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Passed on File  
*Appropriation: 4-13, Page 6-5*

Senate File 738  
By COMMITTEE ON EDUCATION

Passed Senate, Date 6-10-67 Passed House, Date \_\_\_\_\_  
Vote: Ayes 41 Nays 10 Vote: Ayes \_\_\_\_\_ Nays \_\_\_\_\_  
Approved \_\_\_\_\_

## A BILL FOR

An Act relating to creating an educational compact commission, providing for the joinder of this state in said compact, and making an appropriation therefor.

*Be It Enacted by the General Assembly of the State of Iowa:*

1 Section 1. The compact for education is hereby enacted in-  
2 to law and entered into by this state with all other jurisdic-  
3 tions legally joining therein, in the form substantially as  
4 follows:

### COMPACT FOR EDUCATION

#### ARTICLE I. PURPOSE AND POLICY.

7 A. It is the purpose of this compact to:

- 8 1. Establish and maintain close cooperation and understand-  
9 ing among executive, legislative, professional educational and  
10 lay leadership on a nationwide basis at the state and local  
11 levels.
- 12 2. Provide a forum for the discussion, development, crystal-  
13 ization and recommendation of public policy alternatives in  
14 the field of education.
- 15 3. Provide a clearing house of information on matters re-  
16 lating to educational problems and how they are being met in  
17 different places throughout the nation, so that the executive  
18 and legislative branches of state government and of local com-  
19 munities may have ready access to the experience and record of  
20 the entire country, and so that both lay and professional groups  
21 in the field of education may have additional avenues for the  
22 sharing of experience and the interchange of ideas in the for-

23 mation of public policy in education.

24 4. Facilitate the improvement of state and local educational  
25 systems so that all of them will be able to meet adequate and  
26 desirable goals in a society which requires continuous qualita-  
27 tive and quantitative advance in educational opportunities, meth-  
28 ods and facilities.

29 B. It is the policy of this compact to encourage and pro-  
30 mote local and state initiative in the development, maintenance,  
31 improvement and administration of educational systems and in-  
32 stitutions in a manner which will accord with the needs and ad-  
33 vantages of diversity among localities and states.

34 C. The party states recognize that each of them has an in-  
35 terest in the quality and quantity of education furnished in  
36 each of the other states, as well as in the excellence of its  
37 own educational systems and institutions, because of the highly  
38 mobile character of individuals within the nation, and because  
39 the products and services contributing to the health, welfare,  
40 and economic advancement of each state are supplied in signifi-  
41 cant part by persons educated in other states.

42 ARTICLE II. STATE DEFINED.

43 As used in this compact, "state" means a state, territory  
44 or possession of the United States, the District of Columbia,  
45 or the Commonwealth of Puerto Rico.

46 ARTICLE III. THE COMMISSION.

47 A. The education commission of the states, hereinafter called  
48 "the commission," is hereby established. The commission shall  
49 consist of seven (7) members representing each party state. One  
50 (1) of such members shall be the governor; two (2) shall be mem-  
51 bers of the state legislature selected by its respective houses  
52 and serving in such manner as the legislature may determine; and  
53 four (4) shall be appointed by and serve at the pleasure of the  
54 governor, unless the laws of the state otherwise provide. If the  
55 laws of a state prevent legislators from serving on the commis-  
56 sion, six (6) members shall be appointed and serve at the pleasure

57 of the governor, unless the laws of the state otherwise pro-  
58 vide. In addition to any other principles or requirements  
59 which a state may establish for the appointment and service  
60 of its members of the commission, the guiding principle for  
61 the composition of the membership on the commission from each  
62 party state shall be that the members representing such state  
63 shall, by virtue of their training, experience, knowledge or  
64 affiliations be in a position collectively to reflect broadly  
65 the interests of the state government, higher education, the  
66 state education system, local education, lay and professional,  
67 public and nonpublic educational leadership. Of those appoint-  
68 ees, one (1) shall be the head of a state agency or institution,  
69 designated by the governor, having responsibility for one (1)  
70 or more programs of public education. In addition to the mem-  
71 bers of the commission representing the party states, there may  
72 be not to exceed ten (10) nonvoting commissioners selected by  
73 the steering committee for terms of one (1) year. Such commis-  
74 sioners shall represent leading national organizations of pro-  
75 fessional educators or persons concerned with educational ad-  
76 ministration.

77 B. The members of the commission shall be entitled to one  
78 (1) vote each on the commission. No action of the commission  
79 shall be binding unless taken at a meeting at which a majority  
80 of the total number of votes on the commission are cast in favor  
81 thereof. Action of the commission shall be only at a meeting  
82 at which a majority of the commissioners are present. The com-  
83 mission shall meet at least once a year. In its bylaws, and  
84 subject to such directions and limitations as may be contained  
85 therein, the commission may delegate the exercise of any of its  
86 powers to the steering committee or the executive director,  
87 except for the power to approve budgets or requests for appro-  
88 priations, the power to make policy recommendations pursuant  
89 to Article IV and adoption of the annual report pursuant to  
90 Article III (J).

91 C. The commission shall have a seal.

92 D. The commission shall elect annually, from among its mem-  
93 bers, a chairman, who shall be a governor, a vice chairman and  
94 a treasurer. The commission shall provide for the appointment  
95 of an executive director. Such executive director shall serve  
96 at the pleasure of the commission, and together with the trea-  
97 surer and such other personnel as the commission may deem appro-  
98 priate shall be bonded in such amount as the commission shall  
99 determine. The executive director shall be secretary.

100 E. Irrespective of the civil service, personnel, or other  
101 merit system laws of any of the party states, the executive  
102 director subject to the approval of the steering committee  
103 shall appoint, remove, or discharge such personnel as may be  
104 necessary for the performance of the functions of the commis-  
105 sion, and shall fix the duties and compensation of such per-  
106 sonnel. The commission in its bylaws shall provide for the  
107 personnel policies and programs of the commission.

108 F. The commission may borrow, accept, or contract for the  
109 services of personnel from any party jurisdiction, the United  
110 States, or any subdivision or agency of the aforementioned  
111 governments, or from any agency of two (2) or more of the party  
112 jurisdictions or their subdivisions.

113 G. The commission may accept for any of its purposes and  
114 functions under this compact any and all donations, and grants  
115 of money, equipment, supplies, materials and services, condi-  
116 tional or otherwise, from any state, the United States, or any  
117 other governmental agency, or from any person, firm, associa-  
118 tion, foundation, or corporation, and may receive, utilize,  
119 and dispose of the same. Any donation or grant accepted by  
120 the commission pursuant to this paragraph or services borrowed  
121 pursuant to paragraph (F) of this Article shall be reported in  
122 the annual report of the commission. Such report shall include  
123 the nature, amount and conditions, if any, of the donation,  
124 grant, or services borrowed, and the identity of the doner or

125 lender.

126 H. The commission may establish and maintain such facili-  
127 ties as may be necessary for the transacting of its business.  
128 The commission may acquire, hold, and convey real and per-  
129 sonal property and any interest therein.

130 I. The commission shall adopt bylaws for the conduct of its  
131 business and shall have the power to amend and rescind these  
132 bylaws. The commission shall publish its bylaws in convenient  
133 form and shall file a copy thereof and a copy of any amendment  
134 thereto, with the appropriate agency or officer in each of the  
135 party states.

136 J. The commission annually shall make to the governor and  
137 legislature of each party state a report covering the activities  
138 of the commission for the preceding year. The commission may  
139 make such additional reports as it may deem desirable.

140 ARTICLE IV. POWERS.

141 In addition to authority conferred on the commission by  
142 other provisions of the compact, the commission shall have  
143 authority to:

144 1. Collect, correlate, analyze, and interpret information  
145 and data concerning educational needs and resources.

146 2. Encourage and foster research in all aspects of ed-  
147 ucation, but with special reference to the desirable scope  
148 of instruction, organization, administration, and instructional  
149 methods and standards employed or suitable for employment in  
150 public educational systems.

151 3. Develop proposals for adequate financing of education as  
152 a whole and at each of its many levels.

153 4. Conduct or participate in research of the types referred  
154 to in this Article in any instance where the commission finds  
155 that such research is necessary for the advancement of the  
156 purposes and policies of this compact, utilizing fully the  
157 resources of national associations, regional compact organiza-  
158 tions for higher education, and other agencies and institutions,

159 both public and private.

160 5. Formulate suggested policies and plans for the improve-  
161 ment of public education as a whole, or for any segment thereof,  
162 and make recommendations with respect thereto available to the  
163 appropriate governmental units, agencies and public officials.

164 6. Do such other things as may be necessary or incidental  
165 to the administration of any of its authority or functions pur-  
166 suant to this compact.

167 ARTICLE V. COOPERATION WITH FEDERAL GOVERNMENT.

168 A. If the laws of the United States specifically so pro-  
169 vide, or if administrative provision is made therefor within  
170 the federal government, the United States may be represented  
171 on the commission by not to exceed ten (10) representatives.  
172 Any such representative or representatives of the United States  
173 shall be appointed and serve in such manner as may be provided  
174 by or pursuant to federal law, and may be drawn from any one  
175 (1) or more branches of the federal government, but no such  
176 representative shall have a vote on the commission.

177 B. The commission may provide information and make recom-  
178 mendations to any executive or legislative agency or officer  
179 of the federal government concerning the common educational  
180 policies of the states, and may advise with any such agencies  
181 or officers concerning any matter of mutual interest.

182 ARTICLE VI. COMMITTEES.

183 A. To assist in the expeditious conduct of its business  
184 when the full commission is not meeting, the commission shall  
185 elect a steering committee of thirty-two (32) members which,  
186 subject to the provisions of this compact and consistent with  
187 the policies of the commission, shall be constituted and func-  
188 tion as provided in the bylaws of the commission. One-fourth  
189 (1/4) of the voting membership of the steering committee shall  
190 consist of governors, one-fourth (1/4) shall consist of legis-  
191 lators, and the remainder shall consist of other members of  
192 the commission. A federal representative on the commission may

193 serve with the steering committee, but without vote. The vot-  
194 ing members of the steering committee shall serve for terms  
195 of two (2) years, except that members elected to the first  
196 steering committee of the commission shall be elected as  
197 follows: sixteen (16) for one (1) year and sixteen (16) for  
198 two (2) years. The chairman, vice chairman, and treasurer of  
199 the commission shall be members of the steering committee and,  
200 anything in this paragraph to the contrary notwithstanding,  
201 shall serve during their continuance in these offices. Va-  
202 cancies in the steering committee shall not affect its author-  
203 ity to act, but the commission at its next regularly ensuing  
204 meeting following the occurrence of any vacancy shall fill  
205 it for the unexpired term. No person shall serve more than  
206 two (2) terms as a member of the steering committee; provided  
207 that service for a partial term of one (1) year or less shall  
208 not be counted toward the two (2) term limitation.

209 B. The commission may establish advisory and technical com-  
210 mittees composed of state, local, and federal officials, and  
211 private persons to advise it with respect to any one (1) or  
212 more of its functions. Any advisory or technical committee  
213 may, on request of the states concerned, be established to  
214 consider any matter of special concern to two (2) or more of  
215 the party states.

216 C. The commission may establish such additional committees  
217 as its bylaws may provide.

218 ARTICLE VII. FINANCE.

219 A. The commission shall advise the governor or designated  
220 officer or officers of each party state of its budget and  
221 estimated expenditures for such period as may be required by  
222 the laws of that party state. Each of the commission's budgets  
223 of estimated expenditures shall contain specific recommenda-  
224 tions of the amount or amounts to be appropriated by each of  
225 the party states.

226 B. The total amount of appropriation requests under any

227 budget shall be apportioned among the party states. In making  
228 such apportionment, the commission shall devise and employ a  
229 formula which takes equitable account of the populations and  
230 per capita income levels of the party states.

231 C. The commission shall not pledge the credit of any party  
232 states. The commission may meet any of its obligations in  
233 whole or in part with funds available to it pursuant to Article  
234 III (G) of this compact, provided that the commission takes  
235 specific action setting aside such funds prior to incurring an  
236 obligation to be met in whole or in part in such manner. Except  
237 where the commission makes use of funds available to it pur-  
238 suant to Article III (G) thereof, the commission shall not  
239 incur any obligation prior to the allotment of funds by the  
240 party states adequate to meet the same.

241 D. The commission shall keep accurate accounts of all re-  
242 ceipts and disbursements. The receipts and disbursements of  
243 the commission shall be subject to the audit and accounting  
244 procedures established by its bylaws. However, all receipts  
245 and disbursements of funds handled by the commission shall be  
246 audited yearly by a qualified public accountant, and the report  
247 of the audit shall be included in and become part of the annual  
248 reports of the commission.

249 E. The accounts of the commission shall be open at any rea-  
250 sonable time for inspection by duly constituted officers of  
251 the party states and by any persons authorized by the commis-  
252 sion.

253 F. Nothing contained herein shall be construed to prevent  
254 commission compliance with laws relating to audit or inspection  
255 of accounts by or on behalf of any government contributing to  
256 the support of the commission.

257 ARTICLE VIII. ELIGIBLE PARTIES; ENTRY INTO AND WITHDRAWAL.

258 A. This compact shall have as eligible parties all states,  
259 territories, and possessions of the United States, the District  
260 of Columbia, and the Commonwealth of Puerto Rico. In respect

261 of any such jurisdiction not having a governor, the term "gov-  
262 ernor," as used in this compact, shall mean the closest equiva-  
263 lent official of such jurisdiction.

264 B. Any state or other eligible jurisdiction may enter into  
265 this compact and it shall become binding thereon when it has  
266 adopted the same: provided that in order to enter into initial  
267 effect, adoption by at least ten (10) eligible party jurisdic-  
268 tions shall be required.

269 C. Adoption of the compact may be either by enactment  
270 thereof or by adherence thereto by the governor; provided that  
271 in the absence of enactment, adherence by the governor shall  
272 be sufficient to make his state a party only until December  
273 31, 1967. During any period when a state is participating in  
274 this compact through gubernatorial action, the governor shall  
275 appoint those persons who, in addition to himself, shall serve  
276 as the members of the commission from his state, and shall pro-  
277 vide to the commission an equitable share of the financial  
278 support of the commission from any source available to him.

279 D. Except for a withdrawal effective on December 31, 1967  
280 in accordance with paragraph C of this Article, any party state  
281 may withdraw from this compact by enacting a statute repealing  
282 the same, but no such withdrawal shall take effect until one  
283 (1) year after the governor of the withdrawing state has given  
284 notice in writing of the withdrawal to the governors of all  
285 other party states. No withdrawal shall affect any liability  
286 already incurred by or chargeable to a party state prior to  
287 the time of such withdrawal.

288 ARTICLE IX. CONSTRUCTION AND SEVERABILITY.

289 This compact shall be liberally construed so as to effectuate  
290 the purposes thereof. The provisions of this compact shall be  
291 severable and if any phrase, clause, sentence or provision of  
292 this compact is declared to be contrary to the constitution of  
293 any state or of the United States, or the application thereof  
294 to any government, agency, person or circumstance is held invalid,

295 the validity of the remainder of this compact and the applic-  
296 ability thereof to any government, agency, person or circum-  
297 stance shall not be affected thereby. If this compact shall  
298 be held contrary to the constitution of any state participating  
299 therein, the compact shall remain in full force and effect as  
300 to the state affected as to all severable matters.

1     Sec. 2. There is hereby created a seven-member delegation  
2 to represent the state of Iowa on the education commission of  
3 the states. The delegation shall consist of the governor; the  
4 state superintendent of public instruction; two (2) members of  
5 the general assembly, one (1) each appointed by the respective  
6 houses and serving for terms coincident with the terms for which  
7 they were elected to the general assembly; and three (3) members  
8 appointed by the governor in compliance with Article III (A) of  
9 the compact. The three (3) members appointed by the governor  
10 shall serve at the pleasure of the governor. The chairman of  
11 the delegation shall be designated by the governor from among  
12 its membership. The members of the commission shall serve with-  
13 out compensation, but shall be reimbursed for their actual and  
14 necessary expenses incurred in the performance of their duties,  
15 from the appropriation incident to the operations and duties of  
16 this commission, upon vouchers signed by the chairman.

1     Sec. 3. Pursuant to Article III (I) of the compact, the edu-  
2 cation commission of the states shall file a copy of its bylaws  
3 and any amendments thereto with the secretary of state.

1     Sec. 4. There is hereby appropriated from the general fund  
2 of the state the following:

3     1. For membership in the education commission for the period  
4 January 1, 1968 to June 30, 1968, the sum of five thousand two  
5 hundred and fifty (5,250) dollars.

6     2. For membership in the education commission for the period  
7 July 1, 1968 to June 30, 1969, the sum of ten thousand five hun-  
8 dred (10,500) dollars.

9     3. For such expenses of the members of the delegation

10 representing Iowa on the education commission as authorized  
11 under section two (2) of this Act, the sum of five thousand  
12 (5,000) dollars for each year of the biennium beginning July  
13 1, 1967 and ending June 30, 1969.

1 Amend Senate File 738 by numbering properly and adding the  
2 following new section thereto:

3 "The education commission of the states and the Iowa  
4 members thereof shall not be a board, commission or agency of  
5 the state of Iowa; the acts of the commission shall be the  
6 acts, only, of the commission and not the state of Iowa.  
7 Nothing contained in the Compact for Education shall be con-  
8 strued to pledge the General Assembly of the state of Iowa to  
9 appropriate to the commission any specific funds or money even  
10 though such funds or money is requested by the commission  
11 pursuant to Article VII of the compact. The employees of the  
12 commission shall not be employees of the state of Iowa."

Filed - *adopted 6-10-67*  
June 6, 1967

By GAUDINEER