

138.26 **ARTICLE 10**
138.27 **INTERSTATE COMPACT**

108.11 Sec. 48. Minnesota Statutes 2012, section 127A.70, subdivision 1, is amended to read:

108.12 Subdivision 1. **Establishment; membership.** (a) A P-20 education partnership is
108.13 established to create a seamless system of education that maximizes achievements of
108.14 all students, from early childhood through elementary, secondary, and postsecondary
108.15 education, while promoting the efficient use of financial and human resources. The
108.16 partnership shall consist of major statewide educational groups or constituencies or
108.17 noneducational statewide organizations with a stated interest in P-20 education including a
108.18 representative appointed by the adjutant general of the Minnesota National Guard, among
108.19 other organizations. The initial membership of the partnership includes the members
108.20 serving on the Minnesota P-16 Education Partnership and four legislators appointed as
108.21 follows:

108.22 (1) one senator from the majority party and one senator from the minority party,
108.23 appointed by the Subcommittee on Committees of the Committee on Rules and
108.24 Administration; and

108.25 (2) one member of the house of representatives appointed by the speaker of the
108.26 house and one member appointed by the minority leader of the house of representatives.

108.27 (b) The chair of the P-16 education partnership must convene the first meeting
108.28 of the P-20 partnership. Prospective members may be nominated by any partnership
108.29 member and new members will be added with the approval of a two-thirds majority of the
108.30 partnership. The partnership will also seek input from nonmember organizations whose
108.31 expertise can help inform the partnership's work.

108.32 (c) Partnership members shall be represented by the chief executives, presidents, or
108.33 other formally designated leaders of their respective organizations, or their designees. The
108.34 partnership shall meet at least three times during each calendar year.

109.1 (d) The P-20 education partnership shall be the state council for the Interstate
109.2 Compact on Educational Opportunity for Military Children under section 127A.85
109.3 with the chair serving as the compact commissioner responsible for administering and
109.4 managing the state's participation in the compact, including conducting business required
109.5 under section 127A.85.

138.28 Section 1. **[127A.85] INTERSTATE COMPACT ON EDUCATIONAL**
138.29 **OPPORTUNITY FOR MILITARY CHILDREN.**

138.30 **ARTICLE I**

138.31 **PURPOSE**

101.1 **ARTICLE 8**
101.2 **INTERSTATE COMPACT ON EDUCATIONAL OPPORTUNITY**
101.3 **FOR MILITARY CHILDREN**

101.4 Section 1. Minnesota Statutes 2012, section 127A.70, subdivision 1, is amended to read:

101.5 Subdivision 1. **Establishment; membership.** (a) A P-20 education partnership is
101.6 established to create a seamless system of education that maximizes achievements of
101.7 all students, from early childhood through elementary, secondary, and postsecondary
101.8 education, while promoting the efficient use of financial and human resources. The
101.9 partnership shall consist of major statewide educational groups or constituencies or
101.10 noneducational statewide organizations with a stated interest in P-20 education. The initial
101.11 membership of the partnership includes the members serving on the Minnesota P-16
101.12 Education Partnership and four legislators appointed as follows:

101.13 (1) one senator from the majority party and one senator from the minority party,
101.14 appointed by the Subcommittee on Committees of the Committee on Rules and
101.15 Administration; and

101.16 (2) one member of the house of representatives appointed by the speaker of the
101.17 house and one member appointed by the minority leader of the house of representatives.

101.18 (b) The chair of the P-16 education partnership must convene the first meeting
101.19 of the P-20 partnership. Prospective members may be nominated by any partnership
101.20 member and new members will be added with the approval of a two-thirds majority of the
101.21 partnership. The partnership will also seek input from nonmember organizations whose
101.22 expertise can help inform the partnership's work.

101.23 (c) Partnership members shall be represented by the chief executives, presidents, or
101.24 other formally designated leaders of their respective organizations, or their designees. The
101.25 partnership shall meet at least three times during each calendar year.

101.26 (d) The P-20 education partnership shall be the state council for the Interstate
101.27 Compact on Educational Opportunity for Military Children under section 127A.85 with
101.28 the chair serving as the compact commissioner responsible for the administration and
101.29 management of the state's participation in the compact. When conducting business
101.30 required under section 127A.85, the P-20 partnership shall include a representative from a
101.31 military installation appointed by the adjutant general of the Minnesota National Guard.

101.32 Sec. 2. **[127A.85] INTERSTATE COMPACT ON EDUCATIONAL**
101.33 **OPPORTUNITY FOR MILITARY CHILDREN.**

101.34 **ARTICLE I**

102.1 **PURPOSE**

138.32 It is the purpose of this compact to remove barriers to educational success imposed on
138.33 children of military families because of frequent moves and deployment of their parents by:

139.1 A. facilitating the timely enrollment of children of military families and ensuring
139.2 that they are not placed at a disadvantage due to difficulty in the transfer of education
139.3 records from the previous school district(s) or variations in entrance/age requirements.

139.4 B. Facilitating the student placement process through which children of military
139.5 families are not disadvantaged by variations in attendance requirements, scheduling,
139.6 sequencing, grading, course content, or assessment.

139.7 C. Facilitating the qualification and eligibility for enrollment, educational programs,
139.8 and participation in extracurricular academic, athletic, and social activities.

139.9 D. Facilitating the on-time graduation of children of military families.

139.10 E. Providing for the promulgation and enforcement of administrative rules
139.11 implementing the provisions of this compact.

139.12 F. Providing for the uniform collection and sharing of information between and
139.13 among member states, schools, and military families under this compact.

139.14 G. Promoting coordination between this compact and other compacts affecting
139.15 military children.

139.16 H. Promoting flexibility and cooperation between the educational system, parents,
139.17 and the student in order to achieve educational success for the student.

139.18 **ARTICLE II**

139.19 **DEFINITIONS**

139.20 As used in this compact, unless the context clearly requires a different construction:

139.21 A. "Active duty" means: full-time duty status in the active uniformed service of the
139.22 United States, including members of the National Guard and Reserve on active duty orders
139.23 pursuant to United States Code, title 10, sections 1209 and 1211.

139.24 B. "Children of military families" means: a school-aged child(ren), enrolled in
139.25 kindergarten through grade 12, in the household of an active duty member.

139.26 C. "Compact commissioner" means: the voting representative of each compacting
139.27 state appointed pursuant to Article VIII of this compact.

139.28 D. "Deployment" means: the period one month prior to the service members'
139.29 departure from their home station on military orders through six months after return to
139.30 their home station.

102.2 It is the purpose of this compact to remove barriers to educational success imposed on
102.3 children of military families because of frequent moves and deployment of their parents by:

102.4 A. facilitating the timely enrollment of children of military families and ensuring
102.5 that they are not placed at a disadvantage due to difficulty in the transfer of education
102.6 records from the previous school district(s) or variations in entrance/age requirements.

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102.8 families are not disadvantaged by variations in attendance requirements, scheduling,
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102.16 among member states, schools, and military families under this compact.

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102.31 D. "Deployment" means: the period one month prior to the service members'
102.32 departure from their home station on military orders through six months after return to
102.33 their home station.

139.31 E. "Education(al) records" means: those official records, files, and data directly
 139.32 related to a student and maintained by the school or local education agency, including but
 139.33 not limited to records encompassing all the material kept in the student's cumulative
 139.34 folder, such as general identifying data, records of attendance and of academic work
 139.35 completed, records of achievement and results of evaluative tests, health data, disciplinary
 139.36 status, test protocols, and individualized education programs.

140.1 F. "Extracurricular activities" means: a voluntary activity sponsored by the school
 140.2 or local education agency or an organization sanctioned by the local education agency.
 140.3 Extracurricular activities include, but are not limited to, preparation for and involvement
 140.4 in public performances, contests, athletic competitions, demonstrations, displays, and
 140.5 club activities.

140.6 G. "Interstate Commission on Educational Opportunity for Military Children"
 140.7 means: the commission that is created under Article IX of this compact, which is generally
 140.8 referred to as Interstate Commission.

140.9 H. "Local education agency" means: a public authority legally constituted by the
 140.10 state as an administrative agency to provide control of and direction for kindergarten
 140.11 through grade 12 public educational institutions.

140.12 I. "Member state" means: a state that has enacted this compact.

140.13 J. "Military installation" means: a base, camp, post, station, yard, center, homeport
 140.14 facility for any ship, or other activity under the jurisdiction of the Department of Defense,
 140.15 including any leased facility, which is located within any of the several states, the District
 140.16 of Columbia, the Commonwealth of Puerto Rico, the United States Virgin Islands, Guam,
 140.17 American Samoa, the Northern Mariana Islands, and any other United States territory.
 140.18 Such term does not include any facility used primarily for civil works, rivers and harbors
 140.19 projects, or flood control projects.

140.20 K. "Nonmember state" means: a state that has not enacted this compact.

140.21 L. "Receiving state" means: the state to which a child of a military family is sent,
 140.22 brought, or caused to be sent or brought.

140.23 M. "Rule" means: a written statement by the Interstate Commission promulgated
 140.24 pursuant to Article XII of this compact that is of general applicability, implements,
 140.25 interprets, or prescribes a policy or provision of the Compact, or an organizational,
 140.26 procedural, or practice requirement of the Interstate Commission, and has the force
 140.27 and effect of statutory law in a member state, and includes the amendment, repeal, or
 140.28 suspension of an existing rule.

140.29 N. "Sending state" means: the state from which a child of a military family is sent,
 140.30 brought, or caused to be sent or brought.

102.34 E. "Education(al) records" means: those official records, files, and data directly
 102.35 related to a student and maintained by the school or local education agency, including but
 102.36 not limited to records encompassing all the material kept in the student's cumulative
 103.1 folder, such as general identifying data, records of attendance and of academic work
 103.2 completed, records of achievement and results of evaluative tests, health data, disciplinary
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 103.19 of Columbia, the Commonwealth of Puerto Rico, the United States Virgin Islands, Guam,
 103.20 American Samoa, the Northern Mariana Islands, and any other United States territory.
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 103.29 procedural, or practice requirement of the Interstate Commission, and has the force
 103.30 and effect of statutory law in a member state, and includes the amendment, repeal, or
 103.31 suspension of an existing rule.

103.32 N. "Sending state" means: the state from which a child of a military family is sent,
 103.33 brought, or caused to be sent or brought.

140.31 O. "State" means: a state of the United States, the District of Columbia, the
 140.32 Commonwealth of Puerto Rico, the United States Virgin Islands, Guam, American Samoa,
 140.33 the Northern Mariana Islands, and any other United States territory.

140.34 P. "Student" means: the child of a military family for whom the local education
 140.35 agency receives public funding and who is formally enrolled in kindergarten through
 140.36 grade 12.

141.1 Q. "Transition" means: (1) the formal and physical process of transferring from
 141.2 school to school or (2) the period of time in which a student moves from one school in
 141.3 the sending state to another school in the receiving state.

141.4 R. "Uniformed service(s)" means: the Army, Navy, Air Force, Marine Corps, Coast
 141.5 Guard as well as the commissioned Corps of the National Oceanic and Atmospheric
 141.6 Administration, and Public Health Services.

141.7 S. "Veteran" means: a person who served in the uniformed services and who was
 141.8 discharged or released there from under conditions other than dishonorable.

141.9 ARTICLE III

141.10 APPLICABILITY

141.11 A. Except as otherwise provided in Section B, this compact shall apply to the
 141.12 children of:

141.13 1. active duty members of the uniformed services as defined in this compact,
 141.14 including members of the National Guard and Reserve on active duty orders pursuant to
 141.15 United States Code, title 10, sections 1209 and 1211;

141.16 2. members or veterans of the uniformed services who are severely injured and
 141.17 medically discharged or retired for a period of one year after medical discharge or
 141.18 retirement; and

141.19 3. members of the uniformed services who die on active duty or as a result of
 141.20 injuries sustained on active duty for a period of one year after death.

141.21 B. The provisions of this interstate compact shall only apply to local education
 141.22 agencies as defined in this compact.

141.23 C. The provisions of this compact shall not apply to the children of:

141.24 1. inactive members of the national guard and military reserves;

141.25 2. members of the uniformed services now retired, except as provided in Section A;

141.26 3. veterans of the uniformed services, except as provided in Section A; and

103.34 O. "State" means: a state of the United States, the District of Columbia, the
 103.35 Commonwealth of Puerto Rico, the United States Virgin Islands, Guam, American Samoa,
 103.36 the Northern Mariana Islands, and any other United States territory.

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 104.18 United States Code, title 10, sections 1209 and 1211;

104.19 2. members or veterans of the uniformed services who are severely injured and
 104.20 medically discharged or retired for a period of one year after medical discharge or
 104.21 retirement; and

104.22 3. members of the uniformed services who die on active duty or as a result of
 104.23 injuries sustained on active duty for a period of one year after death.

104.24 B. The provisions of this interstate compact shall only apply to local education
 104.25 agencies as defined in this compact.

104.26 C. The provisions of this compact shall not apply to the children of:

104.27 1. inactive members of the national guard and military reserves;

104.28 2. members of the uniformed services now retired, except as provided in Section A;

104.29 3. veterans of the uniformed services, except as provided in Section A; and

141.27 4. other United States Department of Defense personnel and other federal agency
 141.28 civilian and contract employees not defined as active duty members of the uniformed
 141.29 services.

141.30 **ARTICLE IV**

141.31 **EDUCATIONAL RECORDS AND ENROLLMENT**

141.32 A. Unofficial or "hand-carried" education records - In the event that official
 141.33 education records cannot be released to the parents for the purpose of transfer, the
 141.34 custodian of the records in the sending state shall prepare and furnish to the parent
 141.35 a complete set of unofficial educational records containing uniform information as
 141.36 determined by the Interstate Commission. Upon receipt of the unofficial education records
 142.1 by a school in the receiving state, the school shall enroll and appropriately place the
 142.2 student based on the information provided in the unofficial records pending validation by
 142.3 the official records, as quickly as possible.

142.4 B. Official education records/transcripts - Simultaneous with the enrollment and
 142.5 conditional placement of the student, the school in the receiving state shall request the
 142.6 student's official education record from the school in the sending state. Upon receipt of
 142.7 this request, the school in the sending state will process and furnish the official education
 142.8 records to the school in the receiving state within ten days or within such time as
 142.9 reasonably determined under rules promulgated by the Interstate Commission.

142.10 C. Immunizations - Compacting states shall give 30 days from the date of enrollment
 142.11 or within such time as is reasonably determined under the rules promulgated by the
 142.12 Interstate Commission, for students to obtain any immunization(s) required by the
 142.13 receiving state. For a series of immunizations, initial vaccinations must be obtained within
 142.14 30 days or within such time as is reasonably determined under the rules promulgated by
 142.15 the Interstate Commission.

142.16 D. Kindergarten and first grade entrance age - Students shall be allowed to continue
 142.17 their enrollment at grade level in the receiving state commensurate with their grade level
 142.18 (including kindergarten) from a local education agency in the sending state at the time of
 142.19 transition, regardless of age. A student that has satisfactorily completed the prerequisite
 142.20 grade level in the local education agency in the sending state shall be eligible for enrollment
 142.21 in the next highest grade level in the receiving state, regardless of age. A student
 142.22 transferring after the start of the school year in the receiving state shall enter the school in
 142.23 the receiving state on their validated level from an accredited school in the sending state.

142.24 **ARTICLE V**

142.25 **PLACEMENT AND ATTENDANCE**

104.30 4. other United States Department of Defense personnel and other federal agency
 104.31 civilian and contract employees not defined as active duty members of the uniformed
 104.32 services.

104.33 **ARTICLE IV**

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 105.2 a complete set of unofficial educational records containing uniform information as
 105.3 determined by the Interstate Commission. Upon receipt of the unofficial education records
 105.4 by a school in the receiving state, the school shall enroll and appropriately place the
 105.5 student based on the information provided in the unofficial records pending validation by
 105.6 the official records, as quickly as possible.

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 105.8 conditional placement of the student, the school in the receiving state shall request the
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 105.20 their enrollment at grade level in the receiving state commensurate with their grade level
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 105.22 transition, regardless of age. A student that has satisfactorily completed the prerequisite
 105.23 grade level in the local education agency in the sending state shall be eligible for enrollment
 105.24 in the next highest grade level in the receiving state, regardless of age. A student
 105.25 transferring after the start of the school year in the receiving state shall enter the school in
 105.26 the receiving state on their validated level from an accredited school in the sending state.

105.27 **ARTICLE V**

105.28 **PLACEMENT AND ATTENDANCE**

142.26 A. Course placement - When the student transfers before or during the school year,
 142.27 the receiving state school shall initially honor placement of the student in educational
 142.28 courses based on the student's enrollment in the sending state school and/or educational
 142.29 assessments conducted at the school in the sending state if the courses are offered. Course
 142.30 placement includes but is not limited to Honors, International Baccalaureate, Advanced
 142.31 Placement, vocational, technical, and career pathways courses. Continuing the student's
 142.32 academic program from the previous school and promoting placement in academically and
 142.33 career challenging courses should be paramount when considering placement. This does
 142.34 not preclude the school in the receiving state from performing subsequent evaluations to
 142.35 ensure appropriate placement and continued enrollment of the student in the course(s).

143.1 B. Educational program placement - The receiving state school shall initially honor
 143.2 placement of the student in educational programs based on the current educational
 143.3 assessments conducted at the school in the sending state or participation/placement in
 143.4 like programs in the sending state. Such programs include, but are not limited to: (1)
 143.5 gifted and talented programs; and (2) English as a second language (ESL). This does not
 143.6 preclude the school in the receiving state from performing subsequent evaluations to
 143.7 ensure appropriate placement of the student.

143.8 C. Special education services - (1) in compliance with the federal requirements of the
 143.9 Individuals with Disabilities Education Act (IDEA), United States Code Annotated, title
 143.10 20, section 1400 et seq., the receiving state shall initially provide comparable services to a
 143.11 student with disabilities based on his/her current Individualized Education Program (IEP);
 143.12 and (2) in compliance with the requirements of Section 504 of the Rehabilitation Act,
 143.13 United States Code Annotated, title 29, section 794, and with Title II of the Americans
 143.14 with Disabilities Act, United States Code Annotated, title 42, sections 12131 to12165,
 143.15 the receiving state shall make reasonable accommodations and modifications to address
 143.16 the needs of incoming students with disabilities, subject to an existing 504 or Title II
 143.17 Plan, to provide the student with equal access to education. This does not preclude the
 143.18 school in the receiving state from performing subsequent evaluations to ensure appropriate
 143.19 placement of the student.

143.20 D. Placement flexibility - Local education agency administrative officials shall have
 143.21 flexibility in waiving course/program prerequisites, or other preconditions for placement
 143.22 in courses/programs offered under the jurisdiction of the local education agency.

143.23 E. Absence as related to deployment activities - A student whose parent or legal
 143.24 guardian is an active duty member of the uniformed services, as defined by the compact,
 143.25 and has been called to duty for, is on leave from, or immediately returned from deployment
 143.26 to a combat zone or combat support posting, shall be granted additional excused absences
 143.27 at the discretion of the local education agency superintendent to visit with his or her parent
 143.28 or legal guardian relative to such leave or deployment of the parent or guardian.

143.29 **ARTICLE VI**

143.30 **ELIGIBILITY**

105.29 A. Course placement - When the student transfers before or during the school year,
 105.30 the receiving state school shall initially honor placement of the student in educational
 105.31 courses based on the student's enrollment in the sending state school and/or educational
 105.32 assessments conducted at the school in the sending state if the courses are offered. Course
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 105.36 career challenging courses should be paramount when considering placement. This does
 106.1 not preclude the school in the receiving state from performing subsequent evaluations to
 106.2 ensure appropriate placement and continued enrollment of the student in the course(s).

106.3 B. Educational program placement - The receiving state school shall initially honor
 106.4 placement of the student in educational programs based on the current educational
 106.5 assessments conducted at the school in the sending state or participation/placement in
 106.6 like programs in the sending state. Such programs include, but are not limited to: (1)
 106.7 gifted and talented programs; and (2) English as a second language (ESL). This does not
 106.8 preclude the school in the receiving state from performing subsequent evaluations to
 106.9 ensure appropriate placement of the student.

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 106.29 at the discretion of the local education agency superintendent to visit with his or her parent
 106.30 or legal guardian relative to such leave or deployment of the parent or guardian.

106.31 **ARTICLE VI**

106.32 **ELIGIBILITY**

143.31 A. Eligibility for enrollment

143.32 1. Special power of attorney, relative to the guardianship of a child of a military
 143.33 family and executed under applicable law shall be sufficient for the purposes of enrollment
 143.34 and all other actions requiring parental participation and consent.

144.1 2. A local education agency shall be prohibited from charging local tuition to a
 144.2 transitioning military child placed in the care of a noncustodial parent or other person
 144.3 standing in loco parentis who lives in a jurisdiction other than that of the custodial parent.

144.4 3. A transitioning military child, placed in the care of a noncustodial parent or
 144.5 other person standing in loco parentis who lives in a jurisdiction other than that of the
 144.6 custodial parent, may continue to attend the school in which he/she was enrolled while
 144.7 residing with the custodial parent.

144.8 B. Eligibility for extracurricular participation - State and local education

144.9 agencies shall facilitate the opportunity for transitioning military children's inclusion
 144.10 in extracurricular activities, regardless of application deadlines, to the extent they are
 144.11 otherwise qualified.

144.12 **ARTICLE VII**144.13 **GRADUATION**

144.14 In order to facilitate the on-time graduation of children of military families, states
 144.15 and local education agencies shall incorporate the following procedures:

144.16 A. Waiver requirements - Local education agency administrative officials shall waive
 144.17 specific courses required for graduation if similar coursework has been satisfactorily
 144.18 completed in another local education agency or shall provide reasonable justification for
 144.19 denial. Should a waiver not be granted to a student who would qualify to graduate from
 144.20 the sending school, the local education agency shall provide an alternative means of
 144.21 acquiring required coursework so that graduation may occur on time.

144.22 B. Exit exams - States shall accept: (1) exit or end-of-course exams required for
 144.23 graduation from the sending state, (2) national norm-referenced achievement tests, or (3)
 144.24 alternative testing, in lieu of testing requirements for graduation in the receiving state.
 144.25 In the event the above alternatives cannot be accommodated by the receiving state for a
 144.26 student transferring in his or her senior year, then the provisions of Section C shall apply.

106.33 A. Eligibility for enrollment

106.34 1. Special power of attorney, relative to the guardianship of a child of a military
 106.35 family and executed under applicable law shall be sufficient for the purposes of enrollment
 106.36 and all other actions requiring parental participation and consent.

107.1 2. A local education agency shall be prohibited from charging local tuition to a
 107.2 transitioning military child placed in the care of a noncustodial parent or other person
 107.3 standing in loco parentis who lives in a jurisdiction other than that of the custodial parent.

107.4 3. A transitioning military child, placed in the care of a noncustodial parent or
 107.5 other person standing in loco parentis who lives in a jurisdiction other than that of the
 107.6 custodial parent, may continue to attend the school in which he/she was enrolled while
 107.7 residing with the custodial parent.

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 107.25 In the event the above alternatives cannot be accommodated by the receiving state for a
 107.26 student transferring in his or her senior year, then the provisions of Article VII, Section
 107.27 C shall apply.

144.27 C. Transfers during senior year - Should a military student transferring at the
 144.28 beginning or during his or her senior year be ineligible to graduate from the receiving local
 144.29 education agency after all alternatives have been considered, the sending and receiving
 144.30 local education agencies shall ensure the receipt of a diploma from the sending local
 144.31 education agency, if the student meets the graduation requirements of the sending local
 144.32 education agency. In the event that one of the states in question is not a member of this
 144.33 compact, the member state shall use best efforts to facilitate the on-time graduation of the
 144.34 student in accordance with Sections A and B of this Article.

144.35 **ARTICLE VIII**

144.36 **STATE COORDINATION**

145.1 A. Each member state shall, through the creation of a State Council or use of an
 145.2 existing body or board, provide for the coordination among its agencies of government,
 145.3 local education agencies, and military installations concerning the state's participation in,
 145.4 and compliance with, this compact and Interstate Commission activities. While each
 145.5 member state may determine the membership of its own State Council, its membership
 145.6 must include at least: the state superintendent of education, superintendent of a school
 145.7 district with a high concentration of military children, representative from a military
 145.8 installation, one representative each from the legislative and executive branches of
 145.9 government, and other offices and stakeholder groups the State Council deems appropriate.
 145.10 A member state that does not have a school district deemed to contain a high concentration
 145.11 of military children may appoint a superintendent from another school district to represent
 145.12 local education agencies on the State Council.

145.13 B. The State Council of each member state shall appoint or designate a military
 145.14 family education liaison to assist military families and the state in facilitating the
 145.15 implementation of this compact.

145.16 C. The compact commissioner responsible for the administration and management
 145.17 of the state's participation in the compact shall be appointed by the governor or as
 145.18 otherwise determined by each member state.

145.19 D. The compact commissioner and the military family education liaison designated
 145.20 herein shall be ex-officio members of the State Council, unless either is already a full
 145.21 voting member of the State Council.

145.22 **ARTICLE IX**

145.23 **INTERSTATE COMMISSION ON EDUCATIONAL OPPORTUNITY**

145.24 **FOR MILITARY CHILDREN**

145.25 The member states hereby create the "Interstate Commission on Educational
 145.26 Opportunity for Military Children." The activities of the Interstate Commission are
 145.27 the formation of public policy and are a discretionary state function. The Interstate
 145.28 Commission shall:

107.28 C. Transfers during senior year - Should a military student transferring at the
 107.29 beginning or during his or her senior year be ineligible to graduate from the receiving local
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 107.31 local education agencies shall ensure the receipt of a diploma from the sending local
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 108.28 the formation of public policy and are a discretionary state function. The Interstate
 108.29 Commission shall:

145.29 A. Be a body corporate and joint agency of the member states and shall have all the
 145.30 responsibilities, powers, and duties set forth herein, and such additional powers as may be
 145.31 conferred upon it by a subsequent concurrent action of the respective legislatures of the
 145.32 member states in accordance with the terms of this compact.

145.33 B. Consist of one Interstate Commission voting representative from each member
 145.34 state who shall be that state's compact commissioner.

145.35 1. Each member state represented at a meeting of the Interstate Commission is
 145.36 entitled to one vote.

146.1 2. A majority of the total member states shall constitute a quorum for the transaction
 146.2 of business, unless a larger quorum is required by the bylaws of the Interstate Commission.

146.3 3. A representative shall not delegate a vote to another member state. In the event
 146.4 the compact commissioner is unable to attend a meeting of the Interstate Commission,
 146.5 the Governor or State Council may delegate voting authority to another person from
 146.6 their state for a specified meeting.

146.7 4. The bylaws may provide for meetings of the Interstate Commission to be
 146.8 conducted by telecommunication or electronic communication.

146.9 C. Consist of ex-officio, nonvoting representatives who are members of interested
 146.10 organizations. Such ex-officio members, as defined in the bylaws, may include, but not
 146.11 be limited to, members of the representative organizations of military family advocates,
 146.12 local education agency officials, parent and teacher groups, the United States Department
 146.13 of Defense, the Education Commission of the States, the Interstate Agreement on the
 146.14 Qualification of Educational Personnel, and other interstate compacts affecting the
 146.15 education of children of military members.

146.16 D. Meet at least once each calendar year. The chairperson may call additional
 146.17 meetings and, upon the request of a simple majority of the member states, shall call
 146.18 additional meetings.

146.19 E. Establish an executive committee, whose members shall include the officers
 146.20 of the Interstate Commission and such other members of the Interstate Commission as
 146.21 determined by the bylaws. Members of the executive committee shall serve a one-year
 146.22 term. Members of the executive committee shall be entitled to one vote each. The
 146.23 executive committee shall have the power to act on behalf of the Interstate Commission,
 146.24 with the exception of rulemaking, during periods when the Interstate Commission is
 146.25 not in session. The executive committee shall oversee the day-to-day activities of the
 146.26 administration of the compact, including enforcement and compliance with the provisions
 146.27 of the compact, its bylaws and rules, and other such duties as deemed necessary. The
 146.28 United States Department of Defense shall serve as an ex-officio, nonvoting member of
 146.29 the executive committee.

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 108.31 responsibilities, powers, and duties set forth herein, and such additional powers as may be
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 109.26 compact, including enforcement and compliance with the provisions of the compact, its
 109.27 bylaws and rules, and other such duties as deemed necessary. The U.S. Department of
 109.28 Defense, shall serve as an ex-officio, nonvoting member of the executive committee.

146.30 F. Establish bylaws and rules that provide for conditions and procedures under which
 146.31 the Interstate Commission shall make its information and official records available to the
 146.32 public for inspection or copying. The Interstate Commission may exempt from disclosure
 146.33 information or official records to the extent they would adversely affect personal privacy
 146.34 rights or proprietary interests.

146.35 G. Public notice shall be given by the Interstate Commission of all meetings and
 146.36 all meetings shall be open to the public, except as set forth in the rules or as otherwise
 147.1 provided in the compact. The Interstate Commission and its committees may close a
 147.2 meeting, or portion thereof, where it determines by two-thirds vote that an open meeting
 147.3 would be likely to:

147.4 1. Relate solely to the Interstate Commission's internal personnel practices and
 147.5 procedures;

147.6 2. Disclose matters specifically exempted from disclosure by federal and state statute;

147.7 3. Disclose trade secrets or commercial or financial information which is privileged
 147.8 or confidential;

147.9 4. Involve accusing a person of a crime, or formally censuring a person;

147.10 5. Disclose information of a personal nature where disclosure would constitute a
 147.11 clearly unwarranted invasion of personal privacy;

147.12 6. Disclose investigative records compiled for law enforcement purposes; or

147.13 7. Specifically relate to the Interstate Commission's participation in a civil action
 147.14 or other legal proceeding.

147.15 H. For a meeting, or a portion of a meeting, closed pursuant to this provision, the
 147.16 Interstate Commission's legal counsel or designee shall certify that the meeting may be
 147.17 closed and shall reference each relevant exemptible provision. The Interstate Commission
 147.18 shall keep minutes which shall fully and clearly describe all matters discussed in a meeting
 147.19 and shall provide a full and accurate summary of actions taken, and the reasons therefore,
 147.20 including a description of the views expressed and the record of a roll call vote. All
 147.21 documents considered in connection with an action shall be identified in such minutes. All
 147.22 minutes and documents of a closed meeting shall remain under seal, subject to release by a
 147.23 majority vote of the Interstate Commission.

147.24 I. The Interstate Commission shall collect standardized data concerning the
 147.25 educational transition of the children of military families under this compact as directed
 147.26 through its rules which shall specify the data to be collected, the means of collection, and
 147.27 data exchange and reporting requirements. Such methods of data collection, exchange,
 147.28 and reporting shall, insofar as is reasonably possible, conform to current technology and
 147.29 coordinate its information functions with the appropriate custodian of records as identified
 147.30 in the bylaws and rules.

109.29 F. Establish bylaws and rules that provide for conditions and procedures under which
 109.30 the Interstate Commission shall make its information and official records available to the
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 110.29 in the bylaws and rules.

147.31 J. The Interstate Commission shall create a process that permits military officials,
 147.32 education officials, and parents to inform the Interstate Commission if and when there
 147.33 are alleged violations of the compact or its rules or when issues subject to the jurisdiction
 147.34 of the compact or its rules are not addressed by the state or local education agency. This
 147.35 section shall not be construed to create a private right of action against the Interstate
 147.36 Commission or any member state.

148.1 **ARTICLE X**

148.2 **POWERS AND DUTIES OF THE INTERSTATE COMMISSION**

148.3 The Interstate Commission shall have the following powers:

148.4 A. To provide for dispute resolution among member states.

148.5 B. To promulgate rules and take all necessary actions to effect the goals, purposes,
 148.6 and obligations as enumerated in this compact. The rules shall have the force and effect of
 148.7 statutory law and shall be binding in the compact states to the extent and in the manner
 148.8 provided in this compact.

148.9 C. To issue, upon request of a member state, advisory opinions concerning the
 148.10 meaning or interpretation of the interstate compact, its bylaws, rules, and actions.

148.11 D. To enforce compliance with the compact provisions, the rules promulgated by the
 148.12 Interstate Commission, and the bylaws, using all necessary and proper means, including
 148.13 but not limited to the use of judicial process.

148.14 E. To establish and maintain offices which shall be located within one or more of
 148.15 the member states.

148.16 F. To purchase and maintain insurance and bonds.

148.17 G. To borrow, accept, hire, or contract for services of personnel.

148.18 H. To establish and appoint committees including, but not limited to, an executive
 148.19 committee as required by Article IX, Section E, which shall have the power to act on
 148.20 behalf of the Interstate Commission in carrying out its powers and duties hereunder.

148.21 I. To elect or appoint such officers, attorneys, employees, agents, or consultants, and
 148.22 to fix their compensation, define their duties, and determine their qualifications; and to
 148.23 establish the Interstate Commission's personnel policies and programs relating to conflicts
 148.24 of interest, rates of compensation, and qualifications of personnel.

148.25 J. To accept any and all donations and grants of money, equipment, supplies,
 148.26 materials, and services, and to receive, utilize, and dispose of it.

148.27 K. To lease, purchase, accept contributions or donations of, or otherwise to own,
 148.28 hold, improve, or use any property, real, personal, or mixed.

110.30 J. The Interstate Commission shall create a process that permits military officials,
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111.26 K. To lease, purchase, accept contributions or donations of, or otherwise to own,
 111.27 hold, improve, or use any property, real, personal, or mixed.

- 148.29 L. To sell, convey, mortgage, pledge, lease, exchange, abandon, or otherwise dispose
148.30 of any property, real, personal, or mixed.
- 148.31 M. To establish a budget and make expenditures.
- 148.32 N. To adopt a seal and bylaws governing the management and operation of the
148.33 Interstate Commission.
- 148.34 O. To report annually to the legislatures, governors, judiciary, and State Councils
148.35 of the member states concerning the activities of the Interstate Commission during the
149.1 preceding year. Such reports shall also include any recommendations that may have
149.2 been adopted by the Interstate Commission.
- 149.3 P. To coordinate education, training, and public awareness regarding the compact, its
149.4 implementation and operation for officials and parents involved in such activity.
- 149.5 Q. To establish uniform standards for the reporting, collecting, and exchanging of
149.6 data.
- 149.7 R. To maintain corporate books and records in accordance with the bylaws.
- 149.8 S. To perform such functions as may be necessary or appropriate to achieve the
149.9 purposes of this compact.
- 149.10 T. To provide for the uniform collection and sharing of information between and
149.11 among member states, schools, and military families under this compact.

149.12 **ARTICLE XI**149.13 **ORGANIZATION AND OPERATION OF THE INTERSTATE COMMISSION**

- 149.14 A. The Interstate Commission shall, by a majority of the members present and
149.15 voting, within 12 months after the first Interstate Commission meeting, adopt bylaws to
149.16 govern its conduct as may be necessary or appropriate to carry out the purposes of the
149.17 compact, including, but not limited to:
- 149.18 1. Establishing the fiscal year of the Interstate Commission;
- 149.19 2. Establishing an executive committee, and such other committees as may be
149.20 necessary;
- 149.21 3. Providing for the establishment of committees and for governing any general or
149.22 specific delegation of authority or function of the Interstate Commission;
- 149.23 4. Providing reasonable procedures for calling and conducting meetings of the
149.24 Interstate Commission, and ensuring reasonable notice of each such meeting;
- 149.25 5. Establishing the titles and responsibilities of the officers and staff of the Interstate
149.26 Commission;

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112.22 Interstate Commission, and ensuring reasonable notice of each such meeting;
- 112.23 5. Establishing the titles and responsibilities of the officers and staff of the Interstate
112.24 Commission;

149.27 6. Providing a mechanism for concluding the operations of the Interstate
 149.28 Commission and the return of surplus funds that may exist upon the termination of the
 149.29 compact after the payment and reserving of all of its debts and obligations;

149.30 7. Providing "start up" rules for initial administration of the compact.

149.31 B. The Interstate Commission shall, by a majority of the members, elect annually
 149.32 from among its members a chairperson, a vice-chairperson, and a treasurer, each of whom
 149.33 shall have such authority and duties as may be specified in the bylaws. The chairperson or,
 149.34 in the chairperson's absence or disability, the vice-chairperson, shall preside at all meetings
 149.35 of the Interstate Commission. The officers so elected shall serve without compensation or
 149.36 remuneration from the Interstate Commission; provided that, subject to the availability
 150.1 of budgeted funds, the officers shall be reimbursed for ordinary and necessary costs and
 150.2 expenses incurred by them in the performance of their responsibilities as officers of the
 150.3 Interstate Commission.

150.4 C. Executive Committee, Officers, and Personnel

150.5 1. The executive committee shall have such authority and duties as may be set forth
 150.6 in the bylaws, including but not limited to:

150.7 a. Managing the affairs of the Interstate Commission in a manner consistent with the
 150.8 bylaws and purposes of the Interstate Commission;

150.9 b. Overseeing an organizational structure within, and appropriate procedures for,
 150.10 the Interstate Commission to provide for the creation of rules, operating procedures, and
 150.11 administrative and technical support functions; and

150.12 c. Planning, implementing, and coordinating communications and activities with
 150.13 other state, federal, and local government organizations in order to advance the goals of
 150.14 the Interstate Commission.

150.15 2. The executive committee may, subject to the approval of the Interstate
 150.16 Commission, appoint or retain an executive director for such period, upon such terms and
 150.17 conditions, and for compensation, as the Interstate Commission may deem appropriate.
 150.18 The executive director shall serve as secretary to the Interstate Commission, but shall not
 150.19 be a member of the Interstate Commission. The executive director shall hire and supervise
 150.20 such other persons as may be authorized by the Interstate Commission.

150.21 D. The Interstate Commission's executive director and its employees shall be
 150.22 immune from suit and liability, either personally or in their official capacity, for a claim
 150.23 for damage to or loss of property or personal injury or other civil liability caused or arising
 150.24 out of or relating to an actual or alleged act, error, or omission that occurred, or that
 150.25 such person had a reasonable basis for believing occurred, within the scope of Interstate
 150.26 Commission employment, duties, or responsibilities; provided that such person shall
 150.27 not be protected from suit or liability for damage, loss, injury, or liability caused by the
 150.28 intentional or willful and wanton misconduct of such person.

112.25 6. Providing a mechanism for concluding the operations of the Interstate
 112.26 Commission and the return of surplus funds that may exist upon the termination of the
 112.27 compact after the payment and reserving of all of its debts and obligations.

112.28 7. Providing "start up" rules for initial administration of the compact.

112.29 B. The Interstate Commission shall, by a majority of the members, elect annually
 112.30 from among its members a chairperson, a vice-chairperson, and a treasurer, each of whom
 112.31 shall have such authority and duties as may be specified in the bylaws. The chairperson or,
 112.32 in the chairperson's absence or disability, the vice-chairperson, shall preside at all meetings
 112.33 of the Interstate Commission. The officers so elected shall serve without compensation or
 112.34 remuneration from the Interstate Commission; provided that, subject to the availability
 112.35 of budgeted funds, the officers shall be reimbursed for ordinary and necessary costs and
 113.1 expenses incurred by them in the performance of their responsibilities as officers of the
 113.2 Interstate Commission.

113.3 C. Executive Committee, Officers and Personnel

113.4 1. The executive committee shall have such authority and duties as may be set forth
 113.5 in the bylaws, including but not limited to:

113.6 a. Managing the affairs of the Interstate Commission in a manner consistent with the
 113.7 bylaws and purposes of the Interstate Commission;

113.8 b. Overseeing an organizational structure within, and appropriate procedures for,
 113.9 the Interstate Commission to provide for the creation of rules, operating procedures, and
 113.10 administrative and technical support functions; and

113.11 c. Planning, implementing, and coordinating communications and activities with
 113.12 other state, federal, and local government organizations in order to advance the goals of
 113.13 the Interstate Commission.

113.14 2. The executive committee may, subject to the approval of the Interstate
 113.15 Commission, appoint or retain an executive director for such period, upon such terms and
 113.16 conditions and for compensation, as the Interstate Commission may deem appropriate.
 113.17 The executive director shall serve as secretary to the Interstate Commission, but shall not
 113.18 be a member of the Interstate Commission. The executive director shall hire and supervise
 113.19 such other persons as may be authorized by the Interstate Commission.

113.20 D. The Interstate Commission's executive director and its employees shall be
 113.21 immune from suit and liability, either personally or in their official capacity, for a claim
 113.22 for damage to or loss of property or personal injury or other civil liability caused or arising
 113.23 out of or relating to an actual or alleged act, error, or omission that occurred, or that
 113.24 such person had a reasonable basis for believing occurred, within the scope of Interstate
 113.25 Commission employment, duties, or responsibilities; provided that such person shall
 113.26 not be protected from suit or liability for damage, loss, injury, or liability caused by the
 113.27 intentional or willful and wanton misconduct of such person.

150.29 1. The liability of the Interstate Commission's executive director and employees
 150.30 or Interstate Commission representatives, acting within the scope of such person's
 150.31 employment or duties for acts, errors, or omissions occurring within such person's state
 150.32 may not exceed the limits of liability set forth under the Constitution and laws of that state
 150.33 for state officials, employees, and agents. The Interstate Commission is considered to be an
 150.34 instrumentality of the states for the purposes of any such action. Nothing in this subsection
 150.35 shall be construed to protect such person from suit or liability for damage, loss, injury, or
 150.36 liability caused by the intentional or willful and wanton misconduct of such person.

151.1 2. The Interstate Commission shall defend the executive director and its employees
 151.2 and, subject to the approval of the attorney general or other appropriate legal counsel of the
 151.3 member state represented by an Interstate Commission representative, shall defend such
 151.4 Interstate Commission representative in any civil action seeking to impose liability arising
 151.5 out of an actual or alleged act, error, or omission that occurred within the scope of Interstate
 151.6 Commission employment, duties, or responsibilities, or that the defendant had a reasonable
 151.7 basis for believing occurred within the scope of the Interstate Commission employment,
 151.8 duties, or responsibilities, provided that the actual or alleged act, error, or omission did not
 151.9 result from intentional or willful and wanton misconduct on the part of such person.

151.10 3. To the extent not covered by the state involved, member state, or the Interstate
 151.11 Commission, the representatives or employees of the Interstate Commission shall be held
 151.12 harmless in the amount of a settlement or judgment, including attorney fees and costs,
 151.13 obtained against such persons arising out of an actual or alleged act, error, or omission
 151.14 that occurred within the scope of the Interstate Commission employment, duties, or
 151.15 responsibilities, or that such persons had a reasonable basis for believing occurred within
 151.16 the scope of Interstate Commission employment, duties, or responsibilities, provided that
 151.17 the actual or alleged act, error, or omission did not result from intentional or willful and
 151.18 wanton misconduct on the part of such persons.

151.19 **ARTICLE XII**

151.20 **RULEMAKING FUNCTIONS OF THE INTERSTATE COMMISSION**

151.21 A. Rulemaking Authority - The Interstate Commission shall promulgate reasonable
 151.22 rules in order to effectively and efficiently achieve the purposes of this Compact.
 151.23 Notwithstanding the foregoing, in the event the Interstate Commission exercises its
 151.24 rulemaking authority in a manner that is beyond the scope of the purposes of this Act, or
 151.25 the powers granted hereunder, then such an action by the Interstate Commission shall be
 151.26 invalid and have no force or effect.

151.27 B. Rulemaking Procedure - Rules shall be made pursuant to a rulemaking process
 151.28 that substantially conforms to the "Model State Administrative Procedure Act," of 1981
 151.29 Act, Uniform Laws Annotated, Vol. 15, p.1 (2000) as amended, as may be appropriate to
 151.30 the operations of the Interstate Commission.

113.28 1. The liability of the Interstate Commission's executive director and employees
 113.29 or Interstate Commission representatives, acting within the scope of such person's
 113.30 employment or duties for acts, errors, or omissions occurring within such person's state
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 114.4 Interstate Commission representative in any civil action seeking to impose liability arising
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 114.6 Commission employment, duties or responsibilities, or that the defendant had a reasonable
 114.7 basis for believing occurred within the scope of the Interstate Commission employment,
 114.8 duties, or responsibilities, provided that the actual or alleged act, error, or omission did not
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114.10 3. To the extent not covered by the state involved, member state, or the Interstate
 114.11 Commission, the representatives or employees of the Interstate Commission shall be held
 114.12 harmless in the amount of a settlement or judgment, including attorney fees and costs,
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 114.29 Act, Uniform Laws Annotated, Vol. 15, p.1 (2000) as amended, as may be appropriate to
 114.30 the operations of the Interstate Commission.

151.31 C. Not later than 30 days after a rule is promulgated, any person may file a petition
 151.32 for judicial review of the rule; provided that the filing of such a petition shall not stay
 151.33 or otherwise prevent the rule from becoming effective unless the court finds that the
 151.34 petitioner has a substantial likelihood of success. The court shall give deference to
 151.35 the actions of the Interstate Commission consistent with applicable law and shall not
 152.1 find the rule to be unlawful if the rule represents a reasonable exercise of the Interstate
 152.2 Commission's authority.

152.3 D. If a majority of the legislatures of the compacting states reject a rule by enactment
 152.4 of a statute or resolution in the same manner used to adopt the compact, then such rule
 152.5 shall have no further force and effect in any compacting state.

152.6 **ARTICLE XIII**

152.7 **OVERSIGHT, ENFORCEMENT, AND DISPUTE RESOLUTION**

152.8 A. Oversight

152.9 1. The executive, legislative, and judicial branches of state government in each
 152.10 member state shall enforce this compact and shall take all actions necessary and
 152.11 appropriate to effectuate the compact's purposes and intent. The provisions of this compact
 152.12 and the rules promulgated hereunder shall have standing as statutory law.

152.13 2. All courts shall take judicial notice of the compact and the rules in any judicial or
 152.14 administrative proceeding in a member state pertaining to the subject matter of this
 compact
 152.15 which may affect the powers, responsibilities, or actions of the Interstate Commission.

152.16 3. The Interstate Commission shall be entitled to receive all service of process in any
 152.17 such proceeding, and shall have standing to intervene in the proceeding for all purposes.
 152.18 Failure to provide service of process to the Interstate Commission shall render a judgment
 152.19 or order void as to the Interstate Commission, this compact, or promulgated rules.

152.20 B. Default, Technical Assistance, Suspension, and Termination - If the Interstate
 152.21 Commission determines that a member state has defaulted in the performance of its
 152.22 obligations or responsibilities under this compact, or the bylaws or promulgated rules,
 152.23 the Interstate Commission shall:

152.24 1. Provide written notice to the defaulting state and other member states of the
 152.25 nature of the default, the means of curing the default, and any action taken by the Interstate
 152.26 Commission. The Interstate Commission shall specify the conditions by which the
 152.27 defaulting state must cure its default.

152.28 2. Provide remedial training and specific technical assistance regarding the default.

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 115.27 defaulting state must cure its default.

115.28 2. Provide remedial training and specific technical assistance regarding the default.

152.29 3. If the defaulting state fails to cure the default, the defaulting state shall be
 152.30 terminated from the compact upon an affirmative vote of a majority of the member states
 152.31 and all rights, privileges, and benefits conferred by this compact shall be terminated from
 152.32 the effective date of termination. A cure of the default does not relieve the offending state
 152.33 of obligations or liabilities incurred during the period of the default.

152.34 4. Suspension or termination of membership in the compact shall be imposed only
 152.35 after all other means of securing compliance have been exhausted. Notice of intent
 152.36 to suspend or terminate shall be given by the Interstate Commission to the governor,
 153.1 the majority and minority leaders of the defaulting state's legislature, and each of the
 153.2 member states.

153.3 5. The state which has been suspended or terminated is responsible for all
 153.4 assessments, obligations, and liabilities incurred through the effective date of suspension
 153.5 or termination, including obligations, the performance of which extends beyond the
 153.6 effective date of suspension or termination.

153.7 6. The Interstate Commission shall not bear any costs relating to any state that has
 153.8 been found to be in default or which has been suspended or terminated from the compact,
 153.9 unless otherwise mutually agreed upon in writing between the Interstate Commission
 153.10 and the defaulting state.

153.11 7. The defaulting state may appeal the action of the Interstate Commission by
 153.12 petitioning the United States District Court for the District of Columbia or the federal
 153.13 district where the Interstate Commission has its principal offices. The prevailing party
 153.14 shall be awarded all costs of such litigation including reasonable attorney fees.

153.15 C. Dispute Resolution

153.16 1. The Interstate Commission shall attempt, upon the request of a member state, to
 153.17 resolve disputes which are subject to the compact and which may arise among member
 153.18 states and between member and nonmember states.

153.19 2. The Interstate Commission shall promulgate a rule providing for both mediation
 153.20 and binding dispute resolution for disputes as appropriate.

153.21 D. Enforcement

153.22 1. The Interstate Commission, in the reasonable exercise of its discretion, shall
 153.23 enforce the provisions and rules of this compact.

153.24 2. The Interstate Commission may, by majority vote of the members, initiate legal
 153.25 action in the United States District Court for the District of Columbia or, at the discretion
 153.26 of the Interstate Commission, in the federal district where the Interstate Commission has its
 153.27 principal offices, to enforce compliance with the provisions of the compact, its promulgated
 153.28 rules and bylaws, against a member state in default. The relief sought may include both
 153.29 injunctive relief and damages. In the event judicial enforcement is necessary the prevailing
 153.30 party shall be awarded all costs of such litigation including reasonable attorney fees.

115.29 3. If the defaulting state fails to cure the default, the defaulting state shall be
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 116.28 promulgated rules and bylaws, against a member state in default. The relief sought may
 116.29 include both injunctive relief and damages.

153.31 3. The remedies herein shall not be the exclusive remedies of the Interstate
 153.32 Commission. The Interstate Commission may avail itself of any other remedies available
 153.33 under state law or the regulation of a profession.

153.34 **ARTICLE XIV**

153.35 **FINANCING OF THE INTERSTATE COMMISSION**

154.1 A. The Interstate Commission shall pay, or provide for the payment of the reasonable
 154.2 expenses of its establishment, organization, and ongoing activities.

154.3 B. The Interstate Commission may levy on and collect an annual assessment from
 154.4 each member state to cover the cost of the operations and activities of the Interstate
 154.5 Commission and its staff which must be in a total amount sufficient to cover the Interstate
 154.6 Commission's annual budget as approved each year. The aggregate annual assessment
 154.7 amount shall be allocated based upon a formula to be determined by the Interstate
 154.8 Commission, which shall promulgate a rule binding upon all member states.

154.9 C. The Interstate Commission shall not incur obligations of any kind prior to securing
 154.10 the funds adequate to meet the same; nor shall the Interstate Commission pledge the credit
 154.11 of any of the member states, except by and with the authority of the member state.

154.12 D. The Interstate Commission shall keep accurate accounts of all receipts and
 154.13 disbursements. The receipts and disbursements of the Interstate Commission shall be
 154.14 subject to the audit and accounting procedures established under its bylaws. However,
 154.15 all receipts and disbursements of funds handled by the Interstate Commission shall be
 154.16 audited yearly by a certified or licensed public accountant and the report of the audit shall
 154.17 be included in and become part of the annual report of the Interstate Commission.

154.18 **ARTICLE XV**

154.19 **MEMBER STATES, EFFECTIVE DATE, AND AMENDMENT**

154.20 A. Any state is eligible to become a member state.

154.21 B. The compact shall become effective and binding upon legislative enactment of the
 154.22 compact into law by no less than ten of the states. The effective date shall be no earlier than
 154.23 December 1, 2007. Thereafter, it shall become effective and binding as to any other member
 154.24 state upon enactment of the compact into law by that state. The governors of nonmember
 154.25 states or their designees shall be invited to participate in the activities of the Interstate
 154.26 Commission on a nonvoting basis prior to the adoption of the compact by all states.

154.27 C. The Interstate Commission may propose amendments to the compact for
 154.28 enactment by the member states. No amendment shall become effective and binding upon
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 117.26 enactment by the member states. No amendment shall become effective and binding upon
 117.27 the Interstate Commission and the member states unless and until it is enacted into law by
 117.28 unanimous consent of the member states.

154.31 **ARTICLE XVI**154.32 **WITHDRAWAL AND DISSOLUTION**154.33 **A. Withdrawal**

154.34 1. Once effective, the compact shall continue in force and remain binding upon each
 154.35 and every member state; provided that a member state may withdraw from the compact
 154.36 specifically repealing the statute, which enacted the compact into law.

155.1 2. Withdrawal from this compact shall be by the enactment of a statute repealing
 155.2 the same, but shall not take effect until one year after the effective date of such statute
 155.3 and until written notice of the withdrawal has been given by the withdrawing state to the
 155.4 governor of each other member jurisdiction.

155.5 3. The withdrawing state shall immediately notify the chairperson of the Interstate
 155.6 Commission in writing upon the introduction of legislation repealing this compact in the
 155.7 withdrawing state. The Interstate Commission shall notify the other member states of the
 155.8 withdrawing state's intent to withdraw within 60 days of its receipt thereof.

155.9 4. The withdrawing state is responsible for all assessments, obligations, and
 155.10 liabilities incurred through the effective date of withdrawal, including obligations, the
 155.11 performance of which extend beyond the effective date of withdrawal.

155.12 5. Reinstatement following withdrawal of a member state shall occur upon the
 155.13 withdrawing state reenacting the compact or upon such later date as determined by the
 155.14 Interstate Commission.

155.15 **B. Dissolution of Compact**

155.16 1. This compact shall dissolve effective upon the date of the withdrawal or default
 155.17 of the member state which reduces the membership in the compact to one member state.

155.18 2. Upon the dissolution of this compact, the compact becomes null and void and shall
 155.19 be of no further force or effect, and the business and affairs of the Interstate Commission
 155.20 shall be concluded and surplus funds shall be distributed in accordance with the bylaws.

155.21 **ARTICLE XVII**155.22 **SEVERABILITY AND CONSTRUCTION**

155.23 A. The provisions of this compact shall be severable, and if any phrase, clause,
 155.24 sentence, or provision is deemed unenforceable, the remaining provisions of the compact
 155.25 shall be enforceable.

155.26 B. The provisions of this compact shall be liberally construed to effectuate its
 155.27 purposes.

155.28 C. Nothing in this compact shall be construed to prohibit the applicability of other
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 118.27 interstate compacts to which the states are members.

155.30 **ARTICLE XVIII**155.31 **BINDING EFFECT OF COMPACT AND OTHER LAWS**155.32 **A. Other Laws**

155.33 Nothing herein prevents the enforcement of any other law of a member state that is
 155.34 not inconsistent with this compact.

155.35 **B. Binding Effect of the Compact**

156.1 1. All lawful actions of the Interstate Commission, including all rules and bylaws
 156.2 promulgated by the Interstate Commission, are binding upon the member states.

156.3 2. All agreements between the Interstate Commission and the member states are
 156.4 binding in accordance with their terms.

156.5 3. In the event any provision of this compact exceeds the constitutional limits
 156.6 imposed on the legislature of any member state, such provision shall be ineffective to the
 156.7 extent of the conflict with the constitutional provision in question in that member state.

156.8 **Sec. 2. PREVAILING LAW; ACADEMIC CREDITS; HIGH SCHOOL**
 156.9 **DIPLOMAS.**

156.10 Notwithstanding article VII of the compact under Minnesota Statutes, section
 156.11 127A.85, other compact provisions, or other law to the contrary, where Minnesota
 156.12 statute or rule governing the awarding of academic credits or a high school diploma or
 156.13 an equivalent degree or credential conflicts with this compact, Minnesota law supersedes
 156.14 the provisions of this compact to the extent of the conflict.

156.15 **Sec. 3. PREVAILING LAW; EDUCATION RECORDS.**

156.16 Notwithstanding the provisions of this compact or other law to the contrary, where
 156.17 Minnesota statute or rule governing access to student data or other education-related data
 156.18 conflicts with this compact, Minnesota law, including Minnesota Statutes, chapter 13,
 156.19 supersedes the provisions of this compact to the extent of the conflict.

156.20 **Sec. 4. MILITARY-CONNECTED YOUTH IDENTIFIER.**

156.21 (a) When a school district updates its enrollment forms in the ordinary course
 156.22 of business, the district must include a box on the enrollment form to allow students
 156.23 to self-identify as a military-connected youth. For purposes of this section, a
 156.24 "military-connected youth" means having an immediate family member, including a
 156.25 parent or sibling, who is currently in the armed forces either as a reservist or on active
 156.26 duty or has recently retired from the armed forces.

118.28 **ARTICLE XVIII**118.29 **BINDING EFFECT OF COMPACT AND OTHER LAWS**118.30 **A. Other Laws**

118.31 1. Nothing herein prevents the enforcement of any other law of a member state
 118.32 that is not inconsistent with this compact.

118.33 2. All member states' laws conflicting with this compact are superseded to the
 118.34 extent of the conflict.

118.35 **B. Binding Effect of the Compact**

119.1 1. All lawful actions of the Interstate Commission, including all rules and bylaws
 119.2 promulgated by the Interstate Commission, are binding upon the member states.

119.3 2. All agreements between the Interstate Commission and the member states are
 119.4 binding in accordance with their terms.

119.5 3. In the event any provision of this compact exceeds the constitutional limits
 119.6 imposed on the legislature of any member state, such provision shall be ineffective to the
 119.7 extent of the conflict with the constitutional provision in question in that member state.

119.8 **Sec. 3. MILITARY-CONNECTED YOUTH IDENTIFIER.**

119.9 (a) When a school district updates its enrollment forms in the ordinary course
 119.10 of business, the district must include a box on the enrollment form to allow students
 119.11 to self-identify as a military-connected youth. For purposes of this section, a
 119.12 "military-connected youth" means having an immediate family member, including a
 119.13 parent or sibling, who is currently in the armed forces either as a reservist or on active
 119.14 duty or has recently retired from the armed forces.

156.27 (b) Data collected under this section is private data, but summary data may be
156.28 published by the Department of Education.

119.15 (b) Data collected under this section is private data on individuals, as defined in
119.16 Minnesota Statutes, section 13.02, subdivision 12, but summary data may be published
119.17 by the Department of Education.