

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

STATE COUNCIL TEMPLATE

-- By-Laws --

**Article I
Commission Purpose, Function and By-laws**

Section 1. Purpose.

Pursuant to the terms of the Interstate Compact on Educational Opportunity for Military Children , (the “Compact”), each state 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.

In pursuit of the fundamental objectives set forth in the Compact, the State Council shall, as necessary or required, exercise all of the powers and fulfill all of the duties delegated to it by the Commission and the Compacting States. The Council’s activities shall include, but are not limited to, the following: the adhering to rules and operating procedures of the Commission; equitable distribution of the benefits and obligations of the Compact; enforcement of Commission Rules, Operating Procedures and Bylaws; provision of dispute resolution; Coordination of training and education; and the collection and dissemination of information concerning the activities of the Compact, as provided by the Compact, or as determined by the Commission to be warranted by, and consistent with, the objectives and provisions of the Compact.

Section 3. By-laws.

As required by the Compact, these By-laws shall govern the management and operations of the Council. As adopted and subsequently amended, these By-laws shall remain at all times subject to, and limited by, the terms of the Compact.

**Article II
Membership**

The Council Membership shall be provided by the state adopted Compact under Article VIII.

While each member state may determine the membership of its own State Council, its membership must include at least: the state superintendent of education, superintendent of a school district with a high concentration of military children, representative from a military

installation, one representative each from the legislative and executive branches of government, and other offices and stakeholder groups the State Council deems appropriate. A member state that does not have a school district deemed to contain a high concentration of military children may appoint a superintendent from another school district to represent local education agencies on the State Council.

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

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

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

Any changes in the council membership need to be sent promptly to the Commission headquarters staff for notation in their records. If the commissioner of the state resigns, notification needs to be given to the appointing authority and the Commission headquarters staff for notation in their records.

Compacting State shall have and be limited to one Member. A Member shall be the Commissioner of the Compacting State. Each Compacting State shall forward the name of its Commissioner to the Commission chairperson. The Commission chairperson shall promptly advise the Governor and State Council on Educational Opportunity for Military Children of the Compacting State of the need to appoint a new Commissioner upon the expiration of a designated term or the occurrence of mid-term vacancies.

Article III Officers

Section 1. Election and Succession.

The officers of the Commission shall include a chairperson, vice chairperson, and secretary. The officers shall be duly appointed Council members. Officers shall be elected annually by the Council at any meeting at which a quorum is present, and shall serve for one year or until their successors are elected by the Council. The officers so elected shall serve without compensation or remuneration, except as provided by the Compact.

Section 2. Duties.

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

- a. *Chairperson.* The chairperson shall call and preside at all meetings of the Council. They shall prepare agendas for such meetings and make appointments to any committees

established by the Council. This person will be by the state commissioner unless otherwise designated by adopted Interstate compact in state statute/code.

b. *Vice Chairperson.* The vice chairperson shall, in the absence or at the direction of the chairperson, perform any or all of the duties of the chairperson. In the event of a vacancy in the office of chairperson, the vice chairperson shall serve as acting point of contact to the commission headquarters until a new commissioner is appointed by the governor or appointing authority.

c. *Secretary.* The secretary shall keep minutes of all Council meetings and shall act as the custodian of all documents and records pertaining to the status of the Compact and the business of the Council.

Article IV Meetings of the Commission

Section 1. Meetings and Notice.

The Council shall meet at least once each calendar year at a time and place to be determined by the Council. Additional meetings may be scheduled at the discretion of the chairperson, and must be called upon the request of a majority of Council members, as provided by the Compact. All Council members shall be given written notice of Council meetings at least thirty (30) days prior to their scheduled dates. Final agendas shall be provided to all Council Members no later than ten (10) days prior to any meeting of the Council. Thereafter, additional agenda items requiring Council action may not be added to the final agenda, except by an affirmative vote of a majority of the members. All Council meetings shall be open to the public, except as set forth in Commission Rules or as otherwise provided by the Compact. Prior public notice shall be provided in a manner consistent with the State Government policy.

Section 2. Quorum.

A majority of voting Council members shall constitute a quorum for the transaction of business, except as otherwise required in these By-laws. The participation of a 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 Council can be taken.

Section 3. Voting.

Each duly designated member of the Council represented at any meeting of the 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 By-laws, any question submitted to a vote of the Commission shall be determined by a simple majority.

Section 4. Public Participation in Meetings.

Upon prior written request to the Council, 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 statement to the Council at an open meeting. The chairperson may, depending on the circumstances, afford any person who desires to present a statement on a matter that is on the agenda an opportunity to be heard absent a prior written request to the Council. 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 By-laws shall be governed by Robert's Rules of Order.

**Article V
Committees**

Section 1. Committees.

The 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 Council.

**Article VI
Withdrawal, Default, and Termination**

Compacting States may withdraw from the Compact only as provided by the Compact. The Commission may terminate a Compacting State as provided by the Compact.

**Article VII
Adoption and Amendment of By-laws**

Any By-law 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 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 (2/3rds) majority vote of the members shall be required for such action.

**Article VIII
Dissolution of the Compact**

The Compact shall dissolve effective upon the date of the withdrawal or the termination by default of a Compacting State which reduces Membership in the Compact to one Compacting State as provided by the Compact.

Upon dissolution of the Compact, the Compact becomes null and void and shall be of no further force or effect, and the business and affairs of the Commission shall be concluded in an orderly manner and according to applicable law. Each Compacting State in good standing at the time of

the Compact's dissolution shall receive a pro rata distribution of surplus funds based upon a ratio, the numerator of which shall be the amount of its last paid annual assessment, and the denominator of which shall be the sum of the last paid annual assessments of all Compacting States in good standing at the time of the Compact's dissolution. A Compacting State is in good standing if it has paid its assessments timely.