

Subject Teachers

Authors Hill and others

Analyst Cristina Parra

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Overview

This bill is an interstate occupational licensure compact that functions like a contract among member states. If adopted, the provisions of the compact would supersede state law. The compact establishes a process for a teacher licensed in one state to receive an equivalent license from another member state.

Summary

Section	Description
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1	Interstate teacher mobility compact.
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Art. I. Purpose. States that the purpose of the compact is to facilitate the mobility of teachers across the member states to support teachers through a new pathway to licensure. Lists other objectives.

Art. II. Definitions. Defines terms, including “charter member states,” “eligible license,” “member state,” and “unencumbered license.”

Art. III. Licensure under compact. Requires each member state to define the eligible licenses and career and technical education licenses the member state is willing to consider for equivalency under the compact. Establishes process for a teacher holding an unencumbered eligible license from another state to apply for an equivalent license in the member state. Allows active military members and eligible military spouses to receive a license in member state even though the current license is not unencumbered (an unencumbered license is current, valid, and not restricted, probationary, provisional, substitute, or temporary).

Art. IV. Licensure not under the compact. Allows a state to require a teacher who receives a license under the compact to complete specific requirements to renew or advance the license. Clarifies member state’s licensing authority.

Art. V. Teacher qualifications and requirements for licensure under the compact. Requires a teacher applying for a license under the compact to

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undergo a criminal background check and provide the receiving state with information for purposes of determining compensation, if applicable.

Art. VI. Discipline and adverse actions. States that member states retain authority to investigate or impose discipline on teachers. Authorizes member states to receive and provide files and information regarding the investigation and discipline of any teachers in member states, upon request.

Art. VII. Establishment of the interstate teacher mobility compact commission. Establishes a joint public agency known as the Interstate Teacher Mobility Compact Commission comprised of states that have enacted the compact. Establishes membership, voting, and meetings requirements for the commission, as well as powers and duties of the commission, including promulgating uniform rules that have the effect of law and are binding on all member states. Establishes an executive committee of the commission that can recommend changes to the rules or bylaws of the commission, prepare and recommend the budget, monitor compliance of member states, and perform other duties. Provides immunity from suit and liability, defense, and indemnification for commission members, officers, executive director, employees and representatives of the commission.

Art. VIII. Rulemaking. Requires the commission to exercise rulemaking powers in accordance with the compact. Provides a process for the majority of member states to reject a rule. Allows commission to declare an emergency and adopt an emergency rule with 48 hours' notice.

Art. IX. Facilitating information exchange. Requires the commission to facilitate the exchange of information to administer and implement the compact.

Art. X. Oversight, dispute resolution, and enforcement. Authorizes the executive and judicial branches of each member state to enforce the compact. Provides that provisions of the compact have standing as statutory law. Allows the commission to determine that a member state has defaulted in the performance of its obligations and allows defaulting state to be terminated from compact. Establishes appeal process for defaulting state. Provides for dispute resolution. Allows the commission to enforce the compact and initiate legal action in federal court to enforce compliance.

Art. XI. Effectuation, withdrawal, and amendment. Provides that compact is effective when compact statute is enacted into law in the 10th member state. Allows member states to withdraw from compact. Allows compact to be amended by member states.

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Art. XII. Construction and severability. Provides that compact is severable and should be construed to effectuate its purposes.

Art. XIII. Consistent effect and conflict with other state law. Supersedes conflicting laws, statutes, or regulations in a member state.



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