

SAMLN19 Legislative Update 19 4-23-19 11:00am

Greetings SAMLN19!

See the **CALL TO ACTION** below ...

As expected over the Easter break the preschool concept was heavily addressed with legislators and on Monday, April 22, the strategy for reinserting preschool into the final days of the session and the draft language was revealed. The strategy for addressing preschool appears to be in the form of an amendment that may be requested on [SB 352](#), which is in free Conference Committee scheduled for meeting at 8:00 am on Wednesday, April 24. A free Conference Committee convenes after a bill has made it through both the Senate and House and the amendments in the end are 'not concurred' in – therefore the Committee assembles to make decisions on the final bill language, which then must be concurred in by both the House and Senate. **SB 352 Conference Committee members are Representatives Glimm (R), Balance (R), Lynch (D) and Senators Thomas (R), Osmundson (R) - Chair, Sesso (D).** You will note that these legislators are the leadership of House Appropriations Committee and the Senate Finance and Claims Committee. SB 352 is characterized as a companion bill to HB 2 (the state funding bill) and is represented as “too big to fail”. Thus, this is probably why the Conference Committee on SB 352 was chosen to insert language on preschool and let the 6 legislators either pass that along to the House and Senate or kill the amendments brought forth. There will be no public input during a Conference Committee.

The contents of the [amendment to SB 352](#) that we have seen are very troublesome - as it retains nearly all the language of the former HB 755, creating a department of early childhood and placing authority with that department director to authorize \$11 million in funding to preschool opportunities public and private. This draft has no fair distribution of how much would go to public preschools, private preschools or headstart preschools. This draft also does significant damage to the current rules for qualifying for “exceptional circumstances” eliminating funding for those students in school districts already claiming preschool students under the rule.

Here are a number of reasons why the amendment should not go forward (already sent to many administrators by Dennis Parman (MREA) and Lance Melton (MTSBA) so I didn't recreate this great work – just copied it for your consideration) ...

- The total fiscal impact will be \$16.4 M and is happening on a bill that has a hearing with public input in a policy committee where it was tabled.
- It grows government by creating the Department of Early Childhood (DEC) and gives it a budget of \$800,000 for 4 people over the biennium. The Board of Public Education only has a budget of just over \$600,000 for 3 people over the biennium and it governs PK-12. The DEC will only have oversight over 4 and 5 year old children.
- The DEC is a position that is appointed by and under the Governor and has equal authority over preschool as does OPI when it comes to program standards and funding to public school programs.
- In the future, all existing funding will be lost for students identified by boards of trustees as students with exceptional circumstances. The amendment redefines exception circumstances and removes discretion from trustees.
- Starting a local public school preschool under the proposed amendments may NOT produce ANB, BUT not because local trustees approve enrollment. Applications must be approved and there must be enough funding for all applications meeting initial screening. If there are more applications than can be funded a prioritization has been refined in statute to decide who doesn't get funded.
- Local property taxes will increase for any public school district that decides to offer a preschool program as defined under this amendment. Preschool is not fully funded by the state. State funding is ANB

driven and the state only funds about 53% of ANB, the local taxpayers cover the remaining 47% with property taxes.

- The concept being used to implement this amendment, in short, is a strong arm technique where a preschool amendment is added to an important bill that many legislators would vote for without the preschool amendment and would likely vote for with the preschool amendment because the original bill was that important.
- Virtually eliminates the discretion of elected school boards under current, long-standing law to enroll and admit someone under the age of 5 when there are exceptional circumstances that merit waiver of the age requirement. For this reason alone, we should work hard to defeat this amendment.
 - Unprecedented intrusion on the determination of when a district promotes a pupil from kindergarten to the first grade.
 - Eliminates service to approximately 300 pupils across the state who have been enrolled under the age of 5 in school districts under current law. Estimated annual funding reduction of \$1.7 million.
- After disclaiming that the new Director of Early Childhood would have oversight of public schools, this bill sets up a convoluted approval process that requires the approval of BOTH the Director of Early Childhood AND the Superintendent of Public Instruction.
- The bill requires the Department of Early Childhood and the State Superintendent to agree on a variety of topics pertaining to approval, prioritization and distribution of funds but does nothing to address how to resolve things when the Director and the Superintendent do not agree.
- In spite of previous assurances that the appropriation would be split, 80% for public and 20% for private (which would be \$8.8 million public side and \$2.2 million private side), the bill proposes a single appropriation of \$11 million to which both public and private providers would have access.
 - In theory, this bill could result in preschool being funded exclusively in the private sector.
 - This is particularly damaging in light of the discrepancy between the funding for each public preschool pupil at an average of 34% of half time ANB and the private side, which is proposed to be funded at 40% of half time ANB. The difference in terms of dollars is approximately \$300 per pupil.
 - The bill gives private preschools more money with less accountability.

If you have questions about any of the details, please contact me on my cell phone 406-581-1037.

CALL TO ACTION ...

Please [online message](#) (or call them if you know them) the members of the SB 352 Conference Committee and urge them to vote NO on the early childhood amendment coming to SB 352. The amendment, if passed, will take away more from preschool children under existing law than it grants in new opportunity. Please do this as soon as you possibly can as the Conference Committee convenes at 8:00 am tomorrow morning.

A second CALL TO ACTION would be invoked if the amendment were to pass out of the SB 352 Conference Committee and be sent to the House and Senate for approval. The rumor is that the legislature is planning to finish on Thursday so this would happen very quickly, and the request would be to contact all legislators for a no vote on the SB 352 Conference Committee report. This will be a tall task, as I have described SB 352 as 'too big to fail'. SAM does not like anything about how this has transpired at the end of the session, but it is what it is, and the approach outlined here is our last attempt to stop bad legislation from impacting our schools.

Thanks for your great work to contact as outlined! Kirk