



PO BOX 201706
Helena, MT 59620-1706
(406) 444-3064
FAX (406) 444-3036

Education and Local Government Interim Committee

63rd Montana Legislature

SENATE MEMBERS

TOM FACEY--Chair
DAVE LEWIS
FREDERICK (ERIC) MOORE
MATTHEW ROSENDALE
SHARON STEWART-PEREGOY
JONATHAN WINDY BOY

HOUSE MEMBERS

DONALD JONES--Vice Chair
KRISTIN HANSEN
EDITH (EDIE) MCCLAFFERTY
JEAN PRICE
DANIEL SALOMON
TOM WOODS

COMMITTEE STAFF

PAD MCCRACKEN, Lead Staff
LAURA SANKEY, Staff Attorney
JOY LEWIS, Secretary

MINUTES LOG

Education and Local Government Interim Committee

February 3, 2014
Room 137, State Capitol, Helena, Montana

Please note: These minutes provide abbreviated information about committee discussion, public testimony, action taken, and other activities. To the left of each section in these minutes is a time designation indicating the approximate amount of time in hours, minutes, and seconds that has elapsed since the start of the meeting. This time designation may be used to locate the referenced discussion on the audio or video recording of this meeting.

Access to an electronic copy of these minutes and the audio or video recording is provided from the Legislative Branch home page at <http://leg.mt.gov>. On the left-side menu of the home page, select *Committees*, then *Interim*. Once on the page for *Interim Committees*, scroll down to the appropriate committee. The written minutes summary, along with the audio and video recordings, are listed by meeting date on the interim committee's web page.

Hard copies of the exhibits for this meeting are available upon request. Legislative Council policy requires a charge of 15 cents a page for copies of the document.

COMMITTEE MEMBERS PRESENT

SEN. TOM FACEY, Chair
REP. DONALD JONES, Vice Chair
SEN. DAVE LEWIS
SEN. FREDERICK (ERIC) MOORE
SEN. MATTHEW ROSENDALE
SEN. SHARON STEWART-PEREGOY

REP. KRISTIN HANSEN
REP. EDITH (EDIE) MCCLAFFERTY
REP. JEAN PRICE
REP. DANIEL SALOMON

COMMITTEE MEMBERS EXCUSED

REP. TOM WOODS
SEN. JONATHAN WINDY BOY

STAFF PRESENT

PAD MCCRACKEN, Lead Staff
LAURA SANKEY, Staff Attorney
JOY LEWIS, Secretary

AGENDA & VISITORS' LIST

Agenda ([Attachment #1](#))
Visitors' list ([Attachment #2](#))

COMMITTEE ACTION

None taken

CALL TO ORDER AND ROLL CALL

- 00:01:13 Sen. Facey called meeting to order at 1:05 p.m. The secretary called roll. Rep. Woods and Sen. Windy Boy were excused. ([Attachment #3](#))
- 00:02:20 Sen. Facey gave opening remarks.

UPDATE FROM SUBCOMMITTEE ON SHARED POLICY GOALS FOR EDUCATION

- 00:02:51 Rep. Hansen gave an overview of the Subcommittee on Shared Policy Goals for Education's meeting. K-20 System, MUS, and K-12 System.

SCHOOL DISTRICT PANELS ON SB 175

- 00:04:33 Steve Meloy, Grass Roots Advocacy Specialist - Montana School Boards Association (MTSBA), gave overview of the panel discussions. He gave a list of those coming to table as a caucus. He distributed two documents: List of members of the caucuses ([Exhibit 1](#)) and a list of MTSBA Caucus ([Exhibit 2](#)).

Class B Caucus

Carole Jones, Vice Chair, Conrad Public Schools

Pat Appleby, Board Chair, Florence-Carlton

Rick Duncan, Superintendent, Powell County High School District - Deer Lodge

- 00:10:10 Rick Duncan discussed the impacts of the 2013 legislative session - (SB 175) and (SB 348) and the implementation of the Common Core standards.
- 00:15:39 Pat Appleby thanked the legislators for their support with SB 175 particularly during the economic downturn and declining enrollments.
- 00:18:16 Carole Jones talked about the positive impact SB 175 had on their district. She gave the committee her written presentation. ([Exhibit 3](#))

Indian School Board Caucus

Iris Kill Eagle, Board Chair, Dodson Public Schools

- 00:29:21 Iris Kill Eagle gave a presentation on the Dodson Public Schools. She discussed the impact of the Common Core and relying on impact aid. Disadvantage of small

schools is combined classrooms and problems with treating behavioral problems.

Committee questions

- 00:37:28 Sen. Rosendale asked why the state and the national figures for Common Core (CC) ratings differ so much?
- 00:38:48 Sen. Facey commented that this is first year of adoption of CC.
- 00:39:00 Sen. Rosendale said that is locally. It is his understanding that since CC has been rolled out, Montana student ratings have gone down when held up to international standards.
- 00:39:34 Ms. Jones explained that CC standards are higher than what we have been teaching and she's not sure that we can do comparison at this point in time.
- 00:40:45 Madalyn Quinlan said that this is first year of implementation of CC standards. No state has assessed students yet based on the CC standards but they will be assessed by 2015.
- 00:41:42 Sen. Rosendale asked Ms. Appleby, do we have information on the loss of timber operations and if that has reduced enrollment and tax base. Do you have those numbers?
- 00:42:22 Ms. Appleby doesn't have that information for Florence but Frenchtown and Missoula districts could address it more specifically.
- 00:43:04 Sen. Rosendale asked, instead of going to balance of state, could we focus on what happens to those industries and can we look at revitalizing them?
- 00:43:33 Sen. Moore - question for Ms. Jones - he wants elaboration on individual stipend opportunities and concerned about her testimony concerning data from OPI.
- 00:44:06 Ms. Jones talked about several data requirements from OPI and how it's not always the data the teachers are looking for - they need readily accessible information on how a student is progressing.
- 00:45:38 Sen. Facey asked Mr. Duncan to address Sen. Moore's concern on desktop availability.
- 00:45:59 Mr. Duncan said that they used part of their SB 175 money to purchase software to help compile student information.
- 00:46:49 Sen. Moore asked Ms. Jones to elaborate on how stipends work.
- 00:46:59 Ms. Jones said that they found themselves financially strapped in the general fund for giving raises to teachers. They tried to find a way to provide opportunities and enhance student achievement at same time.

00:47:40 Sen. Lewis asked Ms. Jones how the cost of graduating students from Billings and Choteau was the same. How did you come to that?

00:48:11 Ms. Jones said she has a source in her husband, Sen. Llew Jones

00:49:07 Sen. Llew Jones, Senate District 14, commented that Montana has a high graduating rate. In his mind the real comparison should be on cost per graduate.

00:51:22 Sen. Lewis clarified that Sen. Jones statement - you took the High School budget and divided it by the number of students graduating that year?

00:51:45 Sen. Jones said, yes.

00:52:30 Sen. Facey asked Mr. Duncan would it be better to have the "quality of schools" grant or a consistent revenue flow.

00:53:27 Mr. Duncan said it's important to have a combination of both.

00:54:50 Rep. Jones for Mr. Duncan: what is his general fund budget?

00:55:09 Mr. Duncan said his general fund budget this fiscal year is \$2.4 million.

00:56:02 Rep. Jones asked what constitutes support technology?

00:56:16 Mr. Duncan said it includes computers, programming, software and upgrading calculators.

00:56:25 Rep. Jones asked if this included \$8,000 on professional development?

00:56:39 Mr. Duncan said he doesn't have those exact numbers.

00:56:42 Rep. Jones asked how training was given to teachers?

00:56:54 Mr. Duncan said it came through curriculum consortium that provided CC opportunities for staff.

00:57:48 Sen. Facey excused panel and thanked them, and welcomed the next panel.

Class C Caucus

Ann Hokanson, School Board Trustee, Harrison Public Schools
Scott Chauvet, Superintendent, Fort Benton Public Schools

00:59:24 Ann Hokanson gave a presentation on where the Harrison School and Montana is sitting nationally in education.

01:03:24 Scott Chauvet gave a presentation on his school district. Would like to change MCA 20-5-201. Believes SB 175 has had a positive effect in his district.

Committee questions

- 01:11:53 Sen. Lewis asked Mr. Chauvet his thoughts on early childhood education.
- 01:12:23 Mr. Chauvet commented on early childhood education. It is vital to get kids started off right. Discussed preschool education. Supports early education for children.
- 01:13:57 Sen. Facey said it's the parents' choice to put kids in kindergarten? Mr. Chauvet answered, yes. To Ms. Hokanson he broached the idea that permissive levy's for transportation might not sit well with the taxpayer.

Class A Caucus

Tonia Bloom, Board Vice Chair, Corvallis Schools

Curtis Smeby, Trustee, Havre Public Schools

Kelly Dey, Board Chair, Sidney Public Schools

Dexter Thiel, Sidney School Trustee

Mike Longbottom, Trustee, Laurel Public Schools - couldn't make it

- 01:17:13 Tonia Bloom addressed three issues: the impact of enrollment fluctuation, the implementation of Common Core standards, and the impacts of SB 175.
- 01:25:11 Curtis Smeby discussed flexibility, Common Core, planning grants, dual education, the Bakken area issues. He supports professional development.
- 01:32:35 Kelly Dey said she's learned much from participating in the K-12 vision group and the MTSBA delegate assembly, as well as the A Caucus group.
- 01:40:12 Dexter Thiel talked about the limitation of school funding. Need to have more local control. Give them ability to run their schools.

*Written comments from Mike Longbottom, Laurel School District, were distributed to the committee and listed as **(Exhibit 4)** but not read.*

Committee questions

- 01:46:39 Rep. Solomon asked Ms. Bloom how she develops curriculum and if she is having trouble finding number of companies when aligning your curriculum with the new textbooks.
- 01:47:25 Ms. Bloom said because of Common Core, the text book companies have responded and textbooks are available and align to those standards.
- 01:48:23 Rep. Solomon asked if these could be aligned with the local board with local control in what you want to teach?
- 01:48:35 Ms. Bloom discussed content standards. There's a huge amount of local latitude on what you want to teach already.
- 01:49:30 Sen. Facey to Mr. Thiel. What specific suggestions from legislature do you have to do your job? Need specifics.

01:50:00 Mr. Thiel said that #1, need ability to move funds to use where needed; #2 not have so much regulation coming out of Helena that ties the hands of our teachers ie., testing, inability to use the bus fund, ability to bond.

Independent Elementary Caucus

Scott Walter, Trustee and Board Chair, East Helena School District

Darren Strauch, Superintendent, Monforton Elementary

Tobin Novasio, Superintendent, Lockwood Elementary

01:53:27 Mr. Walter surveyed the Independent Elementary Caucus and its diversity.

01:57:45 Mr. Strauch said his story is different from other districts across the state. Discussed increased enrollment. Excited about passage of SB 175 for bond capacity.

02:03:31 Mr. Novasio said that their defining characteristics are their diversity and size. The challenge for Lockwood is having no commercial property to contribute to the tax base. Thinks Common Core is good and will be a common measuring stick.

Committee questions

02:11:59 Sen. Rosendale for Mr. Strauch: Discussed one student for every three homes. What is demographic? Are there more retired people in your district?

02:12:29 Mr. Strauch said not necessarily, he discussed first-time home buyers or parents who have graduating students. Not in the K-8 range.

02:13:07 Sen. Facey asked about possibility of voluntary consolidation within the independent K-8's. He's interested in working with them on this issue if they can avoid creating more districts.

02:14:58 Mr. Walter appreciates Facey's comment. Current law says they can't go in that direction (expansion to K-12 level). He spoke to expanding, not adding to School Districts.

02:17:11 Sen. Rosendale said that it is critical to keep consolidation of schools and consolidation of districts as two separate discussions.

02:17:33 Rep. Hansen asked Mr. Walter where we are on the issue of getting a High School in East Helena.

02:18:13 Mr. Walter said that yes, there are things going on. The Montana School Board Association is working on that. East Helena and the Helena School District is meeting as well.

02:19:47 Rep. Hansen for Mr. Meloy. Following up on Mr. Walter's comment, when will we be able to start looking at where this is going?

- 02:20:23 Mr. Meloy replied, soon. The Association has received some direction from its members on this issue. They hope to have resolution for a bill by end of interim.
- 02:21:21 Rep. Hansen asked that while they are in this process they make sure to stay focused on needs of kids more than focus on needs of district. Would like an update as soon as possible.

Class AA Caucus

Wendy Tage, Trustee and Board Chair, Bozeman School District
Libby Goldes, Board Chair, Helena School Board
Mary Sheehy Moe, Board Chair, Great Falls School District (via phone)

- 02:23:13 Ms. Tage gave a report on what is happening in the Bozeman School District.
- 02:29:45 Ms. Goldes gave a presentation on what is happening in the Helena District. She talked about infrastructure needs and safety of the students in the schools.
- 02:39:38 Ms. Sheehy Moe discussed the emphasis of SB 175 to use data for student achievement. She gave 4 points of getting good data.

Committee questions

- 02:45:49 Sen. Facey asked Ms. Sheehy Moe about Great Falls buying a program to share data or did they contract with someone?
- 02:46:24 Ms. Sheehy Moe said they have not purchased it. Working with Silverback and Mile Post and interested in a source called Guru.
- 02:47:35 Rep. Hansen asked Ms. Tage if she would be willing to provide the secretary with her written comments. She commented more on "feeder" districts and requested they consider a plan B.
- 02:50:11 Ms. Tage responded.
- 02:51:08 Rep. Hansen said it might be interesting to see it as a case study situation.

Public Comment on School District Panels

- 02:51:51 Barbara Rush, Helena Resident and retired teacher, distributed written comments on Common Core (**Exhibit 5**). She asked the legislature to hold hearings about the implementation of Common Core.
- 03:00:49 Madalyn Quinlan - Chief of Staff of OPI commented on the data issues. There was also discussion of the increased data collections required by OPI and this was in response to legislation passed in the 2011 session (SB 329). Acknowledged the challenge for school districts and OPI in response to that Bill.
- 03:02:34 Dexter Thiel is concerned about the time clerks and superintendents are spending in (TEAMS) data reporting. Need more flexibility for school days.

- 03:04:19 Laurie Gilbert Lee, Labor and Delivery Nurse - Billings - commented on the negative effect Common Core is having on her daughter's learning experience. Distributed sample of her daughter's work ([Exhibit 6](#)).
- 03:11:58 Tonya Shellnut - State Director for Concerned Woman for America of Montana - said if Montana is already scoring so high in math and science, why did we take money away from other programs and put it into an untested program (Common Core)? Her second comment concerned the smarter balance consortium.
- 03:14:00 Karen Cox, Billings - home school Mom. She came to speak out against Common Core and talk about taking the choice away from parents on how they teach their children. Don't take that parental right away.
- 03:20:37 Susan McGrath, Bozeman, parent of 8th grader and School Board Member in the Bozeman School District. Rigor and relevance in Common Core has been outstanding for her gifted daughter.
- 03:22:56 Cindy Brooks, grand-parent of 5th grader from Eureka, is not pleased with Common Core. She is concerned with the loss of state and local control.
- 03:32:53 Rhonda Keeser, Billings, sees common sense lacking in Common Core. She sees the implementation of Common Core without a plan, oversight or funding, as broken.
- 03:34:41 Kathy Titchbourne, parent from Eureka, She and others were never invited to comment on Common Core.

BREAK

- 03:54:59 Reconvened at 4:59 p.m.
- 03:55:10 Sen. Facey adjusted the agenda - after consulting with OPI they will move their presentation to the April meeting.

SB 175 FISCAL IMPACTS REPORT - Rob Miller, Nick Brown - LFD

- 03:56:44 Robert Miller - Legislative Fiscal Division - gave the report on the SB 175 Fiscal Impacts ([Exhibit 7](#)). He discussed inflation in excess of inflation.
- Committee questions
- 04:06:53 Rep. McClafferty asked about payment from state for data achievement - 100% from the general budget? Mr. Miller answered, yes.
- 04:07:12 Sen. Moore asked about a figure addition in Table One, total fiscal impacts = 64.4 million total increase over inflation for the two bienniums?
- 04:07:35 Mr. Miller said yes, for 2 bienniums. This is the state's share.

- 04:08:00 Sen. Moore if using that figure - \$64 million of the state share what would that be roughly on a percentage basis?
- 04:08:15 Mr. Miller referred to the Appendix...asked if he meant in excess of basic entitlement or total school funding?
- 04:08:41 Moore said he is looking for \$64 million as a percentage of the total state share of school funding.
- 04:08:57 Mr. Miller referred to last page in Appendix and said that the total general fund budget is a little more than a billion.
- 04:09:51 Sen. Rosendale wants a list of where the 67 elementary schools, the 7 middle schools, and the 7 high school districts received the incremental increase to the basic entitlement.
- 04:10:10 Mr. Miller answered yes, it might take several days to get that.
- 04:10:38 Nick Brown, LFD, discussed concentric circles, page 4 of report ([Exhibit 7](#))
- Mr. Brown and Mr. Miller distributed supplemental handouts on February 4, 2014, to address committee questions: "Direct State Aid in of Excess Inflation," "Oil and Gas Revenue in Excess of 130% of Max Budget," and "Oil and Gas Revenue Distribution." If you are interested in reading these reports click [Here](#).

Public Comment on Fiscal Impacts Report

There was none

FOLLOW UP ON 20-7-101, MCA - STANDARDS OF ACCREDITATION

- 04:15:46 Mr. McCracken referred the committee to the K-12 School Accreditation Standards Report ([Exhibit 8](#)) provided a quick review and discussed the current law and what we are trying to abide by as accreditation standards are adopted or amended.
- 04:21:04 Mr. McCracken discussed the 6 questions that arose in the September 2013 meeting regarding the process for adopting accreditation standards found in 20-7-101, MCA. Discussed possible options found at bottom of page 6 of the report.
- Committee questions
- 04:26:47 Sen Facey talked about constitutional question about the Board of Public Education.
- 04:27:18 Sen. Lewis commented about the people who come to each meeting to express concerns about Common Core, and as it stands now, the Board of Public Education has the constitutional authority to adopt those standards, and until there's a constitutional change, it seems like a moot point.

- 04:28:04 Sen. Facey said Sen. Lewis is correct, but we will always have that tension between the 3 branches of Government.
- 04:28:29 Sen. Rosendale said possibly except it is still our obligation to determine allocation of funds. If OPI unilaterally changes curriculum without public input, then it is our obligation to de-fund these things.
- 04:29:17 Sen. Facey mentioned that within the last 15-20 years we had a Constitutional Amendment to move OPI under the Governor's office and the same with the Regents. It was put before the voters and rejected.

Public Comment on Standards of Accreditation

- 04:29:57 Tonya Shellnut for Concerned Woman of America, Montana asked how we can leave the authority to determine what's best for our kids to one entity? Please don't take this lightly.
- 04:32:01 Deborah Lamm said we went over this in June and if we look at the Constitution, Article X, she believes the Legislature does have ability to look at Common Core. She talked about the fiscal impacts of Common Core.

Meeting Adjourned

- 04:35:29 Sen. Facey adjourned the meeting at 5:39 p.m.