



## SCHOOL ADMINISTRATORS OF MONTANA *2018-19 SAM Advocacy Priorities by Action Designation*

SAM Delegate Assembly 2018 convened on June 15, 2018 following the review of Positions and Resolutions by affiliate caucuses on June 14, 2018. Forty-one delegates approved 38 Positions and 44 Resolutions for recommendation to the SAM membership at the annual meeting scheduled for October 19, 2018, from 8:30 to 10:30 a.m. during MCEL in Missoula. Below are the SAM Advocacy Priorities 2018-19, as derived from a summary of Positions and Resolutions with Action designation.

### **SAM Advocacy Priorities 2018-19**

- Support Adequate and Equitable School Funding
- Support Recruitment and Retention of Quality Educators
- Oppose Privatization with Public Funds
- Support Facility and Technology Infrastructure
- Support School Based Mental Health Services

### **POSITIONS with Action Designation**

#### Support Adequate and Equitable School Funding

##### **MONTANA DIGITAL ACADEMY**

SAM supports the Montana Digital Academy and continued full funding by the state to guarantee equitable access to educational curriculum.

#### Support Recruitment and Retention of Quality Educators

##### **TEACHER & ADMINISTRATOR RECRUITMENT AND RETENTION**

SAM affirms that teacher and administrator retention and recruitment are keys to quality education. It supports efforts to support mentoring and to fund incentives for recruitment and retention of staff. Districts are faced with an increasing need to compete with other states for a shrinking pool of qualified candidates. The legislature must address current laws, administrative rules, and funding support to provide districts the flexibility to retain personnel and to compete for new candidates.

##### **PUBLIC SCHOOL EMPLOYEE HEALTH INSURANCE**

SAM will seek legislative changes to find a method for relief to health insurance costs.

#### Oppose Privatization with Public Funds

##### **NON-PUBLIC SCHOOLS AND HOME SCHOOLS**

SAM supports legislation that strengthens the accountability of non-public schools and home schools in Montana.



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### **NON-PUBLIC AND HOME SCHOOL FUNDING (PK-12)**

SAM opposes any legislation or initiatives, which would allow for vouchers, tuition tax credits, tax savings accounts, or any other funding plans for any non-public and home PK-12 schools.

### Support Facility and Technology Infrastructure

#### **TECHNOLOGY**

SAM believes technology is now and will forever be an integral part of our culture and presents ever changing challenges and opportunities for our students. Schools throughout Montana struggle to finance critical technology infrastructure. Educational services requiring technology are not available to all Montana Students. Therefore SAM will support:

- Administrative, operational and learning process change at the federal, state, district and school levels must be addressed strategically where goals, resources and timing for improvement are managed cohesively.
- Baseline funding for supportive technology infrastructure should be addressed by a variety of methods that include; mechanisms that account for life cycle cost of ownership, technology that is driven by changes in classroom and/or curricular needs, and operational technology related to business function necessary to run a school district (i.e. State reporting, security systems, telecommunications, etc). Districts would be encouraged to fund additional infrastructure and capabilities as demanded by their environments.
- Technology education for administrators, staff and students is timely, relevant, and compulsory.
- The management of technology requires a baseline of understanding and education. School administrators and leaders need support in specific process and technology implementation management.
- Technology planning, implementation and support functions, requiring specialized skills and knowledge, are accomplished by professional staff or contracted consultants according to specific district business models.

## **RESOLUTIONS with Action Designation**

### Support Adequate and Equitable School Funding

#### **Resolution #01/18-04 – PERMISSIVE FUNDING FOR HIGH IMPACT COSTS**

**WHEREAS**, Montana school districts continue to experience high impact fixed operating costs, such as utilities, fuel costs, technology and health insurance, which in recent years have increased dramatically; and

**WHEREAS**, school districts are required to pay for these costly expenditures through the general fund budget which negatively impacts educational opportunity for students; and



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**WHEREAS**, school districts have little or no way to control such costs or even budget for them without cutting or eliminating educational programs;

**BE IT RESOLVED**, that SAM supports the creation of separate funds or inclusion into existing funds, outside the General Fund Budget supported through permissive levies, to fund high impact fixed costs and protect the ability of the GFB to support the educational needs of students.

**Designation:** Action

**Resolution #03/15-01 - SPECIAL EDUCATION FUNDING**

**WHEREAS**, the percentage of state support for earmarked special education general fund expenditures has declined at a rate significantly greater than has the rate of state support for the total general fund budget; and

**WHEREAS**, the original intent of Congress was to fund special education at the 40% level of the national average for pupil expenditure; and

**WHEREAS**, the lack of state fiscal support for mandated special education services effectively decreases the amount of general funds available to support general education programming;

**BE IT RESOLVED**; that SAM urges the legislature and state officials to avoid state appropriations that may suggest discriminatory funding practices between special education and regular education; and

**BE IT FURTHER RESOLVED**, that SAM supports legislation to allow school districts to increase their budget caps to provide for the disproportionate costs associated with educating students with special needs; and

**BE IT FINALLY RESOLVED**, that SAM supports efforts to fully fund IDEA at its originally intended levels and to allow flexibility in maintenance of effort requirements.

**Resolution #03/06/11/16/17-02 – ADDITIONAL FUNDING FOR MANDATED SPECIAL EDUCATION SERVICES**

**WHEREAS**, the state provides inadequate funding to support the mandated services required of schools for students with disabilities placing a disproportionate financial burden upon local tax-payers;

**BE IT RESOLVED**, that SAM supports full state and federal funding for mandated special education services for students with disabilities with parallel increases to ANB funding based on the current formula;

**BE IT FINALLY RESOLVED**, that SAM will prioritize support of legislative action to increase the monetary investment for such mandated special education services by applying additional state funding without reducing payments for the Instructional Services Block Grant, Related Services Block Grant, and the Disproportionate Cost Reimbursement.



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**Resolution #14-04 – FUNDING SPECIAL EDUCATION COOPERATIVE INFRASTRUCTURE**

**WHEREAS**, a large majority of school districts, 81%, participate in special education cooperatives owing in a large part to a very sparsely distributed population; and

**WHEREAS**, increasing frequency, intensity, and investments of special education services require a robust cooperative infrastructure necessary to assure our students in rural schools equal access to special education services and quality education; and

**WHEREAS**, school laws of Montana do not adequately address funding the basic entitlement of Cooperatives in order to establish the appropriate infrastructure necessary for rural students to have equal access to special education services and quality education;

**BE IT RESOLVED**, that SAM supports legislative action ensuring the development of the full educational potential of each person;

**BE IT FURTHER RESOLVED**, that SAM supports legislative action to increase the monetary investment in Cooperative infrastructure including means to recruit and retain highly qualified personnel in rural areas; and

**BE IT FINALLY RESOLVED**, that SAM supports legislative action to ensure educational infrastructure is equitably and adequately funded across all Montana administrative units.

**Resolution #15/17-01- SPECIAL EDUCATION FUNDING, CLOSING THE GAP [2017 LEGISLATIVE SESSION HJ 1]**

**WHEREAS**, review of recent legislative funding increases for K-12 education will clearly show there has been, and continues to be a significant “gap” between increases in revenue provided general education versus increases provided special education; and

**WHEREAS**, historically, state and federal legislative increases in funding for special education services have been infrequent and wholly inadequate. This lack of additional revenue places increasing pressure on districts to use local revenue to fund special education services; and

**WHEREAS**, because districts and cooperatives are receiving inadequate increases in special education revenue, the effect on districts includes reducing services to special education children placing districts at risk of failing to provide FAPE (Free Appropriate Public Education), places special education in the position of “competing” for local funding with general education, sports, and other activities, and places an increasing burden on local tax payers;

**BE IT RESOLVED**, that SAM will work with their educational partners, the Office of Public Instruction, Governor’s office, and the Congressional delegation to “close the gap” in funding increases for general education versus special education.



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**Resolution #16-07 – ADEQUATE FUNDING FOR MANDATED SPECIAL EDUCATION SERVICES**

**WHEREAS**, IDEA, as federal law, mandates a free appropriate public education for children with disabilities, ages 3-21. (Title I, B, 612, a, 1, A) with provision for State level statutory language to limit services to children with disabilities ages 18-21 (Title 1, B, 612, a, 1, B, ii); and

**WHEREAS**, most Montana school districts limit attendance to age 19, mandated special education services in the State typically address the needs of children with disabilities ages 3-19; and

**WHEREAS**, inadequate State funding of mandated special education services negatively impacts the education of all students by effectively decreasing the amount of general funds available to support general education programming;

**BE IT RESOLVED**, that SAM will prioritize adequate funding of mandated special education services; and

**BE IT FURTHER RESOLVED**, that SAM will prioritize support of legislative action for statutory language that includes the special education appropriation in the group of education appropriations subject to the mandatory inflationary increase; and

**BE IT FURTHER RESOLVED**, that SAM will prioritize support of legislative action to increase monetary investment in Cooperative infrastructure without reducing payments for the Instructional Services Block Grant, Related Services Block Grant, and the Disproportionate Cost Reimbursement; and

**BE IT FURTHER RESOLVED**, that SAM recognizes proposals for new program entitlements for students outside the current age-range of State-funded educational programs may negatively impact funding consideration for mandated special education services; and

**BE IT FINALLY RESOLVED**, that SAM will prioritize support of legislative action for inflationary increases for special education and increased monetary investment in Cooperative infrastructure above advocacy efforts for new program entitlements for students outside the current age-range of State funded educational programs.

Support Recruitment and Retention of Quality Educators

**Resolution #10/16-01 – UNIFIED RECRUITMENT & RETENTION**

**WHEREAS**, Montana has significant difficulty in recruiting and retaining highly qualified teachers and related service professionals in general and special education; and

**WHEREAS**, Montana has historically experienced difficulty in the recruitment and retention of low incidence professional positions, such as speech pathologists, school psychologists, occupational therapists, physical therapists, sign language interpreters and other professional staff necessary for the provision of a Free Appropriate Public Education (FAPE) under the Individual with Disabilities Education Act 2005 (IDEA); and



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**WHEREAS**, Montana has historically experienced difficulty in the recruitment and retention of general education professional positions necessary to provide instructional service which meet accreditation standards; and

**WHEREAS**, school districts currently spend a significant amount of resources including time and money on the recruitment and retention of low incidence personnel; and

**WHEREAS**, a unified collaborative effort towards statewide recruitment and retention would be more cost effective and efficient; and

**WHEREAS**, recruitment and retention of highly qualified/low incidence positions is difficult due to the geographic isolation of many communities of Montana; and

**WHEREAS**, Office of Public Instruction has worked collaboratively with Montana Council of Administrators of Special Education on the recruitment and retention of highly qualified/low incidence personnel; and

**WHEREAS**, Montana continues to have chronic shortages;

**BE IT RESOLVED**: That SAM supports the implementation of a unified recruitment and retention program designed to address current personnel shortages in both general and special education.

Oppose Privatization with Public Funds

**Resolution #12/13/16-03 – SCHOOL PRIVATIZATION WITH PUBLIC FUNDS LEGISLATION**

**BE IT RESOLVED**, that SAM take the following positions with regard to school privatization legislation of any kind by the Legislature; and

**BE IT FURTHER RESOLVED**, that SAM work to ensure that elected school boards in member school districts are empowered to innovate and adapt public school offerings to best meet the needs of students and to fully develop the educational potential of each student in the public schools as envisioned by the Constitutional framers in writing Article X, Section 1 of the Montana Constitution; and

**BE IT FURTHER RESOLVED**, that SAM work to ensure continued supervision and control of all publicly funded PK-12 education in Montana by existing school boards in current member districts who are subject to popular election to ensure that publicly-funded PK-12 education remains accountable to citizens in each community through oversight by volunteer elected trustees; and

**BE IT FURTHER RESOLVED**, that SAM oppose any attempts to fund private PK-12 education, including sectarian and non-sectarian private schools and home schools through public means and that SAM interpret “public means” to include but not necessarily be limited to any appropriation, tax credit, tax deduction, voucher or any other financial incentive or construct mandated or allowed by law or proposed in any bill or initiative. Guidance on SAM’s position and efforts are to be derived from but not limited to the language of Article X, Section 6 (Aid prohibited to sectarian schools) and applicable





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interpretations of this provision by the Montana Supreme Court and other courts interpreting similar language in their respective state constitutions; and

**BE IT FURTHER RESOLVED**, that SAM work to ensure that any school choice legislation be limited only to public schools and comply with and afford every student in every public school with all constitutional rights specified in Article X of the Montana Constitution and access to a public education that complies with the definition of the basic system of free quality schools adopted by the Legislature in 20-9-309, MCA;

**BE IT FINALLY RESOLVED**, that SAM actively and vigorously opposes any legislation failing to meet the standards set forth above and pursue enforcement of the constitutional provisions referenced in this resolution through any lawful means.

### **Constitutional References:**

*Section 1. Educational goals and duties. (1) It is the goal of the people to establish a system of education which will develop the full educational potential of each person. Equality of educational opportunity is guaranteed to each person of the state.*

*Section 6. Aid prohibited to sectarian schools. (1) The legislature, counties, cities, towns, school districts, and public corporations shall not make any direct or indirect appropriation or payment from any public fund or monies, or any grant of lands or other property for any sectarian purpose or to aid any church, school, academy, seminary, college, university, or other literary or scientific institution, controlled in whole or in part by any church, sect, or denomination.*

*Section 8. School district trustees. The supervision and control of schools in each school district shall be vested in a board of trustees to be elected as provided by law.*

### **Resolution #02/12/14-03 – VOUCHERS, TUITION TAX CREDITS, TAX SAVINGS ACCOUNTS AND CHARTER SCHOOLS (OTHER THAN AS DEFINED IN ARM 10-55-604)**

**WHEREAS**, vouchers, tuition tax credits and charter schools detract from the goal of comprehensive improvement of public schools, do not enhance public and non-public school competition, and do not significantly impact student achievement levels; and

**WHEREAS**, voucher programs do not cover the full tuition costs of many schools, thus preventing true choice for many parents and students; and

**WHEREAS**, the acceptance or use of public funds by private and parochial institutions would threaten the unique mission of these schools by requiring every recipient of public funds to abide by the same laws, rules, and regulations as public schools; and

**WHEREAS**, non-public schools ultimately determine which students will be admitted and/or removed from their rolls; and

**WHEREAS**, vouchers, tuition tax credits and charter schools are prohibitively expensive, require taxpayers to finance the tuition costs of students attending private and parochial schools, and remove funds from public schools;



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**BE IT RESOLVED**, that SAM will oppose the use of vouchers, tuition tax credits, tax savings accounts and charter schools in any form.

Support Facility and Technology Infrastructure

**Resolution #18-01 – ALLOWING THE USE OF PERMISSIVE MAJOR MAINTENANCE SUBFUND OF THE BUILDING RESERVE TO SECURE AND REPAY LOANS**

**WHEREAS**, Montana’s students have the right to high quality, safe, healthy and educationally appropriate educational facilities that meet the needs of 21<sup>st</sup> Century learners as assured in Article X, Section 1 of the Montana Constitution; and

**WHEREAS**, Montana’s school systems have a well-documented backlog of deferred maintenance and other facility needs; and

**WHEREAS**, SAM has worked with the Legislature to expand funding for capital facilities needs across the state; and

**WHEREAS**, the 2017 Legislature provided school districts with an additional tool via MCA 20-9-520 (3) allowing local school districts to permissively levy as allowed, up to 10 mills into a Major Maintenance subfund of the Building Reserve; and

**WHEREAS**, due to the many years of deferred maintenance many district’s have major maintenance projects that exceed the yearly funding available in the Major Maintenance subfund of the Building Reserve; and

**WHEREAS**, construction and repair costs for these projects tend to increase over time; and

**WHEREAS**, current law, MCA 20-9-503 (2) still requires the electors of the district to authorize projects and financial impositions in order to secure a loan;

**BE IT RESOLVED**, that SAM will support legislative action removing the term “the electors of” from MCA 20-9-503 sections (2a) and (2b); effectively allowing districts to secure loans utilizing the permissive funding available in the Major Maintenance subfund of the Building Reserve in order to address facility needs in a more timely and cost efficient manner.

**Designation: Action**

**Resolution #13/15-01 – CAPITAL FACILITY NEEDS [2017 Legislative Session SB 307, SB 260]**

**BE IT RESOLVED**, that SAM pursue continued and expanded state funding for capital facility needs in districts across the state of Montana to match and leverage local support for maintaining quality, safe, healthy, and educationally appropriate school facilities that meet the needs of 21<sup>st</sup> Century learning. The resolution should include support for technology costs within the definition of capital facility needs. The resolution should encourage energy efficiency, quality materials, and the general concept of sustainability.





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In addition, we encourage state support to match local building reserves so that school districts will be able to maintain facilities.

We encourage state support maintaining local control, and ensuring full funding for programs such as the state Facility Guaranteed Mill per ANB funding, as well as new initiatives that might be developed in the future.

We believe that this resolution is important to the needs of students in districts across the state of Montana.

Support School Based Mental Health Services

**Resolution #99/02/06/07/16/17-08 – SCHOOL BASED MENTAL HEALTH SERVICES**

**WHEREAS**, disruptive, dangerous, and aggressive behaviors to self and others are occurring at increasing rates in our school communities due to a variety of factors; and

**WHEREAS**, economic conditions of families and society where adequate mental health services are not provided, families are not eligible for adequate insurance coverage, or determined ineligible for mental health services under existing state guidelines obligate school districts to provide greater attention and resources to students with mental health needs; and

**WHEREAS**, mental health services remain unfunded within communities and school districts, school districts are using educational resources to provide minimal health services to students with identified needs; and

**WHEREAS**, there has been a history of inadequate state funding for mental health programs for students with mental health needs in community and school based programs; and

**WHEREAS**, there exists a significant need for comprehensive services, including community and interagency coordination to meet the needs of children with mental health needs within the school setting; and

**WHEREAS**, there exists a significant need for a continuum of services including community support, outpatient day and residential treatment, and acute care services with transition support between schools and mental health agencies to meet the mental health needs of children within the state;

**BE IT RESOLVED**, that SAM supports new state funding for Montana residential/educational services for children with mental health needs; and

**BE IT FURTHER RESOLVED**, that SAM urges the State of Montana continue to support and provide funding for school based mental health services; and

**BE IT FINALLY RESOLVED**, that SAM supports new state funding for a continuum of mental health services for students in addition to existing state and federal programs without reducing dollars from the state education general fund.