

ENROLLED

CS/HB 1125

2023 Legislature

1  
2 An act relating to the interstate education compacts;  
3 creating s. 1012.993, F.S., creating the Interstate  
4 Teacher Mobility Compact; providing purpose and  
5 definitions for the compact; providing requirements  
6 for the licensure of teachers in member states who  
7 hold specified licenses in other member states;  
8 providing requirements for teachers who are licensed  
9 in one member state to become licensed in another  
10 member state, including career and technical education  
11 teachers; providing requirements for licensed teachers  
12 who are also eligible military spouses; providing  
13 requirements for the renewal of such licenses in the  
14 member state a teacher transferred his or her license  
15 to; providing applicability; authorizing member states  
16 to require additional information for the purpose of  
17 determining teacher compensation; providing  
18 construction; providing requirements a teacher must  
19 meet for licensure in a member state; providing  
20 requirements for the investigation or imposition of  
21 disciplinary measure and adverse actions for teachers;  
22 providing for the sharing and protection of certain  
23 information between member states; establishing the  
24 Interstate Teacher Mobility Compact Commission;  
25 providing purpose of the commission; providing

ENROLLED

CS/HB 1125

2023 Legislature

26 requirements for the membership and meetings of the  
 27 commission; providing for the removal or suspension of  
 28 commissioners; providing requirements, powers, and  
 29 duties of the commission; authorizing the commission  
 30 to adopt bylaws and rules; establishing the executive  
 31 committee of the commission; providing for the  
 32 membership and meetings of the committee; providing  
 33 the duties and responsibilities of the committee;  
 34 providing meeting requirements for the commission;  
 35 requiring the commission to keep specified records and  
 36 minutes; requiring the commission to pay specified  
 37 expenses; authorizing the commission to accept  
 38 specified donations and grants; prohibiting the  
 39 commission from incurring specified obligations;  
 40 providing specified immunity to certain individuals;  
 41 providing exceptions; requiring the commission to  
 42 defend specified individuals under certain  
 43 circumstances; requiring the commission to indemnify  
 44 certain individuals; providing exceptions; providing  
 45 requirements for the rules of the commission;  
 46 providing requirements for the exchange of specified  
 47 information between member states; providing  
 48 requirements for the oversight of the commission and  
 49 member states; providing for the resolution of  
 50 disputes through specified means, including specified

ENROLLED

CS/HB 1125

2023 Legislature

51 | judicial proceedings; requiring courts and  
 52 | administrative agencies of member states to take  
 53 | specified actions; providing requirements for the  
 54 | commission and member states for member states that  
 55 | have defaulted in their performance of compact  
 56 | requirements; providing requirements for notifications  
 57 | to such member states; providing requirements for  
 58 | member states who fail to cure such defaults;  
 59 | providing requirements for the termination of the  
 60 | compact for such member states; providing requirements  
 61 | for member states whose participation in the compact  
 62 | is terminated; providing commission and member state  
 63 | requirements relating to the resolution of certain  
 64 | disputes; providing requirements for the compact to  
 65 | take effect; providing requirements for the effect of  
 66 | certain rules and bylaws on member states; providing  
 67 | requirements for member states to withdrawal from the  
 68 | compact; providing for construction and severability  
 69 | of the compact; providing for the consistent  
 70 | application of the compact in member states; providing  
 71 | that certain agreements are binding; amending s.  
 72 | 1000.36, F.S.; updating a cross-reference within the  
 73 | Interstate Compact on Educational Opportunity for  
 74 | Military Children; providing an effective date.

75

ENROLLED

CS/HB 1125

2023 Legislature

76 | Be It Enacted by the Legislature of the State of Florida:

77 |  
 78 |       Section 1. Section 1012.993, Florida Statutes, is created  
 79 | to read:

80 |       1012.993 Interstate Teacher Mobility Compact.—The Governor  
 81 | is authorized and directed to execute the Interstate Teacher  
 82 | Mobility Compact on behalf of this state with any other state or  
 83 | states legally joining therein in the form substantially as  
 84 | follows:

85 |  
 86 |                                   ARTICLE I

87 |                                   PURPOSE

88 |  
 89 |       The purpose of this compact is to facilitate the mobility  
 90 | of teachers across the member states with the goal of supporting  
 91 | teachers through a new pathway to licensure.

92 | Through this compact, the member states seek to establish a  
 93 | collective regulatory framework which expedites and enhances the  
 94 | ability of teachers from a variety of backgrounds to move across  
 95 | state lines. This compact is intended to achieve the following  
 96 | objectives and should be interpreted accordingly. The member  
 97 | states hereby ratify the same intentions by subscribing hereto:

98 |       (1) Create a streamlined pathway to licensure mobility for  
 99 | teachers;

100 |       (2) Support the relocation of eligible military spouses;

ENROLLED

CS/HB 1125

2023 Legislature

101 (3) Facilitate and enhance the exchange of licensure,  
 102 investigative, and disciplinary information between the member  
 103 states;

104 (4) Enhance the power of state and district level  
 105 education officials to hire qualified, competent teachers by  
 106 removing barriers to the employment of out-of-state teachers;

107 (5) Support the retention of teachers in the profession by  
 108 removing barriers to relicensure in a new state; and

109 (6) Maintain state sovereignty in the regulation of the  
 110 teaching profession.

112 ARTICLE II

113 DEFINITIONS

114  
 115 As used in this compact, and except as otherwise provided,  
 116 the following definitions shall govern the terms herein:

117 (1) "Active military member" means any person with a full-  
 118 time duty status in the uniformed armed services of the United  
 119 States, including members of the National Guard and Reserve.

120 (2) "Adverse action" means any limitation or restriction  
 121 imposed by a member state's licensing authority, including the  
 122 revocation, suspension, reprimand, probation, or limitation on  
 123 the licensee's ability to work as a teacher.

124 (3) "Bylaws" means the bylaws established by the  
 125 commission.

ENROLLED

CS/HB 1125

2023 Legislature

126       (4) "Career and technical education" means a current,  
 127 valid authorization issued by a member state's licensing  
 128 authority allowing an individual to serve as a teacher in K-12  
 129 public educational settings in a specific career and technical  
 130 education area.

131       (5) "Commissioner" means the delegate of a member state.

132       (6) "Eligible license" means a license to engage in the  
 133 teaching profession which requires at least a bachelor's degree  
 134 and the completion of a state approved program for teacher  
 135 licensure.

136       (7) "Eligible military spouse" means the spouse of any  
 137 individual in full-time duty status in the active uniformed  
 138 service of the United States, including members of the National  
 139 Guard and Reserve on active duty moving as a result of military  
 140 mission or military career progression requirements, or are on  
 141 their terminal move as a result of separation or retirement,  
 142 including surviving spouses of deceased military members.

143       (8) "Executive committee" means a group of commissioners  
 144 elected or appointed to act on behalf of, and within the powers  
 145 granted to them by, the commission as provided herein.

146       (9) "Licensing authority" means an official, agency,  
 147 board, or other entity of a state that is responsible for the  
 148 licensing and regulation of teachers authorized to teach in K-12  
 149 public educational settings.

150       (10) "Member state" means any state that has adopted this

ENROLLED

CS/HB 1125

2023 Legislature

151 compact, including all agencies and officials of such a state.

152 (11) "Receiving state" means any state where a teacher has  
 153 applied for licensure under this compact.

154 (12) "Rule" means any regulation adopted by the commission  
 155 under this compact which shall have the force of law in each  
 156 member state.

157 (13) "State" means a state, territory, or possession of  
 158 the United States and the District of Columbia.

159 (14) "State practice laws" means a member state's laws,  
 160 rules, and regulations that govern the teaching profession,  
 161 define the scope of such profession, and create the method and  
 162 grounds for imposing discipline.

163 (15) "Teacher" means an individual who currently holds an  
 164 authorization from a member state which forms the basis for  
 165 employment in the K-12 public schools of the state to provide  
 166 instruction in a specific subject area, grade level, or student  
 167 population.

168 (16) "Unencumbered license" means a current, valid  
 169 authorization issued by a member state's licensing authority  
 170 allowing an individual to serve as a teacher in K-12 public  
 171 education settings. An unencumbered license is not a restricted,  
 172 probationary, provisional, substitute, or temporary credential.

173

174

175

ARTICLE III

LICENSURE UNDER THE COMPACT

ENROLLED

CS/HB 1125

2023 Legislature

176  
177  
178  
179  
180  
181  
182  
183  
184  
185  
186  
187  
188  
189  
190  
191  
192  
193  
194  
195  
196  
197  
198  
199  
200

(1) Licensure under this compact pertains only to the initial grant of a license by the receiving state. Nothing herein applies to any subsequent or ongoing compliance requirements that a receiving state might require for teachers.

(2) Each member state shall, in accordance with rules of the commission, define, compile, and update, as necessary, a list of eligible licenses and career and technical education licenses that the member state is willing to consider for equivalency under this compact and provide the list to the commission. The list shall include those licenses that a receiving state is willing to grant teachers from other member states, pending a determination of equivalency by the receiving state's licensing authority.

(3) Upon the receipt of an application for licensure by a teacher holding an unencumbered license, the receiving state shall determine which of the receiving state's eligible licenses the teacher is qualified to hold and shall grant such a license or licenses to the applicant. Such a determination shall be made in the sole discretion of the receiving state's licensing authority and may include a determination that the applicant is not eligible for any of the receiving state's licenses. For all teachers who hold an unencumbered license, the receiving state shall grant one or more unencumbered license that, in the receiving state's sole discretion, are equivalent to the license



ENROLLED

CS/HB 1125

2023 Legislature

201 held by the teacher in any other member state.

202 (4) For active duty military members and eligible military  
 203 spouses who hold a license that is not unencumbered, the  
 204 receiving state shall grant an equivalent license or licenses  
 205 that, in the receiving state's sole discretion, is equivalent to  
 206 the license or licenses held by the teacher in any other member  
 207 state, except where the receiving state does not have an  
 208 equivalent license.

209 (5) For a teacher holding an unencumbered career and  
 210 technical education license, the receiving state shall grant an  
 211 unencumbered license equivalent to the career and technical  
 212 education license held by the applying teacher and issued by  
 213 another member state, as determined by the receiving state in  
 214 its sole discretion, except where a career and technical  
 215 education teacher does not hold a bachelor's degree and the  
 216 receiving state requires a bachelor's degree for licenses to  
 217 teach career and technical education. A receiving state may  
 218 require career and technical education teachers to meet state  
 219 industry recognized requirements, if required by law in the  
 220 receiving state.

221  
 222 ARTICLE IV

223 LICENSURE NOT UNDER THE COMPACT

224  
 225 (1) Except as provided in Article III, nothing in this

ENROLLED

CS/HB 1125

2023 Legislature

226 compact shall be construed to limit or inhibit the power of a  
 227 member state to regulate licensure or endorsements overseen by  
 228 the member state's licensing authority.

229 (2) When a teacher is required to renew a license received  
 230 pursuant to this compact, the state granting such a license may  
 231 require the teacher to complete state-specific requirements as a  
 232 condition of licensure renewal or advancement in that state.

233 (3) For purposes of determining compensation, a receiving  
 234 state may require additional information from teachers receiving  
 235 a license under the provisions of this compact.

236 (4) Nothing in this compact shall be construed to limit  
 237 the power of a member state to control and maintain ownership of  
 238 its information pertaining to teachers or limit the application  
 239 of a member state's laws or regulations governing the ownership,  
 240 use, or dissemination of information pertain to teachers.

241 (5) Nothing in this compact shall be construed to  
 242 invalidate or alter any existing agreement or other cooperative  
 243 arrangement which a member state may already be a party to or  
 244 limit the ability of a member state to participate in any future  
 245 agreement or other cooperative arrangement to:

246 (a) Award teaching licenses or other benefits based on  
 247 additional professional credentials, including, but not limited  
 248 to, the National Board Certification;

249 (b) Participate in the exchange of names of teachers whose  
 250 license has been subject to an adverse action by a member state;

ENROLLED

CS/HB 1125

2023 Legislature

251 or

252 (c) Participate in any agreement or cooperative  
 253 arrangement with a nonmember state.

255 ARTICLE V

256 TEACHER QUALIFICATIONS AND REQUIREMENTS FOR LICENSURE UNDER THE  
 257 COMPACT

259 (1) Except as provided for active military members or  
 260 eligible military spouses under subsection (4) of Article III, a  
 261 teacher may only be eligible to receive a license under this  
 262 compact where that teacher holds an unencumbered license in a  
 263 member state.

264 (2) A teacher eligible to receive a license under this  
 265 compact shall, unless otherwise provided herein:

266 (a) Upon their application to receive a license under this  
 267 compact, undergo a criminal background check in the receiving  
 268 state in accordance with the laws and regulations of the  
 269 receiving state; and

270 (b) Provide the receiving state with information in  
 271 addition to the information required for licensure for the  
 272 purposes of determining compensation, if applicable.

274 ARTICLE VI

275 DISCIPLINE AND ADVERSE ACTIONS

ENROLLED

CS/HB 1125

2023 Legislature

276  
277  
278  
279  
280  
281  
282  
283  
284  
285  
286  
287  
288  
289  
290  
291  
292  
293  
294  
295  
296  
297  
298  
299  
300

Nothing in this compact shall be deemed or construed to limit the authority of a member state to investigate or impose disciplinary measures on teachers according to the state practice laws thereof.

ARTICLE VII  
ESTABLISHMENT OF THE INTERSTATE TEACHER MOBILITY COMPACT  
COMMISSION

(1) The interstate compact member states hereby create and establish a joint public agency known as the Interstate Teacher Mobility Compact Commission:

(a) The commission is a joint interstate governmental agency comprised of states that have enacted the Interstate Teacher Mobility Compact.

(b) Nothing in this compact shall be construed to be a waiver of sovereign immunity.

(2) (a) Each member state shall have and be limited to one delegate to the commission, who shall be given the title of commissioner.

(b) The commissioner shall be the primary administrative officer of the state licensing authority or their designee.

(c) Any commissioner may be removed or suspended from office as provided by the law of the state from which the

ENROLLED

CS/HB 1125

2023 Legislature

301 commissioner is appointed.

302 (d) The member state shall fill any vacancy occurring in  
 303 the commission within 90 days.

304 (e) Each commissioner shall be entitle to one vote about  
 305 the adoption of rules and creation of bylaws and shall otherwise  
 306 have an opportunity to participate in the business and affairs  
 307 of the commission. A commissioner shall vote in person or by  
 308 such other means as provided in the bylaws. The bylaws may  
 309 provide for commissioners' participation in meetings by  
 310 telephone or other means of communication.

311 (f) The commission shall meet at least once during each  
 312 calendar year. Additional meetings shall be held as set forth in  
 313 the bylaws.

314 (g) The commission shall establish by rule a term of  
 315 office for commissioners.

316 (3) The commission shall have the following powers and  
 317 duties:

318 (a) Establish a code of ethics for the commission.

319 (b) Establish a fiscal year of the commission.

320 (c) Establish bylaws for the commission.

321 (d) Maintain its financial records in accordance with the  
 322 bylaws of the commission.

323 (e) Meet and take such actions as are consistent with the  
 324 provisions of this compact, the bylaws, and rules of the  
 325 commission.

ENROLLED

CS/HB 1125

2023 Legislature

326       (f) Adopt uniform rules to implement and administer this  
327 compact. The rules shall have the force and effect of law and  
328 shall be binding in all member states. In the event the  
329 commission exercises its rulemaking authority in a manner that  
330 is beyond the scope of the purposes of this compact, or the  
331 powers granted hereunder, then such an action by the commission  
332 shall be invalid and have no force and effect of law.

333       (g) Bring and prosecute legal proceedings or actions in  
334 the name of the commission, provided that the standing of any  
335 member state licensing authority to sue or be sued under  
336 applicable law shall not be affected.

337       (h) Purchase and maintain insurance and bonds.

338       (i) Borrow, accept, or contract for services of personnel,  
339 including, but not limited to, employees of a member state or an  
340 associated nongovernmental organization that is open to  
341 membership by all states.

342       (j) Hire employees, elect or appoint officers, fix  
343 compensation, define duties, grant such individuals appropriate  
344 authority to carry out the purposes of this compact, and  
345 establish the commission's personnel policies and programs  
346 relating to conflicts of interest, qualifications of personnel,  
347 and other related personnel matters.

348       (k) Lease, purchase, accept appropriate gifts or donations  
349 of, or otherwise own, hold, improve, or use, any property, real,  
350 personal or mixed, provided that at all times the commission

ENROLLED

CS/HB 1125

2023 Legislature

351 shall avoid any appearance of impropriety.  
 352 (l) Sell, convey, mortgage, pledge, lease, exchange,  
 353 abandon, or otherwise dispose of any property real, personal or  
 354 mixed.  
 355 (m) Establish a budget and make expenditures.  
 356 (n) Borrow money.  
 357 (o) Appoint committees, including standing committees  
 358 composed of members and such other interested persons as may be  
 359 designated in this interstate compact, rules, or bylaws.  
 360 (p) Provide and receive information from, and cooperate  
 361 with law enforcement agencies.  
 362 (q) Establish and elect an executive committee.  
 363 (r) Establish and develop a charter for an executive  
 364 information governance committee to advise on facilitating the  
 365 exchange of information, the use of information, data privacy,  
 366 and technical support needs and provide reports as needed.  
 367 (s) Perform such other functions as may be necessary or  
 368 appropriate to achieve the purposes of this compact consistent  
 369 with the state regulation of teacher licensure.  
 370 (t) Determine whether a state's adopted language is  
 371 materially different from the model compact language such that  
 372 the state would not qualify for participation in the compact.  
 373 (4) (a) The executive committee shall have the power to act  
 374 on behalf of the commission according to the terms of this  
 375 compact.

ENROLLED

CS/HB 1125

2023 Legislature

376       (b) The executive committee shall be composed of eight  
 377 voting members as follows:  
 378       1. The chair of the commission.  
 379       2. The vicechair of the commission.  
 380       3. The treasurer of the commission.  
 381       4. Five members who are elected by the commission from the  
 382 current membership as follows:  
 383       a. Four voting members representing geographic regions in  
 384 accordance with commission rules.  
 385       b. One at large voting member in accordance with  
 386 commission rules.  
 387       (c) The commission may add or remove members of the  
 388 executive committee as provided in commission rules.  
 389       (d) The executive committee shall meet at least once  
 390 annually.  
 391       (e) The executive committee shall have the following  
 392 duties and responsibilities:  
 393       1. Recommend to the entire commission changes to the rules  
 394 or bylaws, changes to the compact legislation, fees paid by  
 395 interstate compact member states such as annual dues and any  
 396 compact fee charged by the member states on behalf of the  
 397 commission.  
 398       2. Ensure commission administration services are  
 399 appropriately provided, contractual or otherwise.  
 400       3. Prepare and recommend the budget.



ENROLLED

CS/HB 1125

2023 Legislature

401       4. Maintain financial records on behalf of the commission.  
 402       5. Monitor compliance of member states and provide reports  
 403 to the commission.  
 404       6. Perform other duties as provided in the rules or  
 405 bylaws.  
 406       (5) (a) All meeting of the commission shall be open to the  
 407 public and public notice of meetings shall be given in  
 408 accordance with commission bylaws.  
 409       (b) The commission shall keep minutes of commission  
 410 meetings and shall provide a full and accurate summary of  
 411 actions take, and the reasons thereof, including a description  
 412 of the views expressed. All documents considered in connection  
 413 with an action shall be identified in such minutes.  
 414       (6) (a) The commission shall pay, or provide for the  
 415 payment of, the reasonable expenses of its establishment,  
 416 organization, and ongoing activities.  
 417       (b) The commission may accept all appropriate donations  
 418 and grants of money, equipment, supplies, materials, and  
 419 services, and receive, utilize, and dispose of the same,  
 420 provided that at all times the commission shall avoid any  
 421 appearance of impropriety or conflicts of interest.  
 422       (c) The commission may levy on and collect an annual  
 423 assessment from each member state or impose fees on other  
 424 parties to cover the cost of the operations and activities of  
 425 the commission, in accordance with the rules of the commission.

ENROLLED

CS/HB 1125

2023 Legislature

426       (d) The commission shall not incur obligations of any kind  
427 prior to securing the funds adequate to meet the same; nor shall  
428 the commission pledge the credit of any of the member states,  
429 except by and with the authority of the member state.

430       (e) The commission shall keep accurate accounts of all  
431 receipts and disbursements. The receipts and disbursements of  
432 the commission shall be subject to all accounting procedures  
433 established under the commission bylaws. All receipts and  
434 disbursements of funds of the commission shall be reviewed  
435 annually in accordance with commission bylaws and a report of  
436 the review shall be included in and become part of the annual  
437 report of the commission.

438       (7)(a) The members, officers, executive director,  
439 employees, and representatives of the commission shall be immune  
440 from suit and liability, either personally or in their official  
441 capacity, for any claim for damage to or loss of property or  
442 personal injury or other civil liability caused by or arising  
443 out of any actual or alleged act, error, or omission that  
444 occurred or that the person against whom the claim is made had a  
445 reasonable basis for believing occurred within the scope of  
446 commission employment, duties, or responsibilities. Nothing in  
447 this paragraph shall be construed to protect any such person  
448 from suit or liability for any damage, loss, injury, or  
449 liability caused by the intentional, willful, or wanton  
450 misconduct of that person.

ENROLLED

CS/HB 1125

2023 Legislature

451       (b) The commission shall defend any member, officer,  
 452 executive director, employee, or representative of the  
 453 commission in any civil action seeking to impose liability  
 454 arising out of any actual or alleged act, error, or omission  
 455 that occurred within the scope of commission employment, duties,  
 456 or responsibilities or that the person against whom the claim is  
 457 made had a reasonable basis for believing occurred within the  
 458 scope of commission employment, duties, or responsibilities.  
 459 Nothing in this paragraph shall be construed to prohibit that  
 460 person from retaining his or her own counsel and provide further  
 461 that the actual or alleged act, error, or omission did not  
 462 result from the person's intentional, willful, or wanton  
 463 misconduct.

464       (c) The commission shall indemnify and hold harmless any  
 465 member, officer, executive director, employee, or representative  
 466 of the commission for the amount of any settlement or judgement  
 467 obtained against that person arising out of any actual or  
 468 alleged act, error, or omission that occurred within the scope  
 469 of commission employment, duties, or responsibilities, or that  
 470 such person had a reasonable basis for believing occurred within  
 471 the scope of commission employment, duties, or responsibilities,  
 472 provided the actual or alleged act, error, or omission did not  
 473 result from the intentional, willful, or wanton misconduct of  
 474 that person.

ENROLLED

CS/HB 1125

2023 Legislature

476 ARTICLE VIII

477 RULEMAKING

478  
 479 (1) The commission shall exercise its rulemaking powers  
 480 pursuant to the criteria set forth in this compact and the rules  
 481 adopted thereunder. Rules and amendments shall become binding as  
 482 of the date specified in each rule or amendment.

483 (2) The commission shall adopt reasonable rules to achieve  
 484 the intent and purpose of this compact. In the event the  
 485 commission exercises its rulemaking authority in a manner that  
 486 is beyond the purpose and intent of this compact, or the powers  
 487 granted hereunder, then such action by the commission shall be  
 488 invalid and have no force and effect of law in the member  
 489 states.

490 (3) If a majority of the legislatures of the member states  
 491 rejects a rule, by enactment of a statute or resolution in the  
 492 same manner used to adopt this compact within 4 years of the  
 493 date of the adoption of the rule, then such rule shall have no  
 494 further force and effect in any member state.

495 (4) Rules or amendments to the rules shall be adopted or  
 496 ratified at a regular or special meeting of the commission in  
 497 accordance with the commission's rules and bylaws.

498 (5) Upon a determination that an emergency exists, the  
 499 commission may consider and adopt an emergency rule with 48  
 500 hours' notice, with opportunity for comment, provided the usual

ENROLLED

CS/HB 1125

2023 Legislature

501 rulemaking procedures shall be retroactively applied to the rule  
 502 as soon as reasonably possible, in no even later than 90 days  
 503 after the effective date of the rule. For the purposes of this  
 504 subsection, an emergency rule is one that must be adopted  
 505 immediately to:

506 (a) Meet an imminent threat to the public health, safety,  
 507 or welfare;

508 (b) Prevent a loss of commission or member state funds;

509 (c) Meet a deadline for the adoption of an administrative  
 510 rule that is established by federal law or rule; or

511 (d) Protect the public health or safety.

512  
 513 ARTICLE IX

514 FACILITATING THE EXCHANGE OF INFORMATION

515  
 516 (1) The commission shall provide for facilitating the  
 517 exchange of information to administer and implement the  
 518 provisions of this compact in accordance with the rules of the  
 519 commission, consistent with generally accepted data protection  
 520 principles.

521 (2) Nothing in this compact shall be deemed or construed  
 522 to alter, limit, or inhibit the power of a member state to  
 523 control and maintain ownership of its licensee information or  
 524 alter, limit, or inhibit the laws or regulations governing  
 525 licensee information in member states.

ENROLLED

CS/HB 1125

2023 Legislature

526  
527  
528  
529  
530  
531  
532  
533  
534  
535  
536  
537  
538  
539  
540  
541  
542  
543  
544  
545  
546  
547  
548  
549  
550

ARTICLE X  
OVERSIGHT, DISPUTE RESOLUTION, AND ENFORCEMENT

(1) (a) The executive and judicial branches of state government in each member state shall enforce this compact and take all actions necessary and appropriate to effectuate this compact's purpose and intent. The provisions of this compact shall have standing as statutory law.

(b) Venue is proper and judicial proceedings by or against the commission shall be brought solely and exclusively in a court of competent jurisdiction where the principal office of the commission is located. The commission may waive venue and jurisdictional defenses to the extent it adopts or consents to participate in alternative dispute resolution proceedings. Nothing herein shall affect or limit the selection or propriety of venue in any action against a licensee for professional malpractice, misconduct, or any such similar matter.

(c) All courts and all administrative agencies shall take judicial notice of this compact, the rules of the commission, and any information provided to a member state pursuant thereto in any judicial or quasi-judicial proceeding in a member state pertaining to the subject matter of this compact, or which may affect the powers, responsibilities, or actions of the commission.

ENROLLED

CS/HB 1125

2023 Legislature

551 (d) The commission shall be entitled to receive service of  
552 process in any proceeding regarding the enforcement or  
553 interpretation of this compact and shall have standing to  
554 intervene in such a proceeding for all purposes. Failure to  
555 provide the commission service of process shall render a  
556 judgement or order void as to the commission, this compact, or  
557 adopted rules.

558 (2)(a) If the commission determines that a member state  
559 has defaulted in the performance of its obligations or  
560 responsibilities under this compact or the adopted rules, the  
561 commission shall:

562 1. Provide written notice to the defaulting state and  
563 other member states of the nature of the default, the proposed  
564 means of curing the default, and any other action to be taken by  
565 the commission; and

566 2. Provide remedial training and specific technical  
567 assistance regarding the default.

568 (b) If a state in default fails to cure the default, the  
569 defaulting state may be terminated from this compact upon an  
570 affirmative vote of a majority of the commissioners of the  
571 member states, and all rights, privileges, and benefits  
572 conferred on that state by this compact may be terminated on the  
573 effective date of termination. A cure of the default does not  
574 relieve the offending state of obligations or liabilities  
575 incurred during the period of default.

ENROLLED

CS/HB 1125

2023 Legislature

576 (c) Termination of membership in the compact shall be  
577 imposed only after all other means of securing compliance have  
578 been exhausted. Notice of intent to suspend or terminate shall  
579 be given by the commission to the Governor, the Majority and  
580 Minority Leaders of the State Legislature, and the state  
581 licensing authority of the of the defaulting state and to each  
582 of the member states.

583 (d) A state that has been terminated is responsible for  
584 all assessments, obligations, and liabilities incurred through  
585 the effective date of termination, including obligations that  
586 extend beyond the effective date of termination.

587 (e) The commission shall not bear any costs related to a  
588 state that is found to be in default or that has been terminated  
589 from this compact unless agreed upon in writing between the  
590 commission and the defaulting state.

591 (f) Nothing in this compact shall be construed to be a  
592 waiver of sovereign immunity.

593 (g) The defaulting state may appeal the action of the  
594 commission by petitioning the United States District Court for  
595 the District of Columbia or the federal district where the  
596 commission has its principal offices. The prevailing party shall  
597 be awarded all costs of such litigation, including reasonable  
598 attorney fees.

599 (h)1. Upon the request of a member state, the commission  
600 shall attempt to resolve disputes related to this compact that



ENROLLED

CS/HB 1125

2023 Legislature

601 arise among member states and between member and nonmember  
 602 states.

603 2. The commission shall adopt a rule providing for both  
 604 binding and nonbinding alternative dispute resolution for  
 605 disputes as appropriate.

606 (i)1. The commission, in the reasonable exercise of its  
 607 discretion, shall enforce the provisions and rules of this  
 608 compact.

609 2. By a majority vote, the commission may initiate legal  
 610 action in the United States District Court for the District of  
 611 Columbia or the federal district where the commission has its  
 612 principal offices against a member state in default to enforce  
 613 compliance with the provisions of this compact and its adopted  
 614 rules and bylaws. The relief sought may include both injunctive  
 615 relief and damages. In the event judicial enforcement is  
 616 necessary, the prevailing party shall be awarded all costs of  
 617 such litigation, including reasonable attorney fees. The  
 618 remedies herein shall not be the exclusive remedies of the  
 619 commission. The commission may pursue any other remedies  
 620 available under federal or state law.

621  
 622 ARTICLE XI

623 EFFECTUATION, WITHDRAWAL, AND AMENDMENT

624  
 625 (1) This compact shall come into effect on the date on

ENROLLED

CS/HB 1125

2023 Legislature

626 which the compact statute is enacted into law in the tenth  
627 member state.

628 (a) On or after the effective date of this compact, the  
629 commission shall convene and review the enactment of each of the  
630 charter member states to determine if the statute enacted by  
631 such charter member state is materially different from the model  
632 compact statute.

633 (b) A charter member state whose enactment is found to be  
634 materially different from the model compact statute shall be  
635 entitled to the default process set forth in Article X.

636 (c) Member states enacting the compact subsequent to the  
637 charter member states shall be subject to the process set forth  
638 in Article VII(X) (a) to determine if their enactments are  
639 materially different from the model compact statute and whether  
640 they qualify for participation in the compact.

641 (2) If any member state is later found to be in default,  
642 or is terminated or withdraws from the compact, the commissioner  
643 shall remain in existence and the compact shall remain in effect  
644 even if the number of member states should be less than 10.

645 (3) Any state that joins this compact after the  
646 commission's initial adoption of the rules and bylaws shall be  
647 subject to the rules and bylaws as they exist on the date on  
648 which this compact becomes law in that state. Any rule that has  
649 been previously adopted by the commission shall have the full  
650 force and effect of law on the day this compact becomes law in

ENROLLED

CS/HB 1125

2023 Legislature

651 that state, as the rules and bylaws may be amended as provided  
 652 in this compact.

653 (4) Any member state may withdraw from this compact by  
 654 enacting a statute repealing the same.

655 (a) A member state's withdrawal shall not take effect  
 656 until 6 months after the enactment of the repealing statute.

657 (b) Withdrawal shall not affect the continuing requirement  
 658 of the withdrawing state's licensing authority to comply with  
 659 the investigative and adverse action reporting requirements of  
 660 this act prior to the effective date of the withdrawal.

661 (5) This compact may be amended by member states. No  
 662 amendments to this compact shall become effective and binding  
 663 upon any member state until it is enacted into the laws of all  
 664 member states.

665  
 666 ARTICLE XII

667 CONSTRUCTION AND SEVERABILITY

668  
 669 This compact shall be liberally construed to effectuate the  
 670 purpose thereof. The provisions of this compact shall be  
 671 severable and if any phrase, clause, sentence, or provision of  
 672 this compact is declared to be contrary to the Constitution of  
 673 any member state or a state seeking membership in this compact  
 674 or the United States Constitution or the applicability thereof  
 675 to any other government, agency, person, or circumstance is held

ENROLLED

CS/HB 1125

2023 Legislature

676 invalid, the validity of the remainder of this compact and the  
677 applicability thereof to any government, agency, person, or  
678 circumstance shall not be effected. If this compact shall be  
679 held contrary to the Constitution of any member state, this  
680 compact shall remain in full force and effect as to the  
681 remaining member states and in full force and effect as to the  
682 member state affected as to all severable matters.

683  
684 ARTICLE XIII

685 CONSISTENT EFFECT AND CONFLICT WITH OTHER STATE LAWS

686  
687 (1) Nothing herein shall prevent or inhibit the  
688 enforcement of any other law of a member state that is not  
689 inconsistent with this compact.

690 (2) Any laws, statutes, regulations, or other legal  
691 requirements in a member state in conflict with this compact are  
692 superseded to the extent of the conflict.

693 (3) All permissible agreements between the commission and  
694 the member states are binding in accordance with their terms.

695 Section 2. Articles II and III of section 1000.36, Florida  
696 Statutes, are amended to read:

697 1000.36 Interstate Compact on Educational Opportunity for  
698 Military Children.—The Governor is authorized and directed to  
699 execute the Interstate Compact on Educational Opportunity for  
700 Military Children on behalf of this state with any other state

ENROLLED

CS/HB 1125

2023 Legislature

701 or states legally joining therein in the form substantially as  
 702 follows:

703 Interstate Compact on Educational  
 704 Opportunity for Military Children

705 ARTICLE II

706 DEFINITIONS.—As used in this compact, unless the context  
 707 clearly requires a different construction, the term:

708 A. "Active duty" means the full-time duty status in the  
 709 active uniformed service of the United States, including members  
 710 of the National Guard and Reserve on active duty orders pursuant  
 711 to 10 U.S.C. chapters 1209 and 1211 ~~10 U.S.C. ss. 1209 and 1211~~.

712 B. "Children of military families" means school-aged  
 713 children, enrolled in kindergarten through 12th grade, in the  
 714 household of an active-duty member.

715 C. "Compact commissioner" means the voting representative  
 716 of each compacting state appointed under Article VIII of this  
 717 compact.

718 D. "Deployment" means the period 1 month before the  
 719 servicemembers' departure from their home station on military  
 720 orders through 6 months after return to their home station.

721 E. "Educational records" or "education records" means  
 722 those official records, files, and data directly related to a  
 723 student and maintained by the school or local education agency,  
 724 including, but not limited to, records encompassing all the  
 725 material kept in the student's cumulative folder such as general

ENROLLED

CS/HB 1125

2023 Legislature

726 identifying data, records of attendance and of academic work  
 727 completed, records of achievement and results of evaluative  
 728 tests, health data, disciplinary status, test protocols, and  
 729 individualized education programs.

730 F. "Extracurricular activities" means a voluntary activity  
 731 sponsored by the school or local education agency or an  
 732 organization sanctioned by the local education agency.  
 733 Extracurricular activities include, but are not limited to,  
 734 preparation for and involvement in public performances,  
 735 contests, athletic competitions, demonstrations, displays, and  
 736 club activities.

737 G. "Interstate Commission on Educational Opportunity for  
 738 Military Children" means the commission that is created under  
 739 Article IX of this compact, which is generally referred to as  
 740 the Interstate Commission.

741 H. "Local education agency" means a public authority  
 742 legally constituted by the state as an administrative agency to  
 743 provide control of, and direction for, kindergarten through 12th  
 744 grade public educational institutions.

745 I. "Member state" means a state that has enacted this  
 746 compact.

747 J. "Military installation" means a base, camp, post,  
 748 station, yard, center, homeport facility for any ship, or other  
 749 activity under the jurisdiction of the Department of Defense,  
 750 including any leased facility, which is located within any of

ENROLLED

CS/HB 1125

2023 Legislature

751 the several states, the District of Columbia, the Commonwealth  
 752 of Puerto Rico, the United States Virgin Islands, Guam, American  
 753 Samoa, the Northern Mariana Islands, and any other United States  
 754 Territory. The term does not include any facility used primarily  
 755 for civil works, rivers and harbors projects, or flood control  
 756 projects.

757 K. "Nonmember state" means a state that has not enacted  
 758 this compact.

759 L. "Receiving state" means the state to which a child of a  
 760 military family is sent, brought, or caused to be sent or  
 761 brought.

762 M. "Rule" means a written statement by the Interstate  
 763 Commission adopted under Article XII of this compact which is of  
 764 general applicability, implements, interprets, or prescribes a  
 765 policy or provision of the compact, or an organizational,  
 766 procedural, or practice requirement of the Interstate  
 767 Commission, and has the force and effect of statutory law in a  
 768 member state, and includes the amendment, repeal, or suspension  
 769 of an existing rule.

770 N. "Sending state" means the state from which a child of a  
 771 military family is sent, brought, or caused to be sent or  
 772 brought.

773 O. "State" means a state of the United States, the  
 774 District of Columbia, the Commonwealth of Puerto Rico, the  
 775 United States Virgin Islands, Guam, American Samoa, the Northern

ENROLLED

CS/HB 1125

2023 Legislature

776 Mariana Islands, and any other United States Territory.

777 P. "Student" means the child of a military family for whom  
778 the local education agency receives public funding and who is  
779 formally enrolled in kindergarten through 12th grade.

780 Q. "Transition" means:

781 1. The formal and physical process of transferring from  
782 school to school; or

783 2. The period of time in which a student moves from one  
784 school in the sending state to another school in the receiving  
785 state.

786 R. "Uniformed services" means the Army, Navy, Air Force,  
787 Space Force, Marine Corps, Coast Guard as well as the  
788 Commissioned Corps of the National Oceanic and Atmospheric  
789 Administration, and Public Health Services.

790 S. "Veteran" means a person who served in the uniformed  
791 services and who was discharged or released therefrom under  
792 conditions other than dishonorable.

793 ARTICLE III

794 APPLICABILITY.—

795 A. Except as otherwise provided in Section C, this compact  
796 applies to the children of:

797 1. Active duty members of the uniformed services,  
798 including members of the National Guard and Reserve on active-  
799 duty orders pursuant to 10 U.S.C. chapters 1209 and 1211 ~~10~~  
800 ~~U.S.C. ss. 1209 and 1211;~~



ENROLLED

CS/HB 1125

2023 Legislature

801           2. Members or veterans of the uniformed services who are  
 802 severely injured and medically discharged or retired for a  
 803 period of 1 year after medical discharge or retirement; and

804           3. Members of the uniformed services who die on active  
 805 duty or as a result of injuries sustained on active duty for a  
 806 period of 1 year after death.

807           B. This interstate compact applies to local education  
 808 agencies.

809           C. This compact does not apply to the children of:

810           1. Inactive members of the National Guard and military  
 811 reserves;

812           2. Members of the uniformed services now retired, except  
 813 as provided in Section A;

814           3. Veterans of the uniformed services, except as provided  
 815 in Section A; and

816           4. Other United States Department of Defense personnel and  
 817 other federal agency civilian and contract employees not defined  
 818 as active-duty members of the uniformed services.

819           Section 3. This act shall take effect July 1, 2023.