

## MINUTES OF THE SENATE EDUCATION COMMITTEE

The meeting was called to order by Chairman Jean Schodorf at 1:30 p.m. on March 19, 2008, in Room 123-S of the Capitol.

Committee members absent: Senators Allen, Hensley, and Vratil (excused)

Committee staff present: Sharon Wenger, Kansas Legislative Research Department  
Carol Toland, Kansas Legislative Research Department  
Theresa Kiernan, Revisor of Statutes Office  
Matt Todd, Revisor of Statutes Office  
Bev Beam, Substitute Committee Secretary

Conferees appearing before the committee: Representative Sydney Carlin  
Ronald Walker, Superintendent, Geary County  
School District #475  
Martin Dempsey, Department of Defense–State Liaison  
Office

**HB 2714 - Enacting the interstate compact on educational opportunity for military children**

The Chair asked Theresa Kiernan, Revisor of Statutes Office, for an overview of **HB 2714**. Ms. Kiernan said the bill was introduced by Rep. Carlin and would enact the Interstate Compact on Educational Opportunity for Military Children. She said this Compact is intended to remove barriers to educational success imposed on children of military families caused by frequent moves and deployment of their parents and would provide for instant records transfer and facilitate the student placement process. She noted provisions of the bill would apply to children of active members of the military, including those members severely injured and medically discharged and those retired for a period of up to one year after retirement. She said the fiscal note stated it would cost between \$50,000 and \$100,000.

Representative Carlin testified that this Compact seeks to facilitate equal educational opportunity for the children of military members in four major areas, including enrollment, eligibility, placement and graduation. She said the Compact attempts to establish a common denominator among the member states which will remove existing barriers to timely completion of the public education process for students whose parent or parents serve our country. She noted there will be a Commissioner appointed to be a member of the Compact representing the State of Kansas who will be a legislator. The cost should be \$1.00 per student, which is approximately \$19,700 in Kansas; however, if Kansas gets more military students, that will go up. She said that is supposed to cover the cost of attending meetings and conferences and the \$630,000 budget is predicted to include \$.001 per child throughout the country. (Attachment 1)

Ronald Walker, Superintendent of Geary County Schools, testified that the Interstate Compact is an idea proposed by the Council of State Governments, the Department of Defense and supported by the Military Impacted Schools Association and the National Association of Federally Impacted Schools. He said the Compact seeks to provide consistency for dependents of military families as they serve our country. He continued by stating that many military families will have more than twelve documented moves as their children attend grades K-12. These moves, he said, often are from state-to-state within the United States and to countries such as Germany, Japan, and Korea, and these moves are difficult for the entire family, but especially difficult for children. He said Kansas is traditionally a national leader and strong supporter of those who put their lives on the line in support of our freedom. He noted the fiscal note on **HB 2714** is very small, but the impact for military students is huge. (Attachment 2)

Martin Dempsey, Department of Defense–State Liaison Office, testified that the Compact is an agreement among member states to a set of practices that will allow for the uniform treatment of military children transferring between school districts and between states. He said the Interstate Compact does not ask for special privileges for military children; it only asks that states create a level playing field and work cooperatively to make it happen. He said military children often end up making sacrifices because their parents are serving our country. He noted the language and intent of the Compact will provide consistency

CONTINUATION SHEET

MINUTES OF THE Senate Education Committee at 1:30 p.m. on March 19, 2008, in Room 123-S of the Capitol.

for military children as they move from state to state and alleviate some of the hardships they encounter. He said both the Secretary of Defense and the Deputy Under Secretary fully support this compact, and they are very excited about the possibilities it offers in improving the quality of life for all military students. (Attachment 3)

Written testimony in support of **HB 2714** was submitted by Keith A. Scott, National Center for Interstate Compacts. (Attachment 4)

Following discussion, Senator Teichman moved to recommend **HB 2714** favorably for passage, seconded by Senator Pine. Motion carried.

The meeting was adjourned at 2:30 p.m.

The next meeting is scheduled for March 24, 2008.



STATE OF KANSAS

**Sydney Carlin**  
REPRESENTATIVE, 66TH DISTRICT  
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HOUSE OF  
REPRESENTATIVES

**Committee Assignments:**  
Appropriations  
Agriculture and Natural Resources Budget

March 19, 2008

Honorable Chair Senator Jean Schodorf  
And members of the Senate Education Committee

I come here today to introduce you to HB 2714, Re: Interstate Compact On Educational Opportunity for Military Children

I would like to give you just a quick overview of the Interstate Compact information how it works, what it is, etc. This is very important to the school districts, families and children who are transferred from school to school and state to state by the military.

This Compact seeks to facilitate equal educational opportunity for the children of military members in four (4) major areas: 1) Enrollment; 2) Eligibility; 3) Placement; and 4) Graduation. For example:

**Enrollment**

To facilitate the enrollment of a transferred child the Compact provides that the receiving state school will accept an unofficial hand-delivered copy of the educational record from the parent if no "certified record" is available and gives the sending state ten (10) days after receipt of the request from the receiving state school to transfer the "official" record.

**Eligibility**

The compact recognizes that children of deployed military members should be provided with a reasonable opportunity to be included in extracurricular activities in the event of a missed tryout or induction process if the student is otherwise qualified.

**Placement**

Under the Compact there is a presumption that the sending state's placement was correct and that the student will be continued in that placement if the receiving state offers equivalent courses. However the receiving state may subsequently conduct its own testing of the student and reevaluate & change such placement on that basis after the student has transferred to the new school district. The Compact also recognizes the

special education services already required under federal law through IDEA, ICP and ADA. The compact allows some flexibility for deployment related absences.

### **Graduation**

The Compact provides that the states will make reasonable efforts to accommodate the transfer of equivalent courses to facilitate on time graduation including consideration of alternative exit exam requirements being met if the student has successfully completed another national norm-referenced achievement test for those students approaching graduation. If the foregoing steps are not reasonably possible, as an alternative, the receiving state will cooperate with the sending state in order to facilitate graduation in the sending state.

### **Funding**

The member states will establish the funding of the compact which will include determining what the operating costs are and how each state will contribute. The compact specifically prohibits the pledging of credit of any member state to subsidize the compact unless funds are legislatively appropriated to do so. It is probable that the states will limit the budget of the compact to reflect the current negative economic conditions which all states face. Based upon DOD figures regarding the numbers of military children ages K-12 and the estimated budget for a compact structure such as that proposed, the estimated cost is approximately \$1.00/child. In the case of Kansas, the number of affected children is approximately 19,770 which would equate to a dues estimate of approximately \$19,770.00. If ten states adopt the compact in 2008 which would 'activate' it, it is likely that no funding would be requested until the '09 or '10 fiscal year given the required organizational activities, establishment of the interstate commission and related activities.

In summary, the compact attempts to establish a 'common denominator' among the member states which will remove existing barriers to timely completion of the public education process for these students who by virtue of the decision and commitment of their parent to serve our country are, in many cases, being unfairly penalized.

Respectfully Submitted



Sydney Carlin  
State Representative, 66<sup>th</sup> District

*Ronald P. Walker, Superintendent*

# Geary County Unified School District #475

123 N. Eisenhower, \* Junction City, KS 66441-0370 \* (785)717-4000 \* fax (785)717-4004

March 19, 2008

Honorable Senator Jean Schodorf, Chair and members  
Senate Education Committee

Dear Senator Schodorf and members of the Senate Education Committee:

It is with pleasure I speak on behalf of **HB 2714**—Interstate Compact on Education Opportunity for Military Children. The Interstate Compact is an idea proposed by the Council of State Governments, the Department of Defense and supported by the Military Impacted Schools Association (MISA) and the National Association of Federally Impacted Schools (NAFIS). I have the good fortune to serve on the national board for NAFIS.

The Compact seeks to provide consistency for dependents of military families as they serve our country. Many of the families will have more than twelve documented moves as their children attend grades K-12. These moves often times are from state to state within the United States. Some of the moves will take the family to countries such as Germany, Japan, and Korea. These moves by themselves are difficult for the entire family but especially tough for the children.

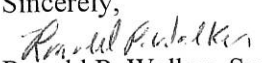
To complicate the moves, some states and school districts add additional burdens by placing restrictions on classes and extra-curricular activities in which students are able to participate. Some states require their state history even for seniors who move into a school district. Others place restrictions on the length of time a student must be in the district to take advanced placement courses, join the honor society, or become the valedictorian or salutatorian. These restrictions simply add to stress levels of students and families.

We are fortunate in Kansas that many of these restrictions have not existed for over a decade. However, not every state is as proactive as Kansas. We understand and implement best practices. The Compact seeks to provide some consistency among states that are willing to provide legislative support to students of military families and to do so through the legislative process. Passage of **HB 2714** sends a strong signal to the Department of Defense and all of the United States of America that Kansas is yet again ahead of the pack. Passage officially confirms our current practices for quality education of all students.

As legislators, you have consistently shown support for military students and families through the passage of many military friendly bills. Kansas is a national leader and strong supporter of those who so courageously put their lives on the line in support of our freedom.

The fiscal note on **HB 2714** is very small but the impact for military students is gigantic! As superintendent of Geary County USD 475, well over 4,500 of our 7,000 students represent military dependents! Throughout Kansas there are several school districts serving the military. We all meet together on a regular basis as we strive to remain leaders in the education of the children of heroes.

I thank you for your time and the opportunity to provide testimony on behalf of **HB2714**. Your support for this bill is greatly appreciated. I will be happy to answer questions.

Sincerely,  
  
Ronald P. Walker, Superintendent

An Equal Opportunity Employer

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Senate Education Committee  
3-19-08 Attachment 2

Statement of

**Martin Dempsey**

**Quality of Life Regional Liaison  
DoD-State Liaison Office**

**Office of the Under Secretary of Defense, Military Community and Family Policy**

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

**March 19, 2008**

*Senate Education Committee  
3-19-08  
Attachment 3*

**The Department of Defense State Liaison Office** operates under the Under Secretary of Defense for Personnel and Readiness, and the Deputy Under Secretary for Military Community and Family Policy. Our mission is to be a resource to state policymakers as they work to address quality of life issues of military families.

### **Martin Dempsey**

Mr. Dempsey joined the DoD-State Liaison Office as a Regional Liaison in 2006. In his position, Mr. Dempsey monitors quality of life issues for military families in MO, KS, KY, TN and IA. Before coming to work in the State Liaison Office, he worked family programs as an active member of the military for 24 years. In that capacity, he learned first hand of the educational challenges the children of our military members face as they encounter frequent school moves.

### **Testimony**

Honorable Chairman and members of this Committee, on behalf of the Deputy Under Secretary of Defense, I would like to thank you for the opportunity to submit testimony today on the *Interstate Compact on Educational Opportunity for Military Children*. DoD, in conjunction with the Council of State Governments, and 18 stake holding organizations, including the National Association of Elementary School Principals, National School Boards Association, the National Parent Teachers Association, the National Education Association, the state departments of education in California, Florida, Maryland, and state government reps from Nevada, North Carolina, and Alabama, over a two year period created this compact to address the educational challenges of military students who frequently transition from school to school around the world.

My name is Martin Dempsey and I work for the Department of Defense State Liaison Office as a Quality of Life Regional Liaison. I also have spent a large part of my professional 26 year career working family programs in the Department of Defense. As a military veteran and a father of two, whose children grew up in the military, I know first hand about the challenges that the children of our military members face as they encounter frequent school moves. These challenges are of utmost importance to military families, and are consistently listed as among their top family concerns as they work to serve our nation in the Armed Forces. On average, most military children will move at least twice during their high school years, and most will attend six to nine different school systems between kindergarten and 12<sup>th</sup> grade. Every year, 25 to 30% of those soldiers, sailors, airmen, marines, and coast guard are reassigned; many of these service members have school age kids moving in and out of Kansas, attending schools in school districts on and off post and base. This compact is as much about the sending state-KS- as the receiving states they moved to, to continue their educations.

These frequent moves result in some educational obstacles. Though many states, including Kansas, have made progress in addressing these educational concerns, there is a lack of consistency *between* states that continues to create difficulties for our military families. Some of these recurring issues include kindergarten start age, participation in extracurricular activities, immunizations, timely transfer of records, placement in appropriate courses, missed or redundant entrance and exit testing support for children of deployed service members, and on-time graduation. Though one state may do several things right, the next move to another state can create a new set of problems since the



procedures are not the same These issues are addressed in the *Interstate Compact on Educational Opportunity for Military Children*.

The *Compact* is an agreement among member states to a set of practices that will allow for the uniform treatment of military children transferring between school districts and between states. The Interstate Compact does not ask for special privileges for military children; only that states create a level playing field, and work cooperatively to make it happen. Military children often end up making sacrifices because their parent's are serving our country. The language and intent of the Compact will provide consistency for our military children as they move from state to state and alleviate some of the hardship they encounter.

Though there has been some discussion among members of Congress to introduce such guidelines on a federal level, which would then be implemented by states, DoD believes states are the appropriate entities to determine and execute this type of policy in a cooperative, multi-state manner. Thankfully, many state leaders recognize this also. Seventeen States have already introduced the Compact legislation, and it appears to already be moving forward in many of them. Many more states are expected to introduce the legislation in 2008. When ten states have adopted it, the Compact will go into effect, and rules and detail procedures will begin to be established by the participating states. It would be in the interest of a state to be among the initiating states so that they could be a part of the first rule making process. (States, no matter when they join, will still be a part of the rule making process; simply less rules to be made by then.)

Both the Secretary of Defense and the Deputy Under Secretary fully support this compact and they are very excited about the possibilities it offers in improving the quality of life for all military students.

Thank you! I appreciate the opportunity to submit testimony and look forward to Kansas' leadership in adopting this vital compact supporting our military children. Of course, I stand ready to answer any questions you may have.

Respectfully submitted

Martin Dempsey  
Army Quality of Life Regional Liaison  
Military Community & Family Policy  
OSD-State Liaison Office



Sharing capitol ideas.

President Governor M. Jodi Rell, Conn.  
Chair Representative Kim Koppelman, N.D.  
Executive Director Daniel M. Sprague

March 19, 2008

Chair and Members of the Education Committee

**Testimony on Interstate Compact on Educational Opportunity for Military Children**

Honorable Chair and Members of the Committee, this interstate compact is the culmination of a joint effort by The Council of State Governments (CSG) and the U.S. Department of Defense (DOD) to address problems encountered by children in grades K-12 who must transfer from one state public school district to another because one or both parents are deployed members of the U.S. military. To give input into the drafting process stakeholders involved in public school education in this country served as an advisory group which directed the work of the drafting team. These groups included, but are not limited to, The National School Boards Association, The National Association of State Boards of Education, the National Education Association, The National Association of Elementary School Principals, The National PTA, The Military Impacted Schools Association, and the Education Commission of the States.

In order to provide the desired uniformity to facilitate the transfer of these students from one state to another a compact mechanism is employed which will become effective upon the enactment of at least ten (10) states. Since January of this year eighteen (18) states have introduced the bill and more introductions are expected.

Interstate compacts are a time tested and court tested means of resolving interstate problems which are authorized under Article I, Section 10, Clause 3 of the U.S. Constitution. In our country's 220 year history some 200 compacts have been adopted of which Kansas is a member of approximately thirty-four (34), including three (3) education compacts.

Interstate compacts have been used for three primary purposes: 1) Boundary disputes between states' 2) Management of environmental resources 3) regulatory compacts which apply to a wide variety of multi-state problems including transportation, insurance regulation, taxation, interstate placement of foster and adopted children, criminal justice and corrections matters such as the transfer of adult offenders across state lines, and education. Compacts allow the states to exercise collective control over matters which are traditionally regulated by the states without surrendering state control to the federal government. Interstate compacts allow the states to avoid the problem of 'fifty (50) different sets of rules' with which to solve interstate problems by providing a uniform approach which is still subject to joint state authority.

CSG has been a supporter and facilitator of interstate cooperation and interstate compacts throughout its 75 year history. While there have been various unilateral efforts by various states to attempt to address these problems, it is still the case that uniformity among the states on these issues has not been achieved and cannot be enforced except through either collective action by the states acting through an interstate compact mechanism, or federal intervention by Congress. Of these two methods, the only way that uniformity can be achieved, while maintaining collective state control is through the compact device. In this manner the Compact could actually preserve state sovereignty by making it unnecessary for the U.S. Congress to impose uniformity through federally mandated legislation that often dictates unfunded and rigid requirements. There has been some discussion among members of Congress to introduce such guidelines on a federal level.

In summary, the compact attempts to establish a 'common denominator' among the member states which will remove existing barriers to timely completion of the public education process for these students who by virtue of the decision and commitment of their parent to serve our country are, in many cases, being unfairly penalized.

Keith A. Scott  
Director, National Center for Interstate Compacts.

**The Council of State Governments**

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Senate Education Committee  
3-19-08 Attachment 4