

HB

137



Kodiak Island Borough School District

Office of the Superintendent

722 Mill Bay Road

Kodiak, AK 99615

(907) 481-6200

March 2, 2009

Twenty-Sixth Alaska State Legislature
House of Representatives
State Capitol
Juneau, AK 99801

Dear Representatives:

Kodiak Island Borough School District wholeheartedly endorses House Bill 137. A substantial number of Kodiak Island students come to us from the United States Coast Guard as well as the United States Navy.

We eagerly join this compact's intent to remove the barriers to educational success imposed on the children of military families due to the frequent moves and deployment of their parents. We will be committed to supporting and enforcing the rules and provisions of this compact. It is our District's goal to provide uniform collection and sharing of information; and to promote coordination, flexibility and cooperation between educational systems and families in order to achieve educational success for the student.

We thank Representative Coghill for sponsoring House Bill 137. His concern is for the best interest of the children whose parents are serving this nation with such honor. We appreciate their service and this bill represents a small token of thanks as well as removes several obstacles that are imposed upon their children during their service to our country.

Sincerely,

Stewart McDonald
Superintendent

Case Study #1

Commissioned Personnel

Family of a Major General, United States Air Force; stationed in Virginia

Due to multiple reassignments for our family, my son attended ten different schools prior to graduating from high school. Though he was certified as academically advanced by previous school systems, he was denied advanced placement in one school system solely because he was not in that system for the required period of time. He was denied advanced placement in another system due to its different qualifying criteria as compared to previous jurisdictions. For one four year period during which we were reassigned each year, my son was required to read Romeo and Juliet for each of those four years despite having done so in each preceding state. He was denied the opportunity to participate in sports on more than one occasion because we were reassigned after team tryouts and he was told he was too late. Finally, we had to take the drastic measure of placing him in a private school after one reassignment because, in order for him to graduate on time from his assigned public school, he would have been required to stay in school for an extra year since the new school system refused to accept all of his credits that he had completed in the previous jurisdiction.

My daughter, currently a high school freshman, has attended seven different schools. She had an IEP (Special Education: Individual Education Plan) from one state that was not continued in the next state because her success out-scored their expectation of what her aptitude score indicated she could achieve. In our current state of residence, she is required to pass six course competency tests, even though she took some of those courses in a different state. Furthermore, the preparatory curriculum for these tests is different than in the last jurisdiction so her burden has been needlessly increased. What is most problematic is that, in order for her to graduate high school on time, she must pass an exit exam which is designed for students who have been in this particular state system for twelve years. For that reason, and because previously earned credits have not been accepted by the present jurisdiction, she must take summer school courses every summer for the next three years.

Case Study #2

Enlisted Personnel

Family of a Technical Sergeant, United States Air Force; stationed in Florida

My daughter is 10 years old and is in the 5th grade. Our family moved to Patrick AFB, Florida from Kirtland AFB in New Mexico last May on military orders. My husband is in the Air Force. We enrolled my daughter in elementary school in Florida during the summer and her new school requested her school records in August from her previous school in New Mexico. By the middle of October, the records had not yet been sent to the new school. After repeated written requests, phone calls and emails from Florida school officials and myself to her previous school in New Mexico, some of her records arrived in late October. However, her complete record did not arrive until November 19th.

When her records finally arrived, the school transferred her to the fifth grade QUEST class which is an advanced placement class for students who are gifted and talented. This is where she should have been placed at the beginning of the semester. However, due to the inexplicable delay in transferring her records, her new school placed her in a less challenging learning environment. Therefore, she spent almost a whole semester in an inappropriate classroom setting. The effects of this delay, which may seem to be of little consequence to adults, have been severe and profound for my 10 year old. She was miserable in school for months, forced to study material she had already mastered. She was bored and restless, and she sometimes got into trouble as a result. She is also not where she should be academically and has some catching up to do.

Despite this setback, now that she is in the proper class, she is back to being my happy, well behaved student. However, had legislation such as the proposed compact been in place in time for my daughter, we could have avoided this situation entirely.



**ALASKA STATE LEGISLATURE
HOUSE RULES COMMITTEE
REPRESENTATIVE JOHN COGHILL, CHAIRMAN**
State Capitol Juneau, AK 99801-1182 (907) 465-3719
3340 Badger Road Suite #290, North Pole, AK 99705 (907) 488-5725

**Sectional
HB 137**

"An Act relating to an interstate compact on educational opportunity for military children; amending Rules 4 and 24, Alaska Rules of Civil Procedure; and providing for an effective date."

Section 1: AS 14. Adds a new chapter:

Chapter 34. Interstate Compact on Educational Opportunity for Military Children

Article I – Purpose

This article describes the purposes of this compact which is to remove barriers to educational success for military children by facilitating enrollment, placement, and timely graduation; providing enforcement of rules, uniform collection and sharing of information; and promoting coordination, flexibility, and cooperation among member states.

Article II – Definitions

This article provides definitions for terms used throughout the compact.

Article III – Applicability

This article defines the children covered by this compact.

Article IV – Educational Records and Enrollment

This article outlines how sending and receiving states handle a military student's unofficial and official educational records. The Interstate Commission determines what information must be included in the records, and the time line for providing the records. It provides a 30-day grace period for immunizations. Kindergarten and first grade entrance is addressed for both grade level and age.

Article V – Placement and Attendance

This article describes course placement; education program placement, and special education services to address federal requirements for students with disabilities. Placement flexibility and absences related to deployment are also addressed.

Article VI – Eligibility

This article provides information on enrollment eligibility. It prohibits the student from being charged a tuition if the student lives in a different jurisdiction, and allows the student to continue to attend the school they were enrolled in while residing with the custodial parent. The military student shall have as many opportunities as possible to participate in extracurricular activities, even if they have missed the application deadlines.

Article VII – Graduation

This article facilitates on-time graduation by providing procedures for waivers, exit exams and transfers during a military student's senior year.

Article VIII – State Coordination

This article establishes requirement for creation of a State Council or other existing body to provide coordination among its government, local and military agencies. Membership requirements are also addressed.

Article IX – Interstate Commission on Ed Opportunity for Military Children

This article deals with creating the commission and its responsibilities, powers, and duties. It details membership, voting rights, meetings, executive committee, bylaws and rules, data collection, and a process for reporting alleged violations.

Article X – Powers and Duties of the Interstate Commission

This article lists the powers and duties of the Interstate Commission: Dispute resolution; promulgate rules; issue advisory opinions; enforce compliance; and other powers and duties related to establishing and running and supporting the state councils at a national level.

Article XI – Organization and Operation of the Interstate Commission

This article provides the structure for the Interstate Commission to organize, establish bylaws, set up executive and other committees, establish procedures for meetings, and providing for start-up rules for the initial administration of the compact.

Article XII – Rulemaking Functions of the Interstate Commission

This article gives the Interstate Commission rulemaking authority, and rulemaking guidelines and a provision for judicial review of a proposed rule.

Article XIII – Oversight, Enforcement, and Dispute Resolution

This article addresses oversight, enforcement and dispute resolution specifically. Oversight: Charges the executive, legislative and judicial branches of state governments regarding the purpose and intent of the Compact. It further states that the Interstate Commission shall receive all service of process and has standing to intervene. Further addresses consequences of default by a member state. Dispute Resolution: If requested the Interstate Commission will attempt to resolve disputes and provide rules for mediation and binding dispute resolution. Enforcement: The Interstate Commission shall enforce the rules and provisions of this compact and may initiate legal action to enforce compliance with the provisions of the compact.

Article XIV – Financing the Interstate Commission

This article provides a method for the Interstate Commission to pay its reasonable expenses by collecting annual assessments from each member state. There are limits on incurring obligations and the need for accurate accounting of all receipts and disbursements, and the requirement for a yearly audit by a certified or licensed CPA.

Article XV – Member States, Effective Date and Amendment

States are eligible to become members, the compact becomes effective when no less than 10 states enact the compact into law and the member state passes the law. Rules for how amendments become effective and binding.

Article XVI – Withdrawal and Dissolution

This article addresses how member states withdraw from the compact, what their responsibilities of notice, time, and responsibility for assessments. This article also addresses reinstatement, and compact dissolution.

Article XVII – Severability and Construction

Provisions of this compact are severable and any portion deemed unenforceable does not affect the remaining compact. The compact should be liberally construed, and nothing in this compact inhibits other interstate compacts.

Article XVIII – Binding Effect of Compact and Other Laws

Nothing in this compact prevents the enforcement of other laws that are not inconsistent with this compact. Conflicting laws are superseded by the compact to the extent of the conflict. All rules of the Interstate Commission are binding on the members states. Any provisions that exceed constitutional limits are ineffective to the extent of the conflict of the member state.

Sec. 14.34.020 Compact Administrator.

Establishing a compact administrator and the duties of that office.

Sec. 14.34.030 State Council.

Establishes the state council as a subcommittee of the membership.

Sec. 14.34.040 Regulations.

The board may adopt regulations to implement this chapter.

Sec. 14.34.090 Short Title.

Interstate Compact of Educational Opportunity for Military Children

Section 2: Uncodified law of the State of Alaska is amended by adding a new section:

INDIRECT COURT RULE AMENDMENTS. The changes made by Sec. 1 of this Act have the effect of changing Alaska Rules of Civil Procedure:

(1) Rule 4 – entitles the Interstate Commission to receive service of process of a judicial proceeding that pertains to a Compact provision or rule.

(2) Rule 24(b) - entitles the Interstate Commission to intervene in a judicial proceeding in which the validity of a compact provision or rule is at issue.

Section 3: Uncodified law of the State of Alaska is amended by adding a new section:

CONDITIONAL EFFECT OF CERTAIN PROVISIONS.

Provisions set out in Section 1 concerning service of process and standing to intervene, take effect only if Section 2 receives two-thirds majority vote of each house required by the State Constitution.

Section 4: Uncodified law of the State of Alaska is amended by adding a new section:

CONDITIONAL EFFECT OF ACT; COMMISSIONER'S DUTY TO NOTIFY.

When Sections 1 and 2 of this Act will take effect and notification requirements when the 10 or more states have ratified this compact.

Section 5: Setting out the effective dates of this Act to be not less than 10 states other than this state ratify the Compact or July 1, 2009, whichever is later.

(26-LS0588\R)



**ALASKA STATE LEGISLATURE
HOUSE RULES COMMITTEE
REPRESENTATIVE JOHN COGHILL, CHAIRMAN**
State Capitol Juneau, AK 99801-1182 (907) 465-3719
3340 Badger Road Suite #290, North Pole, AK 99705 (907) 488-5725

Sponsor Statement

HB 137

"An Act relating to an interstate compact on educational opportunity for military children; amending Rules 4 and 24, Alaska Rules of Civil Procedure; and providing for an effective date."

The purpose of House Bill 137 is to eliminate some of the barriers that face children of military personnel as they transition from one school system to another. The average student will move from six to nine times from kindergarten to 12th grade.

While the armed services has done much to ease the transition for children of military personnel, there is much that can be done at the state and local levels to ensure that these children are afforded the same opportunities for educational success as other children.

Alaska enjoys a close relationship with our service men and women and their families and recognizes the sacrifice and stress they face with frequent moves and deployment. There are 12,106 active duty children between the ages of five and 18 plus the children of active members of the guard and reserve that will benefit from this compact.

Eleven states in 2008 adopted this compact and presently 22 states have pending legislation to join the compact. Passing this legislation will help remove some of that stress by providing the children timely enrollment as the children move from one school district to another.

(26-LS0588\R)

Louie Flora

From: Friedman_Jeff [Friedman_Jeff@asdk12.org]
Sent: Friday, March 20, 2009 6:41 PM
To: Rep. Paul Seaton; Rep. Cathy Munoz; Rep. Bryce Edgmon; Rep. Wes Keller; Rep. Peggy Wilson; Rep. Bob Buch; Rep. Berta Gardner
Cc: Comeau_Carol; Siegfried_Robin; David.Shutt@us.army.mil
Subject: HB 137 Compact: Education of Military Children

Follow Up Flag: Follow up
Flag Status: Blue

Chair Seaton and Members of the Education Committee,

I am writing to urge your support for this compact which will be heard by your committee Monday morning.

This compact will provide useful support to our military members and their families. Anchorage educates a large number of students of military families. Many of these families have major transitions during the year as parents are deployed or transferred to or from Anchorage. We work closely with Ft. Richardson and Elmendorf AFB to make these transitions easier, and this Compact will assist us in that process.

Jeff Friedman
Anchorage School Board
1534 D Street
Anchorage, AK 99501
907-742-4699 (Home)

FISCAL NOTE

STATE OF ALASKA
2009 LEGISLATIVE SESSION

Fiscal Note Number: _____
 Bill Version: _____
 () Publish Date: _____

Identifier (file name): _____ Dept. Affected: Education
 Title Interstate Compact on Educational Opportunity RDU Education Support Services
for Military Children Component Executive Administration
 Sponsor _____
 Requester _____ Component Number 2736

Expenditures/Revenues (Thousands of Dollars)

Note: Amounts do not include inflation unless otherwise noted below.

	Appropriation Required	Information						
		FY 2010	FY 2010	FY 2011	FY 2012	FY 2013	FY 2014	FY 2015
OPERATING EXPENDITURES								
Personal Services								
Travel	6.1	6.1						
Contractual	16.2	16.2						
Supplies								
Equipment								
Land & Structures								
Grants & Claims								
Miscellaneous								
TOTAL OPERATING	22.3	22.3	0.0	0.0	0.0	0.0	0.0	0.0

CAPITAL EXPENDITURES								
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CHANGE IN REVENUES ()								
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FUND SOURCE (Thousands of Dollars)

1002 Federal Receipts								
1003 GF Match								
1004 GF	22.3	22.3						
1005 GF/Program Receipts								
1037 GF/Mental Health								
Other Interagency Receipts								
TOTAL	22.3	22.3	0.0	0.0	0.0	0.0	0.0	0.0

Estimate of any current year (FY2009) cost: 0.0

POSITIONS

Full-time								
Part-time								
Temporary								

ANALYSIS: (Attach a separate page if necessary)

Estimated cost to join Interstate compact on Educational Opportunity for Military Children. The compact requires the state to establish a state council to oversee the implementation of the compact. EED recommends a five member state council. The council will consist of the Commissioner of the Department of Education and Early Development, Superintendents of Anchorage and Fairbanks School Districts, a state legislator and the Military advisor appointed to the State Board of Education and Early Development.

Prepared by: Eddy Jeans, Director Phone 465-8679
 Division School Finance Date/Time 1/22/09 12:00 AM
 Approved by: _____ Date _____

FISCAL NOTE

STATE OF ALASKA
2009 LEGISLATIVE SESSION

BILL NO. _____

ANALYSIS CONTINUATION

Military compact, page 2 of fiscal note

Article VIII - State Coordination

Estimated travel cost.

Two, two day meetings a year. One in Anchorage and one in Juneau.

Four members will travel for each meeting.

Airfare is estimated at \$500

Per Diem is estimated at \$60 a day

Hotel is estimated at \$200 a night

Estimated total travel cost is \$6,080.

Contractual Component - Estimated buy in for membership in the compact is \$1 per dependent of an active duty militaryparent. Alaska currently has 16,200 active duty military dependents, therefore membership is \$16,200.



DEPARTMENT OF THE AIR FORCE
PACIFIC AIR FORCES

MAR 19 2009

General Carrol H. Chandler
PACAF/CC
25 E Street, Suite G-214
Hickam AB HI 96853-5420

Representative John Coghill, Chair
Members of the House Committee on Education
Alaska State Capitol
Juneau, AK 99801

Re: IN SUPPORT OF HB137
Hearing: Fri, 20 Mar 09 at 0800

Dear Representative Coghill and Committee Members

Partnership and collaboration are longstanding keystones for military and local community support to Alaska public school students. In this spirit, I provide my support to House Bill HB137 "Interstate Compact on Educational Opportunities for Military Children."

HB137 is groundbreaking legislation written specifically for the unique requirements of a transient student population. Issues such as enrollment, testing standards and graduation requirements are addressed through the interstate compact. These types of standards allow a military student to progress without fear of having to reaccomplish work to meet a new requirement after a move. Additionally, this compact provides an avenue for states to not only establish this list of standards but to collaborate on future issues as they arise.

I look forward to increased cooperation with those who set policy for and educate our children in Alaska. The changes implemented from HB137 will directly impact the social, emotional and academic experience of transitioning students who attend Hawaii public schools.

I personally appreciate the hard work and dedication of all those involved with HB137. Thank you for your submission and continued support of our military families.

Very respectfully

A handwritten signature in black ink that reads "Carrol H. Chandler".

CARROL H. CHANDLER
General, USAF
Commander



REPLY TO
ATTENTION OF

DEPARTMENT OF THE ARMY
HEADQUARTERS, UNITED STATES ARMY, PACIFIC
FORT SHAFTER, HAWAII 96859-6100

Office of the Commanding General

18 MAR 09

State Representative John Coghill
House District 11- North Pole
State Capitol, Room 214
120 4th Street
Juneau, Alaska 99801-1182

Re: In SUPPORT of HB# 137 "Interstate Compact on Educational Opportunities for Military Children"

Dear Representative Coghill:

The United States Army, Pacific (USARPAC) would like to inform you of our support for the Interstate Compact on Educational Opportunities for Military Children (House Bill #137). When considering the number of school-age military children impacting each state, Alaska has approximately 12,000 school-age military dependents attending public, private, and homeschooling venues. As these students move from state to state, many of them encounter considerable challenges when dealing with enrollment, eligibility, placement, extra-curricular activities, and graduation requirements. Often, military students lose course credits due to multiple school transfers and are often improperly placed in courses due to the varying school requirements.

USARPAC appreciates all that Alaska public schools have done on behalf of our military children regarding transition and deployment issues. The Interstate Compact on Educational Opportunities for Military Children will only serve to compliment and augment what is already being done in the Alaska public schools. Additionally, this bill will join Alaska with other states in an effort to streamline the school transition process and create much needed uniformity between states.

For these reasons, USARPAC supports this compact and encourages the Alaska House of Representatives to pass House Bill #HB137. If you need additional information, please contact my Well Being/Education Specialist, Ruth Davis, at 808-438-4177 or E-mail nancy.ruth.davis@us.army.mil.

Sincerely,

Benjamin R. Mixon
Lieutenant General, US Army
Commanding General



DEPARTMENT OF THE ARMY
HEADQUARTERS, U.S. ARMY ALASKA
724 POSTAL SERVICE LOOP #5000
FORT RICHARDSON, ALASKA 99505-5000

March 18, 2009

REPLY TO
ATTENTION OF:

Office of the Commanding General

Honorable John Coghill
Alaska House of Representatives
House District 11- North Pole
State Capitol, Room 214
120 4th Street
Juneau, Alaska 99801-1182

Subject: Support of House Bill #137, "Interstate Compact on Educational Opportunities for Military Children"

Dear Mr. Coghill:

The United States Army Alaska (USARAK) would like to inform you of our support for the Interstate Compact on Educational Opportunities for Military Children (House Bill #137). In the state of Alaska, there are approximately 12,000 school age children of active duty military personnel. As these students move from state to state, many of them encounter considerable challenges when dealing with enrollment, eligibility, placement, extra-curricular activities, and graduation requirements. Often, military students lose course credits due to multiple school transfers and are sometimes improperly placed in courses due to the varying school requirements. The Interstate Compact on Educational Opportunities for Military Children will help to ease this frustration and will aid military students in the school transition process.

USARAK appreciates all that Alaska public schools have done on behalf of our military children regarding transition and deployment issues. The Interstate Compact on Educational Opportunities for Military Children will only serve to complement and augment what is already being done in the Alaska public schools. Additionally, this bill will join Alaska with other states in an effort to streamline the school transition process and create much needed uniformity between states.

For these reasons, USARAK supports this compact and encourages the Alaska House of Representatives to pass House Bill #137.

Sincerely,

A handwritten signature in black ink, appearing to read "S. Layfield".

Stephen R. Layfield
Major General, U.S. Army
Commanding Officer