

66th Legislative Session

Transmittal Education Update

February 27, 2019



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Montana

Office of Public Instruction

Elsie Arntzen, Superintendent

TRANSMITTAL UPDATE FROM THE OFFICE OF PUBLIC INSTRUCTION

I served for 23 years as a teacher in Billings public classrooms as well as 12 years in both chambers of the Montana Legislature. It is my honor to now be serving my second legislative session as your Superintendent of Public Instruction.

This session, the OPI has made student safety and restoration of education funding our top priorities. In this document you will find updates on education related legislation, the OPI's proposed budget, legislative activities hosted by the OPI, and an update on the activities of your Montana Land Board.

Thank you for putting Montana students first this legislative session!



Elsie Arntzen
State Superintendent

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EDUCATION IN MONTANA:

For a full overview of education in Montana, visit the [OPI's website](#). Below are some highlights:

- A quality public education system is a value that is enshrined in Article X of Montana's Constitution.
- Funding for education is the single largest appropriation from Montana's general fund.
- Montana has over 800 schools and over 400 school districts.
- A plurality (39%) of Montana schools have less than 50 students.
- Montana has roughly 147,000 public students and about 14,000 non-public students.
- 41% of Montana students qualify for federal free and reduced-price lunch.
- The largest demographics of Montana students are white (79%), American Indian (11%), and Hispanic (4.5%)
- In 2018, Montana had the highest statewide graduation rate in recent history: 86.4%.
- Montana has roughly 15,000 licensed K-12 educators.
- The average student to teacher ratio in Montana is 14 to 1.
- The average ACT (Montana's state assessment for high school) score in Montana is 20. The requirement of the Montana University System is a 22.
- State Trust Lands produced nearly \$42 million for Montana schools last year, down from previous years.
- The OPI has 3 campuses on the state-complex (down from 4).
- The OPI has 163 regular employees, down from 188 in 2016.

The OPI's Capitol Connections:

Education Caucus Meetings

The bipartisan education caucus meetings are an opportunity for legislators, education organizations, and the OPI to discuss legislation and coordinate opportunities for Montana students. The meetings are every other Thursday morning at 7:00am in room 335 of the Capitol. Apple fritters and coffee are provided!

Tribal Education Caucus Meetings

Tribal Education Caucuses occur every Thursday at 4:00pm in room 350 of the Capitol. These meetings are an opportunity for tribal legislators, education organizations, and the OPI to discuss how to improve opportunities for Montana's American Indian students and schools.

Weekly Meeting with Legislative Pages

Each Thursday OPI leadership meets with the Legislative Pages to discuss education in Montana, education-related topics, legislation, and answer questions.

Additional Capitol Events:

- January 7th [the OPI hosted](#) a school safety panel for legislators
- January 18th [the OPI hosted](#) the biennial Indian Education for All Rotunda Day
- February 11th Superintendent Arntzen delivered the [State of Education Address](#)
- February 26th the OPI partnered in the Career and Technical Student Organizations' Rotunda Day
- February 28th Superintendent Arntzen hosted a women leadership in government luncheon to celebrate Montana's elected women leaders
- On April 1st the OPI is hosting a Military Children Rotunda Day
- On April 3rd the OPI is hosting a [Montana Ready](#) Rotunda Day with industry partners

Superintendent Arntzen's Initiatives to make Montana Proud:



- Family, student, and community engagement
- Safety, mental health, and suicide prevention



- Celebrating teacher excellence and extending leadership opportunities
- Teacher retention and recruitment



- Closing achievement gaps
- Improving math and reading with a focus on middle school



- STEM, CTE, and workforce development emphasis beginning in middle school
- Expanding industry, military, and post-secondary partnerships

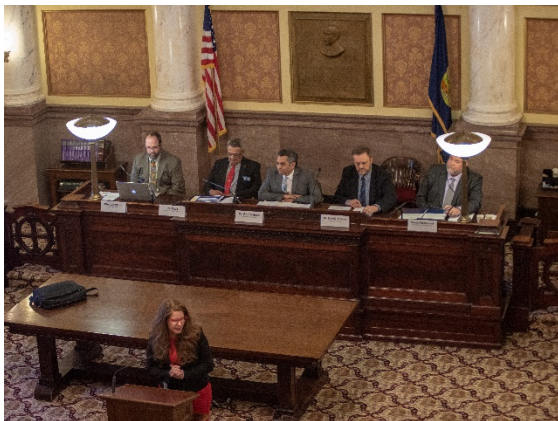
Images from the Session:



*Superintendent Arntzen Meets with
Legislative Pages at the Capitol*



*Superintendent Arntzen meets
with the Student Body President of
Billings West*



*Superintendent Arntzen Kicks off the Legislative
School Safety Panel*



*Superintendent Arntzen and the 2019
Montana Teacher of the Year Kick Off the
Indian Education for All Rotunda Day*

Overview of Budget and Policy Priorities:

SB 132: Student Safety Accountability Act

This OPI requested legislation recognizes that students are a protected class and that school officials are in a position of trust over them, therefore, students should not be able to consent to sexual contact with school officials. Further, it criminalizes those in a school setting who aid an individual in gaining employment if they have probable cause to believe that said individual has engaged in sexual misconduct with a student.

This legislation has important exemptions so that student-to-student relationships and relationships between recent graduates are not criminalized.

HB 61: Revise Student Data Privacy Laws

The OPI and the Montana University System have requested a change to statute to allow for sharing of student ACT scores (if the student consents) to provide better post-secondary opportunities for Montana students.

HB 127: Generally Revise Laws Related to School Payments

The OPI has requested that the state payment schedule to schools be revised to better align with state treasury receipts. This will prevent school payments from being used as political capital during tight budget periods.

HB 601: Transfer Funds Within OPI for School Safety Professional Development Grants

The OPI made a promise to Montana students to increase school safety training. This piece of legislation allows school districts to apply for school safety professional development grants that give teachers, administrators, and other school district personnel skills to combat mental and physical threats to students.

Education Budgets

The OPI is seeking to restore cuts that were made to education programs in the 2017 Regular and Special Sessions while also providing an inflationary increase to special education along with the largest inflationary increase to general education funding in Montana history. A detailed budget overview can be found on the next page.

Budget Overview:

The OPI's Budget Request to the Joint Subcommittee on Education:

Program 6: Personal services and operating expenses of the agency.

	<u>FY 2020</u>	<u>FY 2021</u>	<u>Total</u>
Starting Point	10,389,999	10,389,999	20,779,998
Statewide Present Law Adjustments	377,922	383,841	761,763
Restore Montana Digital Academy OTO	842,500	842,500	1,685,000
Other Requests	<u>(518,000)</u>	<u>(518,000)</u>	<u>(1,036,000)</u>
Total Requests	702,422	708,341	1,410,763
Subcommittee Executive Action	<u>(376,600)</u>	<u>(376,222)</u>	<u>(752,822)</u>
HB 2 for OPI after Subcommittee	10,715,821	10,722,118	21,437,939

The Subcommittee reduced general fund FTE by 1.0 and reduced operating expenses.

Program 9: Funds distributed to school districts.

	<u>FY 2020</u>	<u>FY 2021</u>	<u>Total</u>
Starting Point	788,289,411	788,289,411	1,576,578,822
K-12 BASE Aid Inflationary Increase	24,572,480	46,158,348	70,730,828
NRD Major Maintenance Aid	4,783,000	5,391,000	10,174,000
Restore Data for Achievement Payment	3,209,999	3,272,947	6,482,946
Restore Transportation Payment	1,900,000	1,900,000	3,800,000
Special Education Inflation	460,080	1,400,139	1,860,219
Restore SB 261 Reductions	805,956	805,956	1,611,912
School Safety Professional Development	500,000	500,000	1,000,000
National Board Certification Stipends	107,000	174,500	281,500
At Risk Inflation	49,721	150,620	200,341
Guarantee Account Adjustment	<u>118,567</u>	<u>(222,392)</u>	<u>(103,825)</u>
Total Requests	36,506,803	59,531,118	96,037,921
Increased Guarantee Account Forecast	<u>(4,000,000)</u>	<u>(4,000,000)</u>	<u>(8,000,000)</u>
Subcommittee Executive Action	<u>(759,560)</u>	<u>(1,699,615)</u>	<u>(2,459,175)</u>
HB 2 for OPI after Subcommittee	820,036,654	842,120,914	1,662,157,568

The Subcommittee did not approve Special Education inflation, reduced School Safety Professional Development by \$400k/yr, and added \$100k/yr to Gifted and Talented.

LEGISLATION (100 Total)

Work Based Learning/Career and Technical Education (4)

HB 171

Create career and technical education and workforce development commission
Rep. Bedey

HB 218

Generally revise laws related to career and technical education
Rep. Vinton

HB 295

Create grant program to encourage work-based learning
Rep. Anderson

HB 387

Create advanced opportunity act for Montana students
Rep. Jones

Elections (12)

HB 129

Generally revising local government laws regarding elections
Rep. Fitzgerald

HJ 1

Interim study on voter qualifications for all special purpose districts
Rep. Hayman

HJ 3

Interim study resolution on accessibility for disabled electors
Rep. Mandeville

SB 112

Prohibition on distributing things at polling place not to apply to volunteers
Sen. Bennett

SB 130

Revise school election law
Sen. Salomon

SB 134

Generally revise campaign finance laws related to electioneering communications
Sen. Brown

SB 148

Allow late registrant absentee ballots to be dropped off at polling locations
Sen. Bennett

SB 149

Provide that sec of state's office pays postage for absentee ballot return
Sen. Bennett

SB 162

Generally revise election laws
Sen. Webb

SB 180

Remove prohibition preventing voter from showing voted ballot to another person
Sen. Pomnichowski

SB 297

Generally revise laws related to school elections involving property taxes
Sen. Brown

SB 298

Referendum to revise laws related to school elections involving property taxes
Sen. Brown

Facilities (2)**HB 118**

Create grant program to remove lead from school water supplies
Rep. Dooling

HB 247

Provide greater flexibility for school districts in financing major maintenance
Rep. Grubbs

General Education (17)**HB 61**

Revise School Data Privacy Laws
Rep. Bedey

HB 127

Generally revise laws related to state payments to schools
Rep. Custer

HB 153

Generally revise education laws related to gifted and talented programs
Rep. Kelker

HB 159

Generally revise education funding laws
Rep. Grubbs

HB 177

Allow school districts to use equalization aid for preschool programs
Rep. Anderson

HB 191

Provide for K-12 synchronous distance learning payment
Rep. Grubbs

HB 303

Eliminate compulsory education requirements
Rep. DeVries

HB 351

Encourage transformational learning
Rep. McKamey

HB 414

Generally revise laws related to school meals
Rep. Karjala

HB 455

Provide unemployment for certain teachers and adjunct school personnel
Rep. Windy Boy

HB 619

Revise student data privacy laws
Rep. Zolnikov

SB 8

Generally revise laws related to participation in extracurricular activities
Sen. Regier

SB 60

Generally revise laws related to financial aid programs
Sen. Salomon

SB 99

Revise laws related to informing on legal opt out options for vaccines
Sen. Smith

SB 118

Revise laws related to online learning opportunities
Sen. Regier

SB 197

Generally revise education laws related to Montana youth challenge academy
Sen. Welborn

SB 292

Revise laws related to financial administration of school districts
Sen. Webb

General Bills (9)**HB 197**

Require public agency IT contractors to use software to verify hours worked
Rep. Zolnikov

HB 345

Provide a stepped increase in minimum wage to a living wage
Rep. Dunwell

HB 413

Address vaping in schools
Rep. Anderson

HB 468

Involve certain state agencies in disability integrated employment programs
Rep. Bahr

HB 564

Revise medical exemption laws on immunizations
Rep. Dunn

SB 2

Allow government accounting standards to include DOA framework
Sen. MacDonald

SB 19

Revise laws related to local government budget and accounting
Sen. Webb

SB 58

Revise the Montana Bank Act
Sen. Salomon

SB 122

Revise clean indoor air act to include vaping
Sen. Malek

Language and Arts (5)**HB 18**

Providing funding for school district programs serving English Learners
Rep. Peregoy

HB 33

Extend the Montana Indian Language Preservation Program
Rep. Windy Boy

HB 41

Extend the Cultural Integrity and Commitment Act (language immersion programs)
Rep. Windy Boy

HB 263

Revise laws related to Indian language immersion programs
Rep. Windy Boy

HB 466

Fund an Indian language and culture course through MT Digital Academy
Rep. Bahr

Mental Health (5)**HB 186**

Revise laws related to depression screening in public schools
Rep. Dunwell

HB 187

Revise laws related to youth suicide prevention
Rep. Dunwell

HB 398

Require mental health and suicide prevention training in teacher preparation
Rep. Pierson

HB 453

Revise laws related to suicide prevention
Rep. Windy Boy

SB 140

Establish the Montana dyslexia screening and intervention act
Sen. Smith

School/Child Safety (13)

HB 173

Revise consent laws for elementary or high school students in a school setting
Rep. Morigeau

HB 199

Generally revise laws related to bullying
Rep. Usher

HB 282

Protect vulnerable persons from sexual misconduct
Rep. Loge

HB 477

Enact child access prevention and education laws
Rep. Funk

HB 567

Establish Montana school marshal program
Rep. Skees

HB 601

Transfer funds within OPI for school safety professional development grants
Rep. Fuller

SB 6

Revise school funding related to school safety
Sen. McClafferty

SB 35

Generally revise school safety laws
Sen. Thomas

SB 40

Require OPI to create and maintain electronic directory photograph repository
Sen. Smith

SB 92

Generally revise laws related to school safety
Sen. Salomon

SB 110

Increase the age limit in the definition of pupil
Sen. McClafferty

SB 132

Creating a student safety accountability act
Sen. Regier

SB 164

Generally revise school safety laws
Sen. Thomas

School Transportation (5)**HB 120**

Revise local government authority of certain speed limits
Rep. Curdy

HB 190

Revise local government authority to set school zone speed limits
Rep. Grubbs

HB 210

Generally revise traffic laws
Rep. Harvey

HB 492

Generally revise laws related to school bus safety
Rep. Vinton

SB 193

Generally revise school bus safety laws
Sen. Cohenour

Special Education (5)**HB 27**

Generally revise special education funding
Rep. Funk

HB 225

Revise school laws related to inflation, preschool and special education
Rep. Schreiner

HB 298

Revise funding for students with disabilities
Rep. Pope

HB 388

Generally revise education laws related to students with exceptional needs
Rep. Caferro

SB 16

Revise school funding related to special education joint boards
Sen. Salomon

State Employees (6)

HB 13

State Employee Pay Plan
Rep. Funk

HB 175

Provide for state employee pay plan
Rep. Dooling

HB 209

Generally revise state employee pay laws
Rep. Funk

HB 216

Revise tax laws related to student loan reimbursements by employers
Rep. Dudik

SB 53

Revise meal reimbursement for public employees
Sen. Sesso

SB 128

Generally revise laws related to state employee pay and benefits
Sen. Cohenour

Taxation/Funding (10)

HB 3

Supplemental Appropriations Bill
Rep. Holmlund

HB 4

Appropriations by Budget Amendment
Rep. Bartel

HB 300

Generally revise taxes and the distribution of revenue through sales tax
Rep. White

HB 372

Increase inflation limitation on government entities for property tax levies
Rep. Welch

SB 9

Revise school funding related to overestimated ANB increases
Sen. Salomon

SB 10

Revise school funding related to major maintenance aid
Sen. Salomon

SB 11

Clarify age requirements related to the definition of the pupil
Sen. Salomon

SB 12

Revise school funding related to oil and gas production taxes
Sen. Salomon

SB 135

Remove school levies from calculation of tax increment after 15th year
Sen. Jacobson

SB 146

Revise laws related to an inflationary adjustment for education
Sen. Thomas

Teacher Recruitment and Retention (7)

HB 204

Generally revise teachers' retirement system laws
Rep. Ryan

HB 211

Address recruitment and retention of K-12 quality educators
Rep. Jones

HB 235

Provide options, conditions for financing school health group plans
Rep. Fern

HB 420

Encourage grow your own programs to address teacher shortage
Rep. Runningwolf

HB 459

Provide support for rural school recruitment and retention
Rep. Beard

SB 50

Revise administration of Quality Educator Loan Assistance Program
Sen. McClafferty

SB 139

Revise retiree return to work provisions in teachers' retirement system
Sen. Lang

Land Board:

During the 2018 year, the Land Board has dutifully exercised its oversight responsibilities with regards to the management of the varied Trust properties.

The Land Board oversees DNRC's management of Trust Land Resources

- 5.2 Million Surface Acres
- 6.2 Million Mineral Acres

2018 - Active Timber Sales 40

Current Oil & Gas Leases 1,486

Current Coal Leases 35

Current Ag/Grazing Leases 8,935

Active Residential Leases 587

Active Commercial Leases 137

Cabin Sites Sold 22

Rights of Way Processed 440

Active Land Use Licenses 764

Land Banking Sites Sold 4

Tree Seedlings Planted 191,026

Timber Harvested 61.2 MMBF

Revenues – Common Schools :

- Leases, Bonuses & Timber Sales - \$38,098,000 (approx.)
- Mineral Royalties & Right of Way - \$18,205,000 (approx.)