



## **Fiscal Note Request HB0314, As Introduced**

(continued)

contract is \$2.5 million per year. It is estimated that to add 3 more high school grades to the Reading and Mathematics assessment will cost at least \$750,000 year.

4. Estimates gathered by OPI from test contractors for a writing assessment in grades 3-12 range from \$12 per student to \$18 per student. The test would be aligned to Montana's content and performance standards for writing and would be scored by Montana teachers, who would benefit from scoring the tests and learning how the curriculum might be adjusted to improve student outcomes. For the purposes of this fiscal note, it is assumed that the cost of the writing proficiency assessment is \$12/student for 112,300 students in FY 2006 and for 111,300 students in FY2007. The cost would be \$1,347,600 for FY 2006 and \$1,335,600 for FY 2007.
5. HB 314 states that a student may not be promoted to the next grade level for a subject within the basic system unless the student scores at or above average in Reading, Mathematics, and Writing. While the distribution of scores may not follow a bell shape, it is reasonable to expect that roughly half the students will not score at or above the state average on the individual tests. It is also reasonable to expect that a significant number of students will be promoted in one or two subjects, but not all three subjects. This situation is likely to result in a major shift in how the curriculum is structured and instruction provided.
6. HB 314 makes the accreditation standards advisory.
7. HB 314 allows school districts with fewer than 25 students per grade to send their students with disabilities to a larger school for the purpose of receiving services beyond those provided by the basic system. Based on information submitted through the Special Education Child Count, 2,104 students in 421 schools that would be affected by this provision. Under HB 314, if their school district chooses to send them to another school, the student's parents are responsible for paying the transportation costs.

### EFFECT ON COUNTY OR OTHER LOCAL REVENUES OR EXPENDITURES:

#### **Office of Public Instruction (OPI)**

The requirements of HB 314 is likely to result in shifting of student enrollments away from the smaller districts and toward the larger districts for students with disabilities.

#### **Montana Association of Counties (MACO)**

Section 4 (27) would require the county superintendent of schools to administer achievement tests to students in grades 3 through 12. The bill does not specify what entity is responsible for the cost of the required testing. If this is to be a county cost, the impact will be significant. If the schools are responsible for the costs of the test, the impact to the county would be greatly mitigated, however the county superintendent would still be responsible for administering the test, which also would have a significant impact on all county superintendents. Without test costs or number of pupils to be tested, it is difficult to quantify the costs to counties.

### TECHNICAL NOTES:

#### **Office of Public Instruction (OPI)**

1. Given that the existing federal testing requirements for grades 3-8 and 10 will be met by using a criterion-referenced test (CRT), it would be more appropriate to base grade promotion and retention decisions on a student's progress in meeting a benchmark (or criterion) such as the state's content and performance standards in Reading and Mathematics. The purpose of a CRT is to measure progress against a standard rather than to compare a student's progress to an average or a peer group.
2. HB 314 amends 20-5-321(1)(f) to require mandatory attendance for special education students where enrollment in grades is less than 25, but 20-324(7)(b) requires parents to pay transportation costs. This provision is in conflict with the requirements for Free, Appropriate Public Education – parents have no school choice.

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3. Salaries in larger districts tend to be higher – additional staff would be necessary to meet the Free Appropriate Public Education (FAPE) obligations leveled against A and AA schools. B schools may not be able to add students with disabilities to their facilities without remodeling or adding staff.
4. Montana would jeopardize federal funding if it violates the federal stipulations for receiving \$30 million annually from the Individuals with Disabilities Education Act. If Montana determined that it no longer wanted IDEA Part B funds, the state would still need to meet the mandates under the Rehabilitation Act, Section 504 and the Americans with Disabilities Act. That would mean replacing lost federal funds with state dollars.
5. Section 2 (6) define a “Career education” as specialized program and curricula above a basic system. It is unclear what comprises these programs and therefore any potential costs for these programs would be unknown.