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Montana Association of School Business Officials | Montana Federation of Public Employees | Montana Quality Education Coalition | Montana Rural Education Association | Montana School Boards Association | School Administrators of Montana

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The public education advocacy organizations partnering in the Montana Public Education Center have recently collaborated in developing a unified plan for the professional development of our members on key topics related to funding, flexibility, efficiency, safety and security, community ownership and local control. Our goal is to ensure a broad and common understanding of the full extent of the obligations and authority granted to Montana's public schools in these areas and to contribute to a body of knowledge that we believe will enhance our members' abilities to develop the full potential of each child in every public school in Montana.

The framework set forth below should be read as a planned syllabus, with desired learner outcomes driving the content that we intend to deliver to our members over the coming year.

This outline is a first step and a commitment to more on the way. You can look forward to having access to this content through each of our organizations, both individually and collectively and we invite you to immerse yourself in these topics and determine, in collaboration with your stakeholders, how to best implement the options that are available to you as a result of our significant success before the Montana Legislature over the last several years.

Learner Outcomes: We want our members to have strategically discussed and to have become thoroughly aware of the following:

1. Use of adult education levy to fund dropout retrieval programs. Adult education can include the full scope of high school curriculum (and more) and can be offered to anyone in the community who is 16+ years old and who is not a regularly enrolled full time pupil of the district.
2. Use of adult education programming to align with solutions to economic disruption (e.g. boom and bust cycles, plant closures, new business with specific training needs, etc.) within each community.
3. Knowledge of the district's right to manage its own finances completely independent of the county.
4. SB 329, 2011 Session: Use of multidistrict agreements (between an elementary and high school district that are part of a unified school system for example) to remove restrictions on virtually every fund of the district and to avoid fund balance reappropriation of left-over money.

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5. SB 175, 2013 Session: The option to gain voter approval for a change in use of funds collected for a particular purpose and use for any other voter-approved purpose.
6. SB 175, 2013 Session: The option to reduce taxes in one or more funds to increase your general fund over base levy authority without a vote.
7. SB 175, 2013 Session: The right to “look back” and reclaim the highest amount of over BASE property taxes that were either authorized by the voters or imposed by the district in any of the preceding 5 years.
8. SB 191, 2013 Session: The right of a district to levy in its tuition fund without a vote to pay for any costs of IDEA that are in excess of state and federal funding streams provided to the district.
9. 20-5-101(3): The right of the board of trustees to enroll children under the age of 5 when there are exceptional circumstances (in the discretion of the board of trustees) that merit waiver of the ANB age requirements. Depending on how the board exercises its discretion, this could allow the district to claim ANB for IDEA children ages 3-4.
10. 20-5-101(3): The right of the district to enroll and admit and continue serving students who have already graduated as long as they are not yet 19 on September 10.
 - a. Create a track for students to graduate in three years and use their fourth year to get a full year head start on post-secondary education, tuition free.
 - i. BPE Rule ARM 10.55.904 requires only 20 units of credit to graduate.
 - ii. The average school district has between 7-8 periods per day. 7 times 3 years = 21 units of credit. If structured efficiently by the district, students could meet all requirements of the Board of Public Education by the end of junior year and graduate.
 - iii. 20-5-101(3) . . . The trustees may also admit an individual *who has graduated from high school* but is not yet 19 years of age even though no special circumstances exist for waiver of the age provision of this section.
 1. The district can generate ANB for and continue to serve students who have already graduated but who are not yet 19 and use those resources to expand post-secondary learning, including career certifications and dual credit courses while saving families money. With MUS tuition and fees running \$8,000 per year and dorm costs adding another \$9,000-\$10,000 per year, districts can document the value added to families through this type of a program.
11. SB 175, 2013 Session; SB 103, 2017 Session: The right of the district to count students who have gained proficiency over content in their ANB count, without regard to the amount of seat time the student has spent, based on an hourly equivalent conversion for the time ordinarily spent instructing a student in such content.
12. SB 103, 2017 Session: The new limit on the obligation of a district to provide aggregate hours of instruction. This used to be a universal requirement. It is now a requirement only for those students who have not gained proficiency over the content. Could significantly impact how or if you have to make up snow days, with the new requirement being that such days need not be made up for students who are proficient

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as determined by the district. 20-1-301(1) and (3) specifies that aggregate hours of instruction need only be provided to students not meeting proficiency under 20-9-311(4)(d).

13. SB 348, 2011 Session; SB 307, 2017 Session; SB 92, 2019 Session: Allows a district to transfer state or local revenue from just about any fund into its building reserve fund to pay for the costs of student and school safety and security. The definition of this term was just broadened to cover both capital and operational, both reactive and proactive costs of improving student and school safety and security. All silo restrictions on various funds are removed when it comes to school safety.
14. SB 92, 2019 Session: The new right of a district to spend major maintenance revenues (local levy and state match) on school and student safety and security. This includes both capital and operational costs, both reactive and proactive measures to improve student and school safety and security.
15. SB 92, 2019 Session: The new option of a district to run a school safety levy and thereby free up room under general fund caps.
16. HB 576, 2019 Session: The new right of a district to move its endowment funds into just about any fund the board deems appropriate (provided that the donor did not require the funds to be placed in the endowment fund).
17. HB 247, 2019 Session: The right of the district to use its major maintenance funds to secure loans. Roughly speaking, this allows the district to secure a 15 year loan of approximately 10X its annual major maintenance revenues, using the major maintenance revenues to service the debt each year.
18. HB 351, 2019 Session: The option for a district to initiate a proficiency pilot and gain state and local nonvoted funding (approximately \$3,200 per participating educator in the pilot per year) to support such pilot.
19. HB 387, 2019 Session: A new funding stream for CTE programs that will more than triple CTE funding over the next several years, including a new 25% nonvoted levy match in the Adult Education fund.
20. BPE rule 10.55.906. The right of the district to waive any course required for graduation and/or to provide credit for any course required for graduation when the student has mastered the content through alternative means.
21. Solutions to Recruitment and Retention Difficulties.
 - a. HB 211, quality educator loan repayment options, 2019 Legislature.
 - b. SB 115, 2017 Legislature – Stipends for National Board Certified teachers targets larger incentive to teach in schools impacted by Critical Quality Educator Shortage Report 2018-19.
 - c. Flexible licensing options:
 - i. 5 year success rule, ARM Sections 10.57.410, 412, 413, 419, 427, 428, 429 and 430;
 - ii. Exchange teachers from other countries, 10.57.112
 - iii. Use of substitutes, 10.55.716;
 - iv. Emergency authorization of employment, 10.57.107 and 20-4-111;

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- v. Retired licensed educators, 19-20-732, including new changes in the 2019 Legislature;
- vi. Class 4C for CTE (high school diploma or GED plus life experience of 10,000 hours);
- vii. Class 5 Provisional, 10.57.424 et. Seq., ARM, and 20-4-106, MCA;
- viii. Internships, 10.55.602 (defined) and 10.55.607 (requirements), ARM;
- ix. ARM 10.57.421(4)(e) (Revised 8/11/18) **establishing Class 4 educator license endorsement for HS teacher to teach a course for HS CTE Credit and Dual Credit**; and
- x. ARM 10.55.701(5)(b) (Revised 6/7/13) establishing mentoring and induction programs to assist licensed staff in meeting teaching standards as defined in ARM 10.55.701.

Intended Content to Provide the Learner Outcomes Referenced Above:

1. Strategic Practices:

- a. Planning
- b. Environmental Scanning
- c. Knowledge-Based Decision Making
- d. Engaging your community
 - i. Purpose-Driven – The Constitutional charge of developing the full potential of each child
 - ii. Financially – Use your full power, efficiently and effectively
 - iii. Transparently - Show them you are working with trust, responsibility and fidelity to your purpose

2. Flexibility and Efficiency – Overview of Options Already in Law Before 2019

- a. Use it or Lose It! Orient yourself to Risk
 - i. Constitutional Goals and Guarantees
 - ii. Supervision and Control under Article X, Section 8
- b. Introduction of some key specifics:
 - i. Maximizing value for families through post-secondary credit
 - 1. ANB for those <19 who have already graduated
 - 2. AP
 - 3. Dual Credit
 - ii. Transfers from fund to fund and Multidistrict Agreements
 - iii. Financial Independence from the County and Maximizing Investments
 - iv. Tuition Levy for Special Ed Costs
 - v. Voter approval for different use of funds otherwise restricted
 - vi. 5-year lookback for over BASE levy authority
 - vii. Adjusting levies in other funds to generate over base general fund levy authority without a vote
 - viii. Exceptional Circumstances for <5 Enrollment
 - ix. Adult Education Levy for Dropout Retrieval/Credit Recovery

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3. Flexibility and Efficiency – Deep dive session – Multidistrict Agreements and Transfers
4. Flexibility and Efficiency – Deep dive session – Exceptional Circumstances Enrollments – [Exceptional Circumstances Model Policy](#)
5. Flexibility and Efficiency – Deep dive session – **HB 351** Transformational Learning and Proficiency-based learning – [Initial Implementation Plans, Draft Application Materials](#)
6. Flexibility and Efficiency – Deep dive session – **HB 387** – Advanced Opportunity CTE – [Draft Application Materials](#)
7. Flexibility and Efficiency – Deep dive session – SB 35 and SB 92 – School Safety
8. Flexibility and Efficiency – Deep dive session – HB 576 – and Your Endowment Funds
9. Flexibility and Efficiency – Deep dive session – Developing and Executing a Financial/Taxing Strategy for your District
10. Flexibility and Efficiency – Deep dive session – HB 211 loan repayment and other strategies to address recruitment and retention
11. Flexibility and Efficiency – Deep dive session – HB 247 major maintenance loans, the new Natural Resource Development Payment, **HB 652** infrastructure grants [[Delivering Local Assistance Program](#) (MT Dept of Commerce Community Development Division)] and other developments on the facilities front.

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