

BOARD OF PUBLIC EDUCATION

January 7, 2005

Testimony to Appropriations Joint Subcommittee on Education:

By: Steve Meloy/ Executive Secretary to the Board of Public Education

Representative Franklin and Members of the Education Appropriations Subcommittee:

For the record, my name is Steve Meloy, Executive Secretary of the Board of Public Education. I am here today on behalf of the members of the Board, the children in our public schools and the State of Montana. Thank you for this opportunity to appear. I do have some general comments I would like to make to the committee and certainly would respond to any questions you might have. The purpose of this testimony and accompanying handout is to give you a general background about the board and its activities.

The Board of Public Education exists because of Constitutional law. **Article X, Section 9** states; "There is a board of public education to exercise general supervision over the public school system and such other educational institutions as may be assigned by law."

Some of the statutory powers and duties of the Board are as follows:

- Effect an orderly and uniform system for teacher certification (licensure).
- Consider all matters of discipline for licensed teachers.
- Administer and order the distribution of BASE aid (general fund).
- Adopt and enforce uniform standards for school buses.
- Approve or disapprove a reduction of the number of hours in a district's school day.
- Adopt standards of accreditation and establish the accreditation status of every school.
- Adopt policies for the conduct of special education.
- Adopt rules for assessment in the public schools.

In 1998, the Board of Public Education initiated a four-year project to completely revise all of its categories of accreditation in order to assure that all school programs would result in quality educational opportunities for all of Montana's children. Montana educators convened in Helena over the course of these revisions and the Board adopted revised sections in each of the four years beginning in the fall of 1998. This timely revision, approved by the Board, has positioned the state to find compliance with the requirements of the Federal Elementary and Secondary Education Act easier.

In 2002, at the culmination of a two-year review, the Board adopted a rule to completely overhaul the certification standards for teachers to assure that our teaching workforce remains one of the best in the United States.

In 2003 the Board of Public Education overhauled its Distant Learning rules to remain contemporary with the rapidly changing technology regarding online teaching.

The Board of Public Education is a seven-member, governor-appointed board and meets eight times a year. In addition, the Board is required by law to meet two times annually with the Montana Board of Regents of Higher Education as the Board of Education. The Board oversees all the operations of the Montana School for the Deaf and Blind as its "school board", and has planning and coordinating responsibilities with the State Historical Society, the Montana Arts Council and the State Library Commission. The Board also provides oversight to two important advisory councils, which are the Montana Council on Indian Education and the Certification Standards and Practices Advisory Council.

The Board is currently in the third year of its five-year plan, which began in July 03 and will extend through July 08. The major goals of the plan include:

- Ensure that all school districts successfully implement and meet Montana's education standards.
- Ensure that Montana public schools have a highly qualified workforce.
- Create clear pathways for students to become life-long learners.
- Work toward the adequate funding of a quality Montana public education system to ensure that students and schools achieve/perform to high academic standards.

The Board has been an active participant in the K-12 Public School Renewal Commission, created by HB 736 of the 2003 Legislative Session. The Commission was an outgrowth of a position paper that the Board of Public Education published seeking a comprehensive, holistic approach to resolving some of the equity and quality challenges facing our system of public education. I have provided by mail a copy of the results of the Renewal Commission but have a few copies with me today for distribution. Additionally, the board and its staff have been major partners in the resurrection of the meeting of the Board of Education, which is the combination of the Board of Regents and the BPE, chaired by the governor. The Board of Education has established four working committees to facilitate the discussion and policymaking efforts of both boards in creating a seamless approach in the way we generally supervise our P-20 systems.

Two major court decisions which have had recent attention impacting and involving the board include the Helena Elementary v. State, 236 Mont. 44, 57 (1989) decision, which established the Board of Public Education's Accreditation Standards as the foundation upon which a quality education must be built. A second decision was the Montana Board of Public Education v. Montana Administrative Code Committee, Order and Decision, Cause No. BDV-91-1072, 1st Judicial District (1992), which was not appealed to the Supreme Court, which established the Board of Public Education as a constitutional rule making body with self executing authority to generally supervise the state's system of public education.

The budget changes for the Board of Public Education for the 07 biennium are fairly straightforward. The appropriation increases over the base year are primarily due to present law adjustments in personal services to correct a coding error and increases in board travel to allow the Board of Public Education to participate with the National Association of State Boards of Education and to provide travel and per diem for two additional meetings a year to allow the Board of Public Education to meet with the Board of Regents as the Board of Public Education. Additionally, we are requesting appropriation for the Board's Research Fund to be consistent with available special revenue for use by the Board. The annual expenditure from the Research Fund varies dramatically from year to year based on need. To tie 07 appropriation to FY 04 base would prevent the Board from utilizing special revenue dollars for projects which occur during the biennium. The Board appreciates your favorable consideration to these adjustments.

It is important to point out that the Board of Public Education is probably the smallest agency in state government but oversees and impacts over 500 million dollars of general fund spending. As I hope you concluded in viewing the actions of the Board over the past biennium, that this Board is one of the most dedicated, professional, and well-balanced boards I have ever had the pleasure to work with. They are most anxious to continue a leadership role in a serious effort to solve many of the problems facing education today. Funding their ability to work at an appropriate level will not jeopardize their constitutional and statutory mandates.

The Board works very hard and is proud of its accomplishments toward the betterment of education in Montana. We appreciate this opportunity to meet with the Education Appropriations sub-committee and offer our assistance and cooperation through the coming session and beyond.

