

**INTERSTATE COMPACT ON  
EDUCATIONAL OPPORTUNITY FOR MILITARY CHILDREN**

**MONTANA STATE COUNCIL**

**BYLAWS**

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**Article I**

**State Council Purpose, Function and Bylaws**

***Section 1. Purpose.***

Pursuant to the terms of the Interstate Compact on Educational Opportunity for Military Children , (the “Compact”) MCA 20-1-230, Montana is required to establish a State Council to fulfill the objectives of the Compact, through a means of joint cooperative action among the compacting states: to promote, develop and facilitate a uniform standard that eases the state-to-state transition of military personnel, their spouses and primarily their children as these children transfer from one state to another and from one school system to another as a direct result of the military parent’s frequent reassignments.

***Section 2. Functions.***

Montana shall, through the creation of a State Council, provide for the coordination among its agencies of government, local education agencies, and military installations to remove barriers to educational success imposed on children of military families by:

- (a) facilitating the timely enrollment of children of military families and ensuring that they are not placed at a disadvantage due to difficulty in the transfer of education records from the previous school districts or variations in entrance or age requirements;
- (b) facilitating the student placement process through which children of military families are not disadvantaged by variations in attendance requirements, scheduling, sequencing, grading, course content, or assessment;
- (c) facilitating the qualification and eligibility for enrollment, educational programs, and participation in extracurricular academic, athletic, and social activities;
- (d) facilitating the on-time graduation of children of military families;
- (e) providing for the promulgation and enforcement of administrative rules implementing the provisions of this compact;
- (f) providing for the uniform collection and sharing of information between and among member states, schools, and military families under this compact;
- (g) promoting coordination between this compact and other compacts affecting military children; and
- (h) promoting flexibility and cooperation between the educational system, parents, and the student in order to achieve educational success for the student.

***Section 3. Bylaws.***

As required by the Compact, these bylaws shall govern the management and operations of the State Council. As adopted and subsequently amended, these bylaws shall remain subject to, and limited by, the terms of the Compact. These bylaws shall be carried out in accordance with MCA 20-1-230.

## **Article II State Council Membership**

The State Council membership shall be provided under Article VIII of MCA 20-1-230.

Membership must include at least: the state superintendent of public instruction, the superintendent of a school district with a high concentration of military children, representative from a military installation, a representative from the legislature, a representative from the executive branch, and other offices and stakeholder groups the State Council deems appropriate.

The State Council shall appoint or designate a military family education liaison to assist military families and the state in facilitating the implementation of the Compact. The liaison shall be an ex-officio and non-voting member of the State Council.

The Governor shall appoint a Compact Commissioner who is responsible for the administration and management of the state's participation in the Compact. The Compact Commissioner shall be an ex-officio and non-voting member of the State Council.

Any changes in the State Council membership need to be sent promptly to the Interstate Commission headquarters staff for notation in their records. If the Commissioner resigns, notification needs to be given to the Governor, State Council, and the Interstate Commission headquarters staff for notation in their records.

## **Article III State Council Officers**

### ***Section 1. Election and Succession.***

The State Council officers shall include a chairperson and a vice chairperson. The officers shall serve without compensation or remuneration, except as provided by the Compact.

### ***Section 2. Duties.***

The State Council officers shall perform all duties of their respective offices as provided by the Compact and these bylaws. Such duties shall include, but are not limited to, the following:

- a. *Chairperson.* The chairperson shall be the state superintendent of public instruction and shall call and preside at all meetings of the State Council. They shall prepare agendas for such meetings, keep minutes, be custodian of all documents and budget records, and make appointments to any committees established by the State Council.
- b. *Vice Chairperson.* The vice chairperson shall be the superintendent of a school district with a high concentration of military children. They shall in the absence or at the direction of the chairperson, perform any or all of the duties of the chairperson.

## **Article IV Meetings of the State Council**

### ***Section 1. Meetings and Notice.***

The State Council shall meet at least once each calendar year at a time and place to be determined by the State Council, with preference given to Great Falls and Helena. Additional meetings may be scheduled at the discretion of the chairperson, or be called upon the request of a majority of State Council members. All State Council members shall be given written notice of State Council meetings at least ten (10) days prior to their scheduled dates. Final agendas shall be provided to all State Council members no later than five (5) days prior to any meeting of the State Council. All State Council meetings shall be open to the public. Prior public notice shall be provided in a manner consistent with the state government policy.

### ***Section 2. Quorum.***

A majority of voting State Council members shall constitute a quorum for the transaction of business, except as otherwise required in these bylaws. The participation of a State Council member in a meeting is sufficient to constitute the presence of that state for purposes of determining the existence of a quorum, provided the member present is entitled to vote. The presence of a quorum must be established before any vote of the State Council can be taken.

### ***Section 3. Voting.***

Each duly designated member of the State Council represented at any meeting of the State Council is entitled to one vote. A member shall vote and shall not delegate their vote to another member. Members may participate in meetings by telephone or other means of telecommunication or electronic communication. Except as otherwise required by the Compact or these bylaws, any question submitted to a vote of the Commission shall be determined by a simple majority.

### ***Section 4. Public Participation in Meetings.***

Any person who desires to present a statement on a matter that is on the agenda shall be afforded an opportunity to present an oral or written statement to the State Council at an open meeting. The chairperson may limit the time and manner of any such statements at any open meeting.

### ***Section 5. Procedure.***

Matters of parliamentary procedure not covered by these bylaws shall be governed by Robert's Rules of Order.

## **Article V**

## **Committees**

The State Council may establish such other committees as it deems necessary to carry out its objectives. The composition, procedures, duties, and tenure of such committees shall be determined by the State Council.

## **Article VI**

### **Adoption and Amendment of By-laws**

Any bylaw may be adopted, amended or repealed by a majority vote of the members, provided that written notice and the full text of the proposed action is provided to all State Council members at least thirty (30) days prior to the meeting at which the action is to be considered. Failing the required notice, a two-third ( $2/3$ rds) majority vote of the members shall be required for such action.