

MEETING PROJECT NAME: Education Advocates' Meeting

DATE OF MEETING: November 20, 2018

TIME: 9:00 AM – 9:30 AM

LOCATION: OPI - 1201 11th Avenue Conference Room

ATTENDEES:

PRESENT

Dianne Burke, Executive Director, Montana Quality Education Coalition (via phone)

Cameron Evans, K-12 Education Reporter, Missoulian (via phone)

Pad McCracken, Research Analyst, Legislative Services Division

Angela McLean, Director of American Indian/Minority/Achievement and K-12 Partnerships,
Office of the Commissioner of Higher Education (via phone)

Aurora Moore, Senior Advisor, Education Northwest

Dennis Parman, Executive Director, Montana Rural Education Association

Dan Rask, Executive Director, Montana Small School Alliance

Kris Stockton, Board of Public Education

Nick VanBrown, Lead Fiscal Analyst, Legislative Fiscal Division

Denise Williams, Executive Director, Montana Association of School Business Officials

OPI STAFF

Ken Bailey, Chief Financial Officer

Dylan Klapmeier, Director of Communications and Federal Relations

Frank Podobnik, Student Support Services Division Administrator

Paul Taylor, Budget Analyst

Jule Walker, Deputy Superintendent of Operations

RECORD-KEEPER

Sydney Bangerter, Administrative Clerk, Office of Public Instruction

TOPIC	PRESENTER INFO
<p>Governor's Release of Proposed Education Budget <i>Ken Bailey and Paul Taylor</i></p>	<ul style="list-style-type: none"> • Please see the attached Education Budget documents presented by Ken Bailey at the Education Advocates' meeting.
<p>Current Proposed Legislation Regarding Special Education <i>Pad McCracken</i></p>	<ul style="list-style-type: none"> • Please see the attached Current Proposed Legislation document presented by Pad McCracken at the Education Advocates' meeting.
<p>Special Education Rule Changes <i>Frank Podobnik</i></p>	<ul style="list-style-type: none"> • The proposed rule changes all involve identification criteria: <ul style="list-style-type: none"> ○ The identification of developmental delay is currently restricted to the ages of 3-5. The proposed rule change would increase this time frame to ages 3-8. ○ In identifying autism for special education purposes, the current language is very clinical. The proposed rule change would amend the language to clarify the definition.

	<ul style="list-style-type: none"> ○ Under visual impairment the proposed rule change would update the criteria to mirror the law’s definition. This would make the definition less restrictive.
<p>Dyslexia Discussion <i>Frank Podobnik and Pad McCracken</i></p>	<ul style="list-style-type: none"> ● The Office of Public Instruction is putting together a Dyslexia Task Force; invitations to nominate someone for the task force are being sent to our Educational partners today. The Task Force will be working with Decoding Dyslexia Montana in the coming months. Three areas of focus for the Task Force will be: <ul style="list-style-type: none"> ○ What is actually happening with a dyslexic child, ○ Identifying areas of need, and ○ Putting together a strategic action plan to be implemented in the fall of 2019. ● Current proposed legislation surrounding dyslexia seeks to implement early screening, best practice intervention, and teacher training.
<p>Other Business</p>	<ul style="list-style-type: none"> ● There is an additional handout for the MTSBA 2019 Legislative Platform attached.

Legislative Reductions to Montana State Funding for K-12 Public Schools in 2017

	Biennial Amount
Reductions during the 2017 regular session:	
Eliminate GF block grants, net of GTB	57,479,297
Eliminate Natural Resources Payment, net of GTB	10,116,074
Eliminate inflation for countywide transportation block grant	51,388
Subtotal	67,646,759
Reductions due to SB 261:	
0.50 % Reduction – At Risk	54,410
0.50 % Reduction – Special Education	435,094
0.50 % Reduction – In State Treatment	7,878
0.50 % Reduction – Career and Technical Ed	20,000
0.50 % Reduction – Adult Basic Education	5,250
0.50 % Reduction – Gifted and Talented	2,500
0.50 % Reduction – School Food	6,638
0.50 % Reduction – Advancing Agricultural Ed	1,517
Suspension of the Data for Achievement Payment	6,289,385
Combined Block Grant Reduction	5,600,000
Career and Technical Education Reduction	1,000,000
Suspension of the Natural Resources K-12 Facilities general fund appropriation	5,800,000
Subtotal	19,222,672
2017 Special Session Reductions:	
Reduce Transportation appropriation	3,386,548
Eliminate the FY 2019 combined block grant	3,072,890
Eliminate the FY 2019 school transportation block grant	3,471,025
Eliminate funding for the school trust land block grant	100,000
Eliminate the FY 2019 county retirement block grant	2,764,448
Eliminate the FY 2019 county transportation block grant	2,248,176
Move facilities debt service assistance to the general fund	8,200,000
Move State Major Maintenance Aid funding to the general fund	1,700,000
Subtotal	24,943,087
Grand Total	111,812,518

Comparison of the Executive Budget to the OPI Proposed Budget for Program 6 General Fund
 with afternoon revision

<u>Request</u>	<u>OPI Request</u>	<u>Exec Budget</u>	<u>Difference</u>
1-0-SWPL-Personal Services	570,480	576,919	6,439
2-0-SWPL-Fixed Costs	(18,945)	179,140	198,085
3-0-SWPL-Inflation Deflation	5,704	5,704	0
601-0-PL-Montana Digital Academy	1,665,000	1,685,000	20,000
901-0-PL-National Board Certification Stipends	(36,000)	(36,000)	0
Provide Preschool in K-12 Schools	0	300,000	300,000
SB 9 Restoration Funds - Move to program 9	0	(1,956,722)	(1,956,722)
Total	2,186,239	754,041	(1,432,198)

Comparison of the Executive Budget to the OPI Proposed Budget for Program 9 General Fund

with afternoon revision

<u>Request</u>	<u>OPI Request</u>	<u>Exec Budget</u>	<u>Difference</u>
K-12 BASE Aid – Inflation, GTB escalation, and enrollment increases	70,638,604	70,730,828	92,224
At-Risk Student Payment - Inflationary Increase	200,341	200,341	0
Special Education Inflationary Increase	1,851,420	1,860,219	8,799
Restore NRD Facility payment	14,000,000	0	(14,000,000)
Restore Data for Achievement Payment	6,482,945	6,482,946	1
Restore Transportation Payment Funding	3,386,548	3,800,000	413,452
Forecast increase in Transportation Funding	404,654	0	(404,654)
Restore Secondary VO-Ed funding	1,020,000	1,020,000	0
National Board Certification Stipends	281,500	281,500	0
Guarantee Account Adjustment	0	(103,825)	(103,825)
Restore Special Education funding, SB 261	0	514,222	514,222
Restore Gifted and Talented funding, SB 261 and add \$210k per year	0	422,500	422,500
Provide Preschool in K-12 schools	0	21,669,020	21,669,020
Total	98,266,012	106,877,751	8,611,739

Information on Special Education Bills and Drafts as of 11/17/2018

(prepared by Pad McCracken, LSD research analyst,
per request of Supt. Arntzen for Education Advocates meeting 11/20/2018)

HB 27 (Funk) – this is the EDIC bill that does three things and has a cost to the state of *roughly* \$3 million/year in FYs 20 and 21:

1. Bumps the sp ed approp by an amount equivalent to other inflationary increases in each year of the 2021 biennium;
2. Bumps the sp ed approp by an additional \$2 million in each year of the 2021 biennium and directs this \$2 million to the sp ed co-ops by adjusting the percentages of the different components of the sp ed payment; and
3. Includes the sp ed payment in the list of components that get an inflationary adjustment under 20-9-326 (this will “ensure” sp ed receives inflationary adjustment in future)

LC 477 (Salomon) – this is the EDIC bill that removes irrelevant language about sp ed joint boards

LC 371 (Jones) – Generally revise education funding laws (unclear on draft direction at this point but asking about ID rates, etc. in sp ed co-ops)

LC 385 (McClafferty) – possible bill draft on dyslexia (may not go forward based on OPI forming dyslexia task force)

LC 571 (Funk) – Revise funding for students with disabilities (ANB funding for older sp ed students; based on previous bills like HB 274 (2017))

LC 578 (Caferro) – Generally revise education laws (may examine ways to support small, poor districts with high-need/high-cost students)

LC 579 (Caferro) – Generally revise education laws (may look at a grant program for districts to serve 19-21-year-old sp ed students)

LC 1078 (Cary Smith) – Establish Montana dyslexia screening and intervention act

LC 1231 (Funk) – License speech language pathology and audiology assistants and aides



2019 Legislative Platform

ADOPTED BY THE MTSBA MEMBERSHIP - OCTOBER 2018

MTSBA Lobbyist Team



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About MTSBA

The Montana School Boards Association (MTSBA) has consistently and enthusiastically embraced its mission to develop the full potential of each child through school board leadership for over 92 years. We represent over 1,400 trustees from throughout the state of Montana, many more elected officials than any other group advocating before the Montana Legislature. Each of our members stand for election in their respective communities for the privilege of ensuring the full development of each child's potential while also working to ensure the community's voice in its public schools.

MTSBA is governed by a 19-member Board of Directors, which include 11 directors elected by their peers in geographic regions throughout the state of Montana, appointed representatives of the state's largest seven school districts, and the statewide elected chair of the Indian School Board Caucus.

All of MTSBA's directors are elected volunteer trustees in their local communities, and serve without compensation on the MTSBA board, just as they do in their local communities.

We also have a strong team of advocates, with a combined experience lobbying in excess of 100 years, with the majority of that experience gained working on behalf of Montana's public schools and the children they serve.

The Development of Our Legislative Platform

Our legislative platform is created by our member trustees, each of whom have a range of opportunities to influence and shape our legislative priorities. From member surveys, opportunities to submit resolutions for consideration by the membership, participation in the K-12 Vision Group, MTSBA's Delegate Assembly and the right to deliberate and vote on each proposal, our trustees actively drive the areas of focus for our Legislative Platform in each legislative session.

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Member-Proposed and Adopted Resolutions:

Our members have adopted a series of priorities for the 2019 Legislative Session that will guide our efforts.

Our members have passed resolutions calling on MTSBA to:

Analyze and resolve gaps between the State's definition of the basic system of free quality schools and the State's funding formula. The State's definition of quality is a promise to the people of Montana regarding what they can expect out of Montana's public schools, and the funding formula is what elected school boards use to keep that promise. Key areas where our members have identified and called for efforts to resolve and/or protect include:

- ✓ Ensuring the adequacy of the state's role in funding Montana's public schools and ensuring balance between state and local funding sources through the state's guaranteed tax base aid system and the natural resource development payment.
- ✓ Ensuring that our system accounts for and provides support to families to address economic and other factors that can negatively impact opportunities for each child.
 - ➔ One of the keys in this regard is the role of early childhood education, where we support a half day program for 4-year-olds to help ensure the readiness of each child to learn at effective levels.
- ✓ Ensuring the inclusion of special education in the K-12 Base Aid funding formula and the corresponding statutory application of inflation to the State's support of special education funding each year.
- ✓ Ensuring the health and safety of students and otherwise maintaining a safe and effective learning environment (including facilities and operations), in each public school.
- ✓ Ensuring that schools have the tools to effectively recruit and retain high quality educators to develop the full potential of each child.

Support ANB funding to allow 19 year-old students an extra year to graduate. The current law cutoff leaves too many (approximately 15% who do not currently graduate) without a diploma and facing a lifetime deficit in earning capacity and opportunity. We are seeking to change the law to allow ANB funding for students who have turned 19 on or before September 10 to continue their pursuit of a high school diploma for one more year.

Support expansion of Career and Technical Education opportunities for students in Montana's public schools. In pursuit of this objective, our members have called on MTSBA to seek an increase in high school CTE funding as well as an expansion of CTE opportunities for students beginning in the 6th grade. Our members also support the stabilization and increased predictability of CTE funding by inclusion of this element into the K-12 Base Aid formula.

Support the creation of a new K-12 Base Aid formula element to support school districts that participate in K-12 Synchronous (video-based in real time) Distance Learning. MTSBA members hope to use this new funding stream to expand access of students throughout Montana to a broader range of advanced learning (e.g., Advanced Placement, Dual Credit, Honors) opportunities.

Support an adjustment to the special education funding formula to ensure adequate resources for special education cooperatives throughout the state. Our schools' special education cooperatives serve a majority of the IDEA-qualified students in our rural communities and MTSBA members have expressed an interest in ensuring the ongoing capacity of our cooperatives in this important mission. The specifics of our proposal in this regard include doubling the current base funding for cooperatives (from 5% to 10%) with a corresponding increase in the overall funding for special education to ensure that the increase in funding for our cooperatives does not come at the expense of special education funding going directly to Montana's public schools.

Support the expansion of both voted and non-voted authority of elected school boards to address the increased costs of ensuring school and student safety and security. Maintaining a safe and effective learning environment has become increasingly complex and challenging in recent years and our members have taken the lead in implementing programs to prevent, address the root causes of and protect students from school violence. Montana's public schools have incurred both capital and operational costs associated with their efforts in improving school and student safety and security and are seeking new avenues, voted and non-voted, to ensure a safe and effective learning environment for each child in every public school in Montana.

Member-Adopted Legislative Priorities of the K-12 Vision Group for the 2019 Legislature

Our members have also endorsed the funding priorities of the K-12 Vision Group for the 2019 Legislature.

The K-12 Vision Group is a collaborative effort of MASBO, MEA-MFT, MREA, MQEC, MTSBA, and SAM. The membership of the group is structured around MTSBA's Caucuses – A, B, C, AA, IE, and ISBC. For each of the Caucuses, there are three trustees, two administrators, one business manager, and one teacher.

The K-12 Vision Group validates and supports the intersecting legislative priorities of the advocacy organizations partnering in the Montana Public Education Center addressing the following critical issues:

- Support initiatives and proposals that advance the interests of public schools and students as described in our vision and goals;
- Provide adequate and equitable resources and support to meet the needs of special education students;
- Preserve and ensure previously established funding and support to schools, including but not limited to, GTB phase-in, inflation application to K-12 base aid, and NRD payment;
- Pursue the implementation of formula-based early childhood education;
- Expand opportunities to meet the needs of students from low-income backgrounds;
- Support recruitment and retention of excellent educators & staff;
- Ensure the health and safety of students in every Montana school;
- Properly support high quality school conditions and infrastructure;
- Fulfill the constitutional promise of a quality education to ensure opportunity for every child in Montana; and
- Oppose any proposal that supports private nonreligious or parochial schools through direct or indirect means that would infringe on the constitutional rights described in Article X of the Montana Constitution.

The K-12 Vision Group also recognizes and embraces key advocacy initiatives that are necessary to achieve its goals and envisioned future and supports advocacy for the components of a well- rounded education needed to achieve the Peoples' goal to develop the full potential of each person. Examples of initiatives necessarily implicated by our five year goals for student success include:

- Codification of sustainable, formula-based early childhood education;
- Expansion of support for gifted and talented education, including a focus on increasing availability of advanced placement and dual credit courses throughout the state; and
- Increasing awareness of the importance of courses that are outside the assessment content areas but that are necessary to fully develop the educational potential of each person, including music, art, physical education, technology, career and vocational technical education.

The Impressive Contributions of MTSBA Member Trustees

Montana's public schools provide performance that compares favorably by any measure, nationally or even internationally and our **members deliver these results for below average costs** when compared to other states in our Nation.

Our members oversee the employment of **over 25,000 public employees** who educate, support, transport, supervise, feed and protect the safety of **over 140,000 children**, in virtually every community in the state, every day of the week

Our boards govern for **excellence and efficiency in equal measures** and the results of their efforts speak for themselves.

Our members **ensure preservation and fulfillment of important constitutional guarantees** afforded Montana's citizens.

MTSBA Member-Adopted Principles and Guidelines:

In addition to specific resolutions our members have provided additional, overarching guidance to MTSBA through their adoption of MTSBA's Principles and Guidelines. MTSBA's Principles and Guidelines direct MTSBA to:

- Advocate for adequate, equitable funding to allow school boards to ensure the guarantee of quality afforded each child in every public school.
- Recognize and honor the shared authority and respective responsibilities of the Legislature, the Board of Public Education and Elected School Boards in achieving the Peoples' goal of developing the full potential of each person.
 - MTSBA supports the Legislature in undertaking its responsibility for defining and adequately funding the basic system of free quality schools and determining and distributing the state's share of funding equitably.
 - MTSBA supports the Board of Public Education in the proper exercise of its authority to generally supervise Montana's public schools as required by Article X, Section 9 of the Montana Constitution.
 - MTSBA supports and safeguards the right and obligation of each elected school board to "supervise and control" education in each school district as required by Article X, Section 8 of the Montana Constitution.
- Ensure a statewide commitment to preserving and ensuring knowledge of the cultural heritage of American Indian Peoples and Tribes in Montana.
- Ensuring federal funding of the Impact Aid program to help address tax base challenges in areas with a concentration of nontaxable trust land.
- Advocate for programs to address and overcome the negative effects of poverty on effective learning.
- Advocate for principles of separation of church and state:
 - Avoidance of Establishment: Oppose direct or indirect public funding of private, religious education;
 - Support for Religious Freedom: Advocate for support of religious freedom through opt-out provisions and exceptions to mandated attendance in public schools for nonpublic students under current law.
- Understand, respect and balance the interests of its members while ensuring that the voices of all its members are heard and acknowledged in MTSBA's advocacy.
- Maintain a focus on and reserve its resources to address issues of statewide impact and concern in its advocacy.

The Impressive Contributions of MTSBA Member Trustees

Over 1,400 elected trustees in Montana volunteer nearly 750,000 hours each year in pursuit of increased student achievement, taking on complex and sometimes controversial challenges with no compensation

The combined annual volunteer service of our members would take an individual 86 continuous years, working 24 hours per day to match.

When we say that our members provide a lifetime of service each year, we mean that literally.

Our members' annual contributions are equivalent to 360 FTE positions provided free of charge each year, providing taxpayers over \$14 million in savings each year compared to what those positions would cost if filled by employees.

MTSBA Board of Directors



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