counsel and headquarters are working with Virginia’s General Assembly Legal Counsel and Department of Education (DOE) representatives to address the issue.

## ITEM 7 – OLD BUSINESS

1. **Citation Correction –** Chair Bullard stated Connecticut, Delaware, District of Columbia, Washington, Wisconsin, Alabama, Kentucky, Nevada, Maine, and Wyoming have submitted the Compact Citation correction to their legislature or were working with a representative from their respective legislatures to correct the citation in their state’s Compact statute. The remaining states are either in discussion with their state councils to determine a way forward or they are a Priority two (2) or three (3) state and will not address the citation correction until next year.
2. NMFA Ex-officio Representative Caitlin Hamon asked if the remaining member states have initiated or expressed their intent to correct the Compact citation in their state statute. Chair Bullard responded that not every state has expressed their intent to correct the citation, but it is the intention of the Commission to work with all 50+1 to do so.
3. **State Council Meetings –** Chair Bullard informed the Committee all fifty states, and the District of Columbia were on track to hold a state council meeting before the end of FY23. The Chair noted Illinois, Idaho, Iowa, and Alaska had Commissioner vacancies. The Committee will monitor those states as the end of the fiscal year approaches. Headquarters sent a written request to the appointing authority of the four states with Commissioner vacancies asking the vacant positions be filled prior to April 17, 2023.
4. **Code of Conduct (CoC) and Conflict of Interest (CoI) Reporting –** Chair Bullard stated 50 member states and the five ex-officio representatives had submitted their CoC and CoI forms. Vermont is the only state that had not. The deadline to submit the forms was January 31, 2023. Along with the notices and reminders distributed to the full Commission, requests from headquarters to complete the form were sent to Vermont on February 14, 2023 and March 6, 2023.

## Commissioner Kaminar motioned to elevate Vermont to a Level 3 under 1-2019 Resolving Compliance Issues requesting the Compliance Chair contact the Commissioner and request he complete the CoC and CoI form. Motion was seconded by Commissioner Weiss. Motion Carried.

1. **Review of Current Compliance Policies –** Chair Bullard explained headquarters developed the MIC3 Policy Guide which compiles all Commission policies into one document with a linked table of contents. It was provided to the Members as a link in the meeting agenda. Chair Bullard yielded the floor to General Counsel Stuart Michael to explain the Review and Analysis of MIC3 Policy Guide.
2. Mr. Michael noted the Commission’s policies are put into place through the EXCOM and as such the policies can only go so far as the EXCOM’s power outlined in the Compact statute. He noted the Executive, Compliance, and Rules Committees are reviewing this memo as part of the Commission’s current Strategic Plan and recommendations could come from any of those committees. Mr. Michael explained if the Commission, acting through the Compliance Committee needs to move forward with enforcement of a policy then the authority to do so must be grounded in the statute language or a Commission Rule. Policies established by the EXCOM are to guide the internal conduct of the Commission. Mr. Michael stated the CoC and CoI policies are a good case study. The current policy outlines the timeline by which the CoC and CoI forms are to be submitted but if a Member fails to submit the forms or abide by the timeline the enforcement of the policy must be grounded in statute language or a rule.
3. Mr. Michael stated general counsel recommended a new Rule developed based on policy *1- 2017 State Coordination*. He noted this policy imposes requirements on the member states and requires compliance therefore it needs to be grounded in the Rules because every member state has consented to be subject to the Commission’s rule-making authority.
4. Mr. Michael directed the Members to policy *1-2019 Resolving Compliance Issues* and noted the Compliance Committee’s commitment to this process. General Counsel recommended a Rule be developed that would act in tandem with the policy to ensure Commissioners involved in compliance or enforcement matters are provided the opportunity to attend the Compliance or EXCOM meeting to discuss the Compliance concerns.
5. Chair Bullard requested the Compliance Committee consider recommending the EXCOM refer *1-2017 State Coordination* and *2-2017 Code of Conduct* policy to the Rules Committee for consideration.
6. Commissioner Jackson asked for clarification on *1-2019 Resolving Compliance Issues*. He supported notifying the Commissioner when a state is out of compliance. Commissioner Jackson questioned for clarification related to when a state council and the EXCOM do not agree with a school district’s application of the Compact how the Commission reconciles that and the timelines the Commission follows for compliance issues. Commissioner Jackson asked what happens when a state council’s timeline differs from the EXCOM’s timeline for resolution of a compliance issue. Mr. Michael responded that various factors dictate the timeline for resolution of compliance issues. He explained each member state is responsible for the school districts within their state and the state council’s role in coordinating with the state’s DOE to resolve those cases and ensure compliance with the Compact. Case in point, for California the state council had difficulty engaging with the California DOE. Mr. Michael provided the Committee with an example of a general student-related compliance issue and its elevation under the Commission’s current practice. He noted the member state joined the Compact and the whole state agreed to be subject to the requirements of the Compact and that makes the state responsible to ensure compliance with the Compact.
7. Commissioner Jackson stated if a state has a resolution process outside the Compact then it should be allowed to exhaust those internal processes. Mr. Michael agreed and noted had the parties involved been aware of the DOE resolution process in place in California then it could have been smoother for the family in the case Commissioner Jackson referred to, but time was also a factor in that case since the student was a senior and had to meet academic requirements to graduate on time.
8. Commissioner Weiss stated the Commission’s case resolution process was simplistic and additional factors may need to be considered before adopting a process. Commissioner Weiss did

support the addition of timelines for resolution of compliance related issues. Mr. Michael responded timelines could be considered and recommended to the EXCOM. He cautioned the Committee noting timelines can be useful, but he recommended there be variance due to the uniqueness of each student- related case and the factors involved in resolving those cases.

1. Commissioner Jackson asked for clarification on policy *3-2017 Accessing General Counsel* noting General Counsel works for the Commission but not the Commissioner. He provided details on a student case to the members noting litigation was part of the case resolution process. Mr. Michael explained the role of the Commissioner and general counsel’s ability to interact with Commissioners. He noted policy 3-2107 is in place to establish communication and collaboration while considering the cost associated with engaging general counsel on behalf of the Commission.

## Commissioner Jackson made a motion to table agenda item VII. Old Business, D. Legal Review of Commission Policies Memo and VIII. New Business, A. until the May 2023 Compliance Committee meeting. Motion was seconded by Commissioner Kaminar.

**ITEM 8 – NEW BUSINESS**

1. **Goal #1 SP: Review of Commission Toolkits –** Chair Bullard noted this agenda item is from the previous Compliance meeting in response to Goal 1, Strategy 2 of the Strategic Plan. The Chair asked Members to review the attached toolkits prior to the May meeting of the Committee and provide feedback to Ms. Dablow.
2. **Goal #2 SP: Ensure organization alignment to bylaws, rules and policies; examine compliance/case resolution processes and data collection, does this reflect state progress, clearly communicate roles responsibilities, and expectations to member states –** Chair Bullard explained under Goal 2 of the Strategic Plan, the Commission is seeking feedback on data it could collect to support the programs and services of the Commission. Chair Bullard stated this topic would be on the agenda of future Compliance Committee meetings for discussion.

## ITEM 9 – OTHER BUSINESS AND ANNOUNCEMENTS

1. **Items for the Executive Committee (EXCOM) –** There being no feedback from the Members Chair Bullard moved to the next agenda item.
2. **March Compact 101 Virtual Training –** Chair Bullard updated the Committee on the monthly Compact 101 virtual trainings and noted the date and time of the March 14, 2023 training.
3. **Webinar Tutor.**com – Chair Bullard informed the Members of upcoming webinars including Tutor.com on March 15, 2023 at 2:00 PM ET.
4. **Follow MIC3 on Facebook, Twitter, Instagram and Tik Tok -** Chair Bullard recommended Members follow MIC3 on social media and tag the Commission in upcoming post especially during Month of the Military Child.

## ITEM 9 – ADJOURNMENT

1. With no further business to conduct, Chair Bullard adjourned the meeting at 2:55 PM ET.