

RULES COMMITTEE MINUTES

February 18, 2020

PRESENT	Mary Gable Kathleen Berg Daniel Dunham Darrell Floyd Susan Haberstroh Cindy Hunt Deanna McLaughlin Ben Rasmussen	Maryland Commissioner Hawaii Commissioner Virginia Commissioner Designee Oklahoma Commissioner Delaware Commissioner Oregon Commissioner Tennessee Commissioner Utah Commissioner	Chair
STAFF	Cherise Imai	Executive Director	Secretary
ABSENT	Douglas Ragland Lindsey Dablow	Alabama Commissioner Training and Operations Associate	
GUEST	Carlie Fisherow	Mayor's Office DC, Chief of Staff	

ITEM 1 – CALL TO ORDER AND WELCOME

1. Committee Chair Mary Gable (MD) called the meeting to order at 2:01 PM EST. Executive Director (ED) Cherise Imai called roll and a quorum was established.

ITEM 2 – AGENDA AND MINUTES

2. Commissioner Kathy Berg (HI) motioned to approve the agenda, seconded by Commissioner Daniel Dunham (VA). Motion carried. The minutes from September 17, 2019 as amended were motioned for approval by Commissioner Berg, seconded by Commissioner Darrell Floyd (OK). Commissioner Susan Haberstroh (DE) abstained because she was not a member of the Committee in 2019. Motion carried.

ITEM 3 – REPORTS

3. **Executive Committee** – Chair Gable yielded the floor to ED Imai who reported the Executive Committee (EXCOM) has been assisting the Standing Committees as they begin holding meetings in 2020 so they can accomplish the tasks assigned them on the Commission's newly adopted Strategic Plan.

ITEM 4 – OLD BUSINESS

4. **FY2019 National Office Case/Inquiry Report** – Chair Gable informed the Committee that the last unique case was being edited to reflect both the sending and receiving state's comments in order to present a full account of the case. This case will be posted to the website once completed.

5. Commissioner Deanna McLaughlin (TN) asked if the request from Captain Brown regarding Grade Point Average and class ranking would be reflected on the Case and Inquiry Report? ED Imai stated the case could be added.

6. Commissioner Berg requested clarification on the one National Guard case reflected in the document. A National Guard family contacted the National Office and asked if the Compact would cover their move under Title 32 orders, but they were informed the Compact did not apply. ED Imai reported the family was referred to the School Liaison Officer (SLO) for assistance.

7. ED Imai stated the interesting trend shown by this document is the increase in parents contacting the National Office demonstrating how Commissioners are working in their states to communicate the Compact. The National Office gets a lot of non-Compact related questions, like homeschooling, but working through those issues helps staff increase their knowledge and awareness of the provisions of the Compact.

8. Commissioner Dunham pointed out the number of Special Education (SPED) cases the National Office has addressed and wanted to discuss #13 on the report where the case was referred to the School Liaison Officer. He asked why the parent was not put in contact with the state Department of Education instead of being referred to the SLO. ED Imai replied that in that particular state there is currently no Commissioner or point of contact in the Department of Education so at this time the only recourse was to direct them to the SLO for assistance.

9. ED Imai reviewed the case resolution process and Commissioner Dunham recommended keeping the DoD Representative Chuck Clymer in the loop on SPED cases. He recommended the Commission and National Office stay up to date regarding the role of the SLO.

10. ED Imai pointed out that Tier Group 3 states, which have 2,000-5,999 school aged military dependents, have produced the most cases to date which is unusual because it is usually higher impacted states. This document is presented at the Annual Business Meeting and she recommended that Commissioners also collect similar data on the cases they address in their role as Commissioner.

ITEM 5 – NEW BUSINESS

11. **2020-2022 Strategic Plan** – Chair Gable asked the Members to review their duties in support of the 2020-2022 Strategic Plan. The Rules Committee does not have any specific tasks on the Strategic plan so the Committee will serve as needed.

12. **Development of Policies** – Chair Gable reviewed the language from the Annual Business Meeting (ABM) directing the Committee on developing policies.

The Rules Committee will develop a transparent set of procedures on how the Commission will develop policies and procedures that reflect clarity and allow for input from all Commissioners. The procedures will include how to develop new policies, how to amend existing policies, and how to rescind existing policies.

The Chair recommended utilizing the same process as established during the Promulgation of Rules where a draft was developed by staff and then the Committee refined and edited the language to get to the final document that the Committee adopted. She stated the draft document in the meeting packet is simply a starting point and is meant to be altered based on the thoughts and interpretations of the Members.

13. The Committee reviewed the Policy Development and Approval document. Commissioner Berg asked if the document was from another affiliate of CSG or if it came from the Compact language. ED Imai responded that the language was based on the Promulgation of Rules guide and other guidance documents of the Compact. The Chair individually reviewed the sections of the document.
14. Commissioner Cindy Hunt (OR) asked if the document needs to state it applies to the adoption, approval, and revision of policies on or after a certain date to clarify this is not the process that necessary were approved prior to this document. Commissioner Haberstroh supported the suggested change. The Chair offered "This policy takes effect..." and it was agreed to add that language.
15. The Members reviewed the first paragraph under *II. Policy*. ED Imai agreed with the Chair that the paragraph, based on language in the By-laws and Compact Model Language, provides for the promulgation of binding Rules and operating procedures, but if something does not directly relate to that then there is a role for the Executive Committee (EXCOM) of the Commission. Commissioner Berg asked if the italicized language was direct quotes and ED Imai confirmed it was.
16. Commissioner Haberstroh stated the paragraph was confusing with both the italicized language and the not italicized, and could it be simplified. Commissioner Hunt replied her impression was this paragraph was meant to establish the authority of the policy. Chair Gable state that she thought this paragraph was meant to clarify what this applies to and then separate anything that it does not apply to.
17. ED Imai asked if Section II became Authority and included this paragraph and then make *Section II Policy* into *Section III* would that help to clarify the purpose of the text? Commissioner Hunt and Commissioner Floyd supported the change.
18. Commissioner Berg asked if the authority is that the Commission's activities are defined and the EXCOM's activities are anything that is not defined by the Commission. The Chair asked that two paragraphs be created with the full language and clarify the authority of each.
19. The Committee requested additional language be added to the Purpose statement reflecting the Rules Committee was asked to develop a policy to provide clarity and transparency to the process by which policies are developed. The Chair asked that the first paragraph be named Purpose and then adjust the numbering from that point.
20. The Committee reviewed Policy, Section A, 1-2. Commissioner Harberstroh asked for a title change to "Submitting New Policies and Amending Existing Policies." Commissioner McLaughlin asked for clarification on the process and how the sponsor would be involved in the process as it moves through a Committee or from one Committee to another. "Please have supporting documentation from the sponsor of the change or new policy. How they came about presenting the topic." Commissioner Berg asked to review the Promulgation of Rules and how Rules are submitted. She cautioned against allowing a single Commissioner to propose a policy. The Committee agreed that there should be parameters on allowing only one Commissioner to propose policies.

21. ED Imai cautioned that policies developed are strictly on operations and protocols governing the Commission and would not want a parent or state legislature requesting changes to policy. Commissioner McLaughlin clarified her earlier statement that the Commissioner would initiate the recommendation but would like to provide supporting documents from their state council or state legislator who support the policy.

22. Commissioner Dunham stated that the proposed language outlined the role of the Standing Committee(s) to determine whether proposed new policies or amendments to existing policies move forward. Commissioner Hunt stated she understood proposed new policies or amendments shall be submitted to the National Office for a referral to either EXCOM or appropriate Standing Committee as follows...so how does it get to EXCOM or an appropriate Standing Committee? Is it through this process identified in Subsection 1 and 2 where it says any Commissioner may submit a proposed policy or policy amendment for referral during any Standing Committee meeting, etc. ED Imai discussed how prior policies have been developed. Commissioner Dunham reiterated that the process itself is the gatekeeper.

23. The Chair asked the language in A. be changed to dictate all proposed new policies or amendments to existing policies will be provided to the EXCOM for assignment to a Standing Committee.

24. The Committee agreed to meet briefly for an hour before the May 12, 2020 meeting to discuss the remaining portion of the document. [OPEN ITEM]

25. **Request to Place an Item on a Committee Agenda** – Commissioner McLaughlin asked what the process was for the Rules Committee to have an item added to the meeting agenda. Chair Gable replied that Members could request an item be added to the agenda in two different ways. Members can contact the Chair prior to the meeting and ask to have an item added to the next meeting agenda. They can also ask that an item be added when voting to approve the agenda at the meeting and time permitting the topic will be added. [OPEN ITEM]

26. **Mid-Year Survey Questions: Best Practices and Implementing the Compact** – Discussion was deferred until the May 19, 2020 Committee meeting. [OPEN ITEM]

ITEM 6 – ADJOURNMENT

There being no further discussion the meeting was adjourned at 3:10 PM EST.

Respectfully submitted by:

Lindsey Dablow
Training and Operations Associate, Secretary