

1 **INTERSTATE TEACHER MOBILITY COMPACT**

2 **ARTICLE I- PURPOSE**

3 The purpose of this Compact is to facilitate the interstate licensure of teachers  
4 across the member states, with the goal of improving access to the teaching  
5 profession. Through this Compact, the member states seek to establish a collective  
6 regulatory framework which expedited and enhances the ability of teachers from a  
7 variety of backgrounds to move across state lines. By enhancing mobility in the  
8 teaching profession, the member states intend to provide increased value and  
9 mobility to licensed teachers, while continuing to ensure that licensed and qualified  
10 teachers are available throughout the member states.

11 This Compact is intended to achieve the following objectives and should be  
12 interpreted accordingly. The member states hereby ratify the same intentions by  
13 subscribing hereto:

- 14 A. Facilitate the process whereby a licensed teacher may teach across state lines.
- 15 B. Serve as a magnet to the teaching profession by providing additional value to  
16 licensed teachers through enhanced mobility between the member states;
- 17 C. Serve the need of students across the member states to receive a quality education  
18 from qualified teachers;
- 19 D. Serve the needs of licensed teachers without sacrificing the needs of military  
20 spouses;
- 21 E. Provide for the future needs of licensed teachers across the member states by  
22 creating a dynamic licensing structure which can adapt to changing circumstances of  
23 the profession, whether technological or otherwise;
- 24 F. Empower state and district level education officials to hire qualified, competent  
25 teachers by removing barriers to the employment of out-of-state teachers.

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27 **ARTICLE II- DEFINITIONS**

28 As used in this Compact, and except as otherwise provided, the following definitions  
29 shall govern the terms herein:

- 30 A. "Adverse Action" – means any limitation or restriction imposed by a member state's  
31 licensing authority, such as revocation, suspension, reprimand, probation, limitation  
32 on the Licensee's ability to work as a teacher.
- 33 B. "Bylaws" – means those bylaws established by the Commission.

- 34 C. “Career and Technical Education” – means any teaching credential issued by a  
35 State’s Licensing Authority to provide instruction in a specific career and technical  
36 education area.
- 37 D. “Commission” – means the interstate administrative body whose membership  
38 consists of all States that have enacted this Compact, and which is known as the  
39 Interstate Teacher Mobility Compact Commission.
- 40 E. “Eligible License” – means a license to engage in the teaching profession which is  
41 eligible for equivalency under this Compact, as designated by the Member State  
42 which issues such a license.
- 43 F. “Eligible Military Spouse” – means the spouse of any individual in full-time duty  
44 status in the active uniformed service of the United States including members of the  
45 National Guard and Reserve on active duty moving as a result of military mission or  
46 military career progression requirements, or are on their terminal move as a result of  
47 separation or retirement (to include surviving spouses of deceased military  
48 members).
- 49 G. “Executive Committee” – means a group of directors elected or appointed to act on  
50 behalf of, and within the powers granted to them by, the Commission as provided for  
51 herein.
- 52 H. “Investigative Information” means information, records, and documents received or  
53 generated by a Licensing Authority pursuant to an investigation or other inquiry.
- 54 I. “Licensing Authority” – means an official, agency, board, or other entity of a state, or  
55 an equivalent jurisdiction, that is responsible for the licensing and regulation of  
56 teachers authorized to teach in P-12 public educational settings.
- 57 J. “Member State” – means any State that has adopted this Compact, including all  
58 agencies and officials of such a State.
- 59 K. “Receiving State” – means any State where a Teacher has applied for licensure  
60 under this Compact.
- 61 L. “Rule” – means any regulation promulgated by the Commission under this Compact,  
62 which shall have the force of law in each Member State.
- 63 M. “State” – means a state, territory, or possession of the United States, and the District  
64 of Columbia.
- 65 N. “State Practice Laws” – means a Member State’s laws, rules, and regulations that  
66 govern the teaching profession, define the scope of such profession, and create the  
67 methods and grounds for imposing discipline.

- 68 O. "Teacher" – means an individual who currently holds an authorization from a  
69 Member State which forms the basis for employment in the P-12 public schools of  
70 the state to provide instruction in a specific subject area or grade level.
- 71 P. "Unencumbered License" – means a current, valid authorization issued by a member  
72 state's licensing authority allowing an individual to teach in P-12 public educational  
73 settings. An unencumbered license is not a restricted, probationary, provisional,  
74 substitute or temporary credential.

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### 76 **ARTICLE III- LICENSURE UNDER THE COMPACT**

- 77 A. Licensure under this Compact pertains only to the initial grant of a license by the  
78 Receiving State. Nothing herein applies to any subsequent or ongoing compliance  
79 requirements which a Receiving State might require for Teachers.
- 80 B. **Eligible Licenses:** Each Member State shall, in accordance with the Rules of the  
81 Commission, define, compile, and update as necessary, a list of Eligible Licenses  
82 that the Member State is willing to consider for equivalency under this Compact, and  
83 provide the list to the Commission. The list shall include those licenses that a  
84 Receiving State is willing to grant to Teachers from other Member States, pending a  
85 determination of equivalency by the Receiving State's Licensing Authority.
- 86 C. **Unencumbered Licenses:** Upon the receipt for an application for licensure by a  
87 Teacher holding an Unencumbered License, the Receiving State shall determine,  
88 based upon the Teacher's qualifications, which of the Receiving State's Eligible  
89 Licenses the Teacher is qualified to hold, and shall grant such a license or licenses  
90 to the applicant. Such a determination shall be made in the sole discretion of the  
91 Receiving State's Licensing Authority and may include a determination that the  
92 applicant is not eligible for any of the Receiving State's Eligible Licenses. For all  
93 Teachers who hold an Unencumbered License, the Receiving State shall grant one  
94 or more Unencumbered License(s) that, in the Receiving State's sole discretion, are  
95 equivalent to the license(s) held by the Teacher in any other Member State.
- 96 D. **Eligible Military Spouses:** For Eligible Military Spouses who hold a license that is  
97 not Unencumbered, the Receiving State shall grant an equivalent license or licenses  
98 that, in the Receiving State's sole discretion, is equivalent to the license or licenses  
99 held by the Teacher in any other Member State, except where the Receiving State  
100 does not have an equivalent license.
- 101 E. **Career and Technical Education Teachers:**
- 102 1. For Career and Technical Teachers holding an Unencumbered License,  
103 the Receiving State shall grant an Unencumbered License equivalent to

104 an Unencumbered License held by the applying Teacher and issued by  
105 another Member State, as determined by the Receiving State in its sole  
106 discretion, except where a Career and Technical Education Teacher does  
107 not hold a bachelor's degree and the Receiving State requires a  
108 bachelor's degree for licenses to teach Career and Technical Education.

- 109 2. A Receiving State may require Career and Technical Education Teachers  
110 to meet state industry recognized requirements, if required by law in the  
111 Receiving State.

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113 **ARTICLE IV- LICENSURE NOT UNDER THE COMPACT**

- 114 A. Except as provided in Article III above, nothing in this Compact shall be  
115 construed to limit or inhibit the power of a Member State to regulate licensure or  
116 endorsements overseen by the Member State's Licensing Authority.
- 117 B. When a Teacher is required to renew a license received pursuant to this  
118 Compact, the State granting such a license may require the Teacher to complete  
119 state-specific requirements as a condition of licensure renewal in that State.
- 120 C. For the purposes of determining compensation, a Receiving State may require  
121 additional information from Teachers receiving a license under the provisions of  
122 this Compact.
- 123 D. Nothing in this Compact shall be construed to limit the power of a Member State  
124 to control and maintain ownership of its information pertaining to Teachers, or  
125 limit the application of a Member State's laws or regulations governing the  
126 ownership, use, or dissemination of information pertaining to Teachers.
- 127 E. Nothing in this Compact shall be construed to invalidate or alter any existing  
128 agreement or other cooperative arrangement which a Member State may already  
129 be a party to, or limit the ability of a Member State to participate in any future  
130 agreement or other cooperative arrangement to:
- 131 1. Award teaching licenses or other benefits based on additional professional  
132 credentials including but not limited to National Board Certification;
  - 133 2. Participate in the exchange of names of Teachers whose license has been  
134 subject to an Adverse Action by a Member State; or
  - 135 3. Participate in any agreement or cooperative arrangement with a non-  
136 member state.

138 **ARTICLE V- TEACHER QUALIFICATIONS AND REQUIREMENTS FOR LICENSURE**  
139 **UNDER THE COMPACT**

140 A. Except as provided for Eligible Military Spouses in Article III.D above, a Teacher  
141 may only be eligible to receive a license under this Compact where that Teacher  
142 holds a valid, Unencumbered License in a Member State.

143 B. A Teacher eligible to receive a license under this Compact shall, unless  
144 otherwise provided for herein:

145 1. Hold a bachelor's degree;

146 2. Have completed all requirements of a program for Teacher licensure  
147 approved by the Licensing Authority of a Member State;

148 3. Upon their application to receive a license under this Compact, undergo a  
149 criminal background check in the Receiving State in accordance with the  
150 laws and regulations of the Receiving State; and

151 4. Provide the Receiving State with information in addition to the information  
152 required for licensure for the purposes of determining compensation, if  
153 applicable.

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155 **ARTICLE VI- DISCIPLINE / ADVERSE ACTIONS**

156 A. Nothing in this Compact shall be deemed or construed to limit the authority of a  
157 Member State to investigate or impose disciplinary measures on Teachers  
158 according to the State Practice Laws thereof.

159 B. Member States shall be authorized to receive, and shall provide, files and  
160 information regarding the investigation and discipline, if any, of Teachers in other  
161 Member States upon request. Any Member State receiving such information  
162 and/or files shall protect and maintain the security and confidentiality thereof, in  
163 at least the same manner that it maintains its own investigatory and/or  
164 disciplinary files and information. Prior to disclosing any disciplinary or  
165 investigatory information received from another Member State, the disclosing  
166 state shall communicate its intention and purpose for such disclosure to the  
167 Member State which originally provided that information.

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169 **ARTICLE VII- ESTABLISHMENT OF THE INTERSTATE TEACHER MOBILITY**  
170 **COMPACT COMMISSION**

171 A. The interstate compact member states hereby create and establish a joint public  
172 agency known as the Interstate Teacher Mobility Compact Commission:

173 1. The Interstate Commission is a joint interstate governmental agency  
174 comprised of states that have enacted the Interstate Teacher Mobility  
175 Compact.

176 B. Membership, Voting, and Meetings

177 1. Each member state shall have and be limited to one (1) or member of the  
178 compact commission.

179 2. The commissioner shall be an employee of the state licensing authority.

180 3. Any commissioner may be removed or suspended from office as provided  
181 by the law of the state from which the commissioner is appointed.

182 4. The member state shall fill any vacancy occurring in the interstate  
183 commission within 90 days.

184 5. Each commissioner shall be entitled to one (1) vote about the  
185 promulgation of rules and creation of bylaws and shall otherwise have an  
186 opportunity to participate in the business and affairs of the interstate  
187 commission. A commissioner shall vote in person or by such other means  
188 as provided in the bylaws. The bylaws may provide for commissioners'  
189 participation in meetings by telephone or other means of communication.

190 6. The interstate commission shall meet at least once during each calendar  
191 year. Additional meetings shall be held as set forth in the bylaws.

192 7. The interstate commission shall establish by rule a term of office for  
193 commissioners.

194 C. The interstate commission shall have the following powers and duties:

195 1. Establish a Code of Ethics for the interstate commission.

196 2. Establish the fiscal year of the interstate commission.

197 3. Establish bylaws for the interstate commission.

198 4. Maintain its financial records in accordance with the bylaws of the  
199 interstate commission.

200 5. Meet and take such actions as are consistent with the provisions of this  
201 interstate compact, the bylaws, and rules of the interstate commission.

202 6. Promulgate uniform rules to implement and administer this interstate  
203 compact. The rules shall have the force and effect of law and shall be  
204 binding in all member states. In the event the commission exercises its  
205 rulemaking authority in a manner that is beyond the scope of the purposes  
206 of the compact, or the powers granted hereunder, then such an action by  
207 the commission shall be invalid and have no force and effect of law.

- 208 7. Bring and prosecute legal proceedings or actions in the name of the  
209 interstate commission, provided that the standing of any member state  
210 licensing authority to sue or be sued under applicable law shall not be  
211 affected.
- 212 8. Purchase and maintain insurance and bonds.
- 213 9. Borrow, accept, or contract for services of personnel, including, but not  
214 limited to, employees of a member state, or an associated non-  
215 governmental organization that is open to membership by all states.
- 216 10. Hire employees, elect, or appoint officers, fix compensation, define duties,  
217 grant such individuals appropriate authority to carry out the purposes of  
218 the compact, and establish the interstate commission's personnel policies  
219 and programs relating to conflicts of interest, qualifications of personnel,  
220 and other related personnel matters.
- 221 11. Lease, purchase, accept appropriate gifts or donations of, or otherwise  
222 own, hold, improve, or use, any property, real, personal or mixed, provided  
223 that at all times the interstate commission shall avoid any appearance of  
224 impropriety.
- 225 12. Sell, convey, mortgage, pledge, lease, exchange, abandon, or otherwise  
226 dispose of any property real, personal, or mixed.
- 227 13. Establish a budget and make expenditures.
- 228 14. Borrow money.
- 229 15. Appoint committees, including standing committees composed of  
230 members and such other interested persons as may be designated in this  
231 interstate compact, rules, or bylaws.
- 232 16. Provide and receive information from, and cooperate with, law  
233 enforcement agencies.
- 234 17. Establish and elect an executive committee.
- 235 18. Establish and develop a charter for an Executive Information Governance  
236 Committee to advise on facilitating exchange of information; use of  
237 information, data privacy, and technical support needs, and provide  
238 reports as needed.
- 239 19. Perform such other functions as may be necessary or appropriate to  
240 achieve the purposes of this interstate compact consistent with the state  
241 regulation of teacher licensure.

242 D. The Executive Committee of the Interstate Teacher Mobility Compact  
243 Commission

- 244 1. The executive committee shall have the power to act on behalf of the  
245 interstate commission according to the terms of this interstate compact.
- 246 2. The executive committee shall be composed of eight voting members:  
247 a. The interstate commission chair, vice chair, and treasurer; and

- 248                   b. Five members who are elected by the interstate commission from  
249                   the current membership:
- 250                   i. Four voting members representing geographic regions in  
251                   accordance with commission rules; and  
252                   ii. One at large voting member in accordance with commission  
253                   rules.
- 254           3. The interstate commission may add or remove members of the executive  
255           committee as provided in commission rules.
- 256           4. The executive committee shall meet at least once annually.
- 257           5. The executive committee shall have the following duties and  
258           responsibilities:
- 259           a. Recommend to the entire interstate commission changes to the  
260           rules or bylaws, changes to the compact legislation, fees paid by  
261           interstate compact member states such as annual dues, and any  
262           compact fee charged by the member states on behalf of the  
263           interstate commission.
- 264           b. Ensure interstate commission administration services are  
265           appropriately provided, contractual or otherwise.
- 266           c. Prepare and recommend the budget.
- 267           d. Maintain financial records on behalf of the interstate Commission.
- 268           e. Monitor compliance of member states and provide reports to the  
269           interstate commission.
- 270           f. Establish additional committees as necessary.
- 271           g. Perform other duties as provided in rules or bylaws.
- 272           6. Meetings of the Interstate Commission
- 273           a. All meetings shall be open to the public, and public notice of  
274           meetings shall be given in accordance with interstate commission  
275           bylaws.
- 276           b. The interstate commission or the executive committee or other  
277           committees of the interstate commission may convene in a closed,  
278           non-public meeting if the interstate commission or executive  
279           committee or other committees of the interstate commission must  
280           discuss:
- 281           i. Non-compliance of a member state with its obligations under  
282           the compact.
- 283           ii. The employment, compensation, discipline or other matters,  
284           practices or procedures related to specific employees or  
285           other matters related to the interstate commission's internal  
286           personnel practices and procedures.
- 287           iii. Current, threatened, or reasonably anticipated litigation.

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- iv. Negotiation of contracts for the purchase, lease, or sale of goods, services, or real estate.
  - v. Accusing any person of a crime or formally censuring any person.
  - vi. Disclosure of trade secrets or commercial or financial information that is privileged or confidential.
  - vii. Disclosure of information of a personal nature where disclosure would constitute a clearly unwarranted invasion of personal privacy.
  - viii. Disclosure of investigative records compiled for law enforcement purposes.
  - ix. Disclosure of information related to any investigative reports prepared by or on behalf of or for use of the interstate commission or other committee charged with responsibility of investigation or determination of compliance issues pursuant to the compact; or
  - x. Matters specifically exempted from disclosure by federal or member state statute.
  - xi. Others matters as set forth by interstate commission bylaws and rules.
- c. If a meeting, or portion of a meeting, is closed pursuant to this provision, the Commission's legal counsel or designee shall certify that the meeting may be closed and shall reference each relevant exempting provision.
  - d. The interstate commission shall keep minutes of interstate commission meetings and shall provide a full and accurate summary of actions taken, and the reasons therefore, including a description of the views expressed. All documents considered in connection with an action shall be identified in such minutes. All minutes and documents of a closed meeting shall remain under seal, subject to release by a majority vote of the interstate commission or order of a court of competent jurisdiction.
7. Financing of the Interstate Commission
- a. The interstate commission shall pay, or provide for the payment of, the reasonable expenses of its establishment, organization, and ongoing activities.
  - b. The interstate commission may accept all appropriate donations and grants of money, equipment, supplies, materials, and services, and receive, utilize and dispose of the same, provided that at all times the interstate commission shall avoid any appearance of

- 328                                   impropriety and/or conflict of interest.
- 329                                   c. The interstate commission may levy on and collect an annual
- 330                                   assessment from each member state or impose fees on other
- 331                                   parties to cover the cost of the operations and activities of the
- 332                                   interstate commission, in accordance with the commission rules.
- 333                                   d. The interstate commission shall not incur obligations of any kind
- 334                                   prior to securing the funds adequate to meet the same; nor shall
- 335                                   the interstate commission pledge the credit of any of the member
- 336                                   states, except by and with the authority of the member state.
- 337                                   e. The interstate commission shall keep accurate accounts of all
- 338                                   receipts and disbursements. The receipts and disbursements of the
- 339                                   interstate commission shall be subject to accounting procedures
- 340                                   established under interstate commission bylaws. All receipts and
- 341                                   disbursements of funds of the interstate commission shall be
- 342                                   reviewed annually in accordance with interstate commission
- 343                                   bylaws, and a report of the review shall be included in and become
- 344                                   part of the annual report of the interstate commission.

345                                   8. Qualified Immunity, Defense, and Indemnification

- 346                                   a. The members, officers, executive director, employees and
- 347                                   representatives of the Interstate Commission shall be immune from
- 348                                   suit and liability, either personally or in their official capacity, for any
- 349                                   claim for damage to or loss of property or personal injury or other
- 350                                   civil liability caused by or arising out of any actual or alleged act,
- 351                                   error or omission that occurred, or that the person against whom
- 352                                   the claim is made had a reasonable basis for believing occurred
- 353                                   within the scope of Interstate Commission employment, duties or
- 354                                   responsibilities; provided that nothing in this paragraph shall be
- 355                                   construed to protect any such person from suit and/or liability for
- 356                                   any damage, loss, injury, or liability caused by the intentional or
- 357                                   willful or wanton misconduct of that person.
- 358                                   b. The interstate commission shall defend any member, officer,
- 359                                   executive director, employee, or representative of the interstate
- 360                                   commission in any civil action seeking to impose liability arising out
- 361                                   of any actual or alleged act, error, or omission that occurred within
- 362                                   the scope of interstate commission employment, duties, or
- 363                                   responsibilities, or that the person against whom the claim is made
- 364                                   had a reasonable basis for believing occurred within the scope of
- 365                                   interstate commission employment, duties, or responsibilities;
- 366                                   provided that nothing herein shall be construed to prohibit that
- 367                                   person from retaining his or her own counsel; and provided further,

368 that the actual or alleged act, error, or omission did not result from  
369 that person's intentional or willful or wanton misconduct.  
370 c. The interstate commission shall indemnify and hold harmless any  
371 member, officer, executive director, employee, or representative of  
372 the interstate commission for the amount of any settlement or  
373 judgment obtained against that person arising out of any actual or  
374 alleged act, error or omission that occurred within the scope of  
375 interstate commission employment, duties, or responsibilities, or  
376 that such person had a reasonable basis for believing occurred  
377 within the scope of interstate commission employment, duties, or  
378 responsibilities, provided that the actual or alleged act, error, or  
379 omission did not result from the intentional or willful or wanton  
380 misconduct of that person.

381 **ARTICLE VIII- RULEMAKING**

- 382 A. The interstate commission shall exercise its Rulemaking powers pursuant to the  
383 criteria set forth in this interstate compact, interstate commission bylaws, and the  
384 rules adopted thereunder. Rules and amendments shall become binding as of  
385 the date specified in each rule or amendment.
- 386 B. The interstate commission shall promulgate reasonable rules to achieve the  
387 intent and purpose of this interstate compact. In the event the interstate  
388 commission exercises its rulemaking authority in a manner that is beyond  
389 purpose and intent of this interstate compact, or the powers granted hereunder,  
390 then such an action by the interstate commission shall be invalid and have no  
391 force and effect of law in the member states.
- 392 C. If a majority of the legislatures of the member states rejects a rule, by enactment  
393 of a statute or resolution in the same manner used to adopt the compact within 4  
394 years of the date of adoption of the rule, then such rule shall have no further  
395 force and effect in any member state.
- 396 D. Rules or amendments to the rules shall be adopted or ratified at a regular or  
397 special meeting of the interstate commission in accordance with interstate  
398 commission rules and bylaws.
- 399 E. The interstate commission may consider and adopt emergency rules. For the  
400 purposes of this provision, an emergency rule is one that must be adopted  
401 immediately to:
- 402 1. Meet an imminent threat to public health, safety, or welfare.
  - 403 2. Prevent a loss of interstate commission or member state funds.
  - 404 3. Meet a deadline for the promulgation of an administrative rule that is  
405 established by federal law or rule; or
  - 406 4. Protect public health and safety.

407 **ARTICLE IX- FACILITATING INFORMATION EXCHANGE**

- 408 A. The compact commission shall provide for facilitating the exchange of  
409 information to administer and implement the provisions of this compact in  
410 accordance with the rules of the compact commission, consistent with generally  
411 accepted data protection principles.
- 412 B. Nothing in this compact shall be deemed or construed to alter, limit, or inhibit the  
413 power of a member state to control and maintain ownership of its licensee  
414 information or alter, limit, or inhibit the laws or regulations governing licensee  
415 information in the member state.

416 **ARTICLE X- OVERSIGHT, DISPUTE RESOLUTION, AND ENFORCEMENT**

417 A. Oversight

- 418 1. The executive and judicial branches of State government in each Member State  
419 shall enforce this Compact and take all actions necessary and appropriate to  
420 effectuate the Compact's purposes and intent. The provisions of this Compact  
421 shall have standing as statutory law.
- 422 2. Venue is proper and judicial proceedings by or against the Commission shall be  
423 brought solely and exclusively in a court of competent jurisdiction where the  
424 principal office of the Commission is located. The Commission may waive venue  
425 and jurisdictional defenses to the extent it adopts or consents to participate in  
426 alternative dispute resolution proceedings. Nothing herein shall affect or limit the  
427 selection or propriety of venue in any action against a licensee for professional  
428 malpractice, misconduct or any such similar matter.
- 429 3. All courts and all administrative agencies shall take judicial notice of the  
430 Compact, the Rules of the Commission, and any information provided to a  
431 Member State pursuant thereto in any judicial or quasi-judicial proceeding in a  
432 Member State pertaining to the subject matter of this Compact, or which may  
433 affect the powers, responsibilities, or actions of the Commission.
- 434 4. The Commission shall be entitled to receive service of process in any proceeding  
435 regarding the enforcement or interpretation of the Compact and shall have  
436 standing to intervene in such a proceeding for all purposes. Failure to provide the  
437 Commission service of process shall render a judgment or order void as to the  
438 Commission, this Compact, or promulgated Rules.

439 B. Default, Technical Assistance, and Termination

- 440 1. If the Commission determines that a Member State has defaulted in the  
441 performance of its obligations or responsibilities under this Compact or the  
442 promulgated Rules, the Commission shall:
- 443 a. Provide written notice to the defaulting State and other Member States of the

- 444 nature of the default, the proposed means of curing the default and/or any  
445 other action to be taken by the Commission; and
- 446 b. Provide remedial training and specific technical assistance regarding the  
447 default.
- 448 C. If a State in default fails to cure the default, the defaulting State may be terminated  
449 from the Compact upon an affirmative vote of a majority of the delegates of the  
450 Member States, and all rights, privileges and benefits conferred on that state by this  
451 Compact may be terminated on the effective date of termination. A cure of the  
452 default does not relieve the offending State of obligations or liabilities incurred during  
453 the period of default.
- 454 D. Termination from the Compact shall be imposed only after all other means of  
455 securing compliance have been exhausted. Notice of intent to suspend or terminate  
456 shall be given by the Commission to the governor, the majority and minority leaders  
457 of the defaulting State's legislature, the State licensing authority and each of the  
458 Member States.
- 459 E. A State that has been terminated is responsible for all assessments, obligations, and  
460 liabilities incurred through the effective date of termination, including obligations that  
461 extend beyond the effective date of termination.
- 462 F. The Commission shall not bear any costs related to a State that is found to be in  
463 default or that has been terminated from the Compact, unless agreed upon in writing  
464 between the Commission and the defaulting State.
- 465 G. Nothing in this interstate compact shall be construed to be a waiver of sovereign  
466 immunity.
- 467 H. The defaulting State may appeal the action of the Commission by petitioning the  
468 U.S. District Court for the District of Columbia or the federal district where the  
469 Commission has its principal offices. The prevailing party shall be awarded all costs  
470 of such litigation, including reasonable attorney's fees.
- 471 I. Dispute Resolution
- 472 1. Upon request by a Member State, the Commission shall attempt to resolve  
473 disputes related to the Compact that arise among Member States and between  
474 Member and non-Member States.
- 475 2. The Commission shall promulgate a Rule providing for both mediation and  
476 binding dispute resolution for disputes as appropriate.
- 477 J. Enforcement by the Commission
- 478 1. The Commission, in the reasonable exercise of its discretion, shall enforce the  
479 provisions and Rules of this Compact.
- 480 2. By majority vote, the Commission may initiate legal action in the United States

481 District Court for the District of Columbia or the federal district where the  
482 Commission has its principal offices against a Member State in default to enforce  
483 compliance with the provisions of the Compact and its promulgated Rules and  
484 bylaws. The relief sought may include both injunctive relief and damages. In the  
485 event judicial enforcement is necessary, the prevailing party shall be awarded all  
486 costs of such litigation, including reasonable attorney's fees. The remedies herein  
487 shall not be the exclusive remedies of the Commission. The Commission may  
488 pursue any other remedies available under federal or State law.  
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490 **ARTICLE XI- EFFECTUATION, WITHDRAWAL, AND AMENDMENT**

- 491
- 492 A. The Compact shall come into effect on the date on which the Compact statute is  
493 enacted into law in the tenth Member State.
  - 494 B. Any State that joins the Compact after the Commission's initial adoption of the  
495 Rules and bylaws shall be subject to the Rules and bylaws as they exist on the  
496 date on which the Compact becomes law in that State. Any Rule that has been  
497 previously adopted by the Commission shall have the full force and effect of law  
498 on the day the Compact becomes law in that State.
  - 499 C. Any Member State may withdraw from this Compact by enacting a statute  
500 repealing the same.
    - 501 1. A Member State's withdrawal shall not take effect until six (6) months after  
502 enactment of the repealing statute.
    - 503 2. Withdrawal shall not affect the continuing requirement of the withdrawing  
504 State's Licensing Authority to grant licenses for applications submitted prior  
505 to the date of withdrawal.
  - 506 D. This Compact may be amended by the Member States. No amendment to this  
507 Compact shall become effective and binding upon any Member State until it is  
508 enacted into the laws of all Member States.

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510 **ARTICLE XII- CONSTRUCTION AND SEVERABILITY**

511 This Compact shall be liberally construed to effectuate the purposes thereof. The  
512 provisions of this Compact shall be severable and if any phrase, clause, sentence or  
513 provision of this Compact is declared to be contrary to the constitution of any Member  
514 State or a state seeking membership in the compact, or of the United States or the  
515 applicability thereof to any other government, agency, person or circumstance is held  
516 invalid, the validity of the remainder of this Compact and the applicability thereof to any  
517 government, agency, person or circumstance shall not be affected thereby. If this

518 Compact shall be held contrary to the constitution of any Member State, the Compact  
519 shall remain in full force and effect as to the remaining Member States and in full force  
520 and effect as to the Member State affected as to all severable matters.

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522 **ARTICLE XIII- CONSISTENT EFFECT AND CONFLICT WITH OTHER STATE LAWS**

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524 A. The various courts of the Member States shall interpret the compact in a consistent  
525 manner and give precedential effect to judicial determinations made by the courts of  
526 each Member State.

527 B. Nothing herein shall prevent or inhibit the enforcement of any other law of a Member  
528 State that is not inconsistent with the Compact.

529 C. Any laws, statutes, regulations, or other legal requirements in a Member State in  
530 conflict with the Compact are superseded to the extent of the conflict.

531 D. All permissible agreements between the Commission and the Member States are  
532 binding in accordance with their terms.

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