

1 _____ BILL NO. _____

2 INTRODUCED BY _____
3 (Primary Sponsor)

4 A BILL FOR AN ACT ENTITLED: "AN ACT DIRECTING THE STATE BOARD OF EDUCATION TO
5 COORDINATE THE OFFERING OF COLLEGE-LEVEL COURSES TO HIGH SCHOOL STUDENTS;
6 REQUIRING THE BOARD OF PUBLIC EDUCATION TO ADOPT POLICIES FOR COLLEGE-LEVEL COURSES
7 FOR WHICH STUDENTS RECEIVE BOTH HIGH SCHOOL AND COLLEGE CREDIT; AMENDING SECTIONS
8 20-2-101, 20-2-121, AND 20-32-102, MCA; AND PROVIDING AN EFFECTIVE DATE."

9
10 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:

11
12 **Section 1.** Section 20-2-101, MCA, is amended to read:

13 **"20-2-101. Combined boards as state board -- budget review -- officers -- meetings -- quorum. (1)**

14 The board of public education and the board of regents meeting together as the state board of education ~~shall~~
15 ~~be~~ are responsible for long-range planning and for coordinating and evaluating policies and programs for the
16 public educational systems of the state. The state board of education shall review and unify the budget requests
17 of educational entities assigned by law to the board of public education, the board of regents, or the state board
18 of education and shall submit a unified budget request with recommendations to the appropriate state agency.
19 As part of the responsibility for coordinating and evaluating policies and programs for the public educational
20 systems of the state, the state board of education shall coordinate the offering of college-level courses to high
21 school students.

22 (2) The governor is the president of, the superintendent of public instruction is the secretary to, and the
23 commissioner ~~shall be~~ is a nonvoting participant at all meetings of the state board of education.

24 (3) The state board of education may select a member to chair its meetings in the absence of the
25 governor.

26 (4) A tie vote at any meeting may be broken by the governor.

27 (5) A majority of members appointed to the board of public education and the board of regents ~~shall~~
28 constitute a quorum for transaction of business as the state board of education.

29 (6) The board of public education and the board of regents shall meet at least twice yearly as the state
30 board of education.



1 (7) Other meetings of the state board of education may be called by the governor, by both the secretary
2 to the board of public education and the secretary to the board of regents, or by joint action of eight appointed
3 members, four each from the board of public education and the board of regents. All meetings of the state board
4 of education ~~shall~~ must be for the purposes set forth in subsection (1) ~~above~~ or for the purpose of considering
5 other matters of common concern to the board of public education and the board of regents, but the state board
6 of education may not exercise the powers and duties assigned by the 1972 Montana constitution and by law to
7 the board of public education and the board of regents."

8

9 **Section 2.** Section 20-2-121, MCA, is amended to read:

10 **"20-2-121. Board of public education -- powers and duties.** The board of public education shall:

11 (1) effect an orderly and uniform system for teacher certification and specialist certification and for the
12 issuance of an emergency authorization of employment by adopting the policies prescribed by 20-4-102 and
13 20-4-111;

14 (2) consider the suspension or revocation of teacher or specialist certificates and appeals from the denial
15 of teacher or specialist certification in accordance with the provisions of 20-4-110;

16 (3) administer and order the distribution of BASE aid in accordance with the provisions of 20-9-344;

17 (4) adopt and enforce policies to provide uniform standards and regulations for the design, construction,
18 and operation of school buses in accordance with the provisions of 20-10-111;

19 (5) adopt policies prescribing the conditions when school may be conducted on Saturday and the types
20 of pupil-instruction-related days and approval procedure for those days in accordance with the provisions of
21 20-1-303 and 20-1-304;

22 (6) adopt standards of accreditation and establish the accreditation status of every school in accordance
23 with the provisions of 20-7-101 and 20-7-102;

24 (7) approve or disapprove educational media selected by the superintendent of public instruction for the
25 educational media library in accordance with the provisions of 20-7-201;

26 (8) adopt policies for the conduct of special education in accordance with the provisions of 20-7-402;

27 (9) adopt rules for issuance of documents certifying equivalency of completion of secondary education
28 in accordance with 20-7-131;

29 (10) adopt policies for the conduct of programs for gifted and talented children in accordance with the
30 provisions of 20-7-903 and 20-7-904;

1 (11) in coordination with the commissioner of higher education and the units of the Montana university
 2 system, adopt policies for offering courses for which high school students receive both high school and college
 3 credit;

4 ~~(11)~~(12) adopt rules for student assessment in the public schools; and

5 ~~(12)~~(13) perform any other duty prescribed from time to time by this title or any other act of the
 6 legislature."

7

8 **Section 3.** Section 20-32-102, MCA, is amended to read:

9 **"20-32-102. Agency cooperation -- responsibilities.** (1) To meet the objectives of the network, the
 10 following entities shall cooperate with one another:

11 (a) the department of administration, with its responsibilities for telecommunications for agencies of state
 12 government;

13 (b) the superintendent of public instruction, with a supervisory role over the public system of elementary
 14 and high schools; and

15 (c) the commissioner of higher education, with responsibilities to the Montana university system and the
 16 community colleges.

17 (2) The responsibilities of the superintendent of public instruction to the network include but are not
 18 limited to:

19 (a) general supervision of delivery of educational materials through telecommunications to elementary
 20 and high school districts in the state;

21 (b) compilation, maintenance, and dissemination to participating school districts of information that
 22 identifies the educational programming available from within and from outside the state;

23 (c) training of teachers and other school personnel in the use of telecommunications technologies for
 24 instructional purposes;

25 (d) assistance to school districts in identifying and procuring the telecommunications technologies
 26 needed to interface with the network;

27 (e) identification of production capability for telecommunication of educational materials;

28 (f) assistance to participating school districts with group purchases of instructional and educational
 29 materials;

30 (g) coordination with the commissioner of higher education and the units of the Montana university

1 system to offer advanced placement courses, teacher inservice training, and other instruction through the
2 network;

3 (h) payment of the superintendent's share of the network costs to the department of administration, as
4 provided in 20-32-104;

5 (i) coordination with the department of administration to ensure compatibility of network components,
6 to minimize duplication of efforts on behalf of the network, and to maximize use of the network by school districts;
7 and

8 (j) determination of kinds of equipment, inservice, and district accounting necessary to implement the
9 provisions of this part for school districts.

10 (3) The responsibilities of the department of administration to the network include but are not limited to:

11 (a) provision of technical support to the coordinating agencies referred to in subsection (1);

12 (b) development of standards of compatibility for the network;

13 (c) procurement and management of network equipment and facilities that have shared use by multiple
14 users or agencies;

15 (d) assistance with procurement, installation, maintenance, and operation of end-terminal equipment and
16 facilities of the network;

17 (e) minimizing any duplication of equipment and facilities within the network and in conjunction with the
18 department of administration's other networking capabilities;

19 (f) coordination of use of the network by state agencies, subdivisions of the state, and public libraries
20 in a manner that does not interfere with the delivery of the primary network function of providing educational
21 services to school districts and state units of higher education;

22 (g) studying the use of the network by Native American tribal colleges and other nonpublic education
23 institutions in the state, with the long-range goal of coordinating the use of the network with those entities; and

24 (h) maintenance of cost and usage records and a billing system for user agencies for services rendered
25 that incur marginal costs for the network.

26 (4) The responsibilities of the commissioner of higher education to the network include but are not limited
27 to:

28 (a) coordination of the use of the network among the units of higher education and with the
29 superintendent of public instruction and the department of administration;

30 (b) assistance to the units of the Montana university system to provide college credit courses through

1 the network to students throughout the state;

2 (c) coordination with the superintendent of public instruction to develop ~~advance placement~~ college-level
3 courses for high school students in Montana, teacher inservice training, and other services and instruction
4 through the network;

5 (d) assistance to the units of the Montana university system and the community colleges in defining their
6 specific needs for interfacing with the network;

7 (e) assistance to participating units, centers, and colleges with group purchases of instructional and
8 educational materials; and

9 (f) determination of the kinds of equipment, inservice, and accounting necessary to implement the
10 provisions of this part for the university system and community colleges."

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12 NEW SECTION. **Section 4. Effective date.** [This act] is effective July 1, 2007.

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