

Board of Public Education

Presentation to the

Education Appropriations Subcommittee

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Board of Public Education Overview

The Board of Public Education is a seven member, governor appointed board exercising general supervision over the K-12 public education system and is established by Article X Section 9 of the Montana Constitution. The Board typically meets 6 times a year to conduct business as the Board of Public Education and two times a year with the Montana Board of Regents as the Board of Education.

Duties prescribed to the Board of Public Education by Montana law.

The Board of Public Education shall:

1. Effect an orderly and uniform system for teacher, administrator and specialist licensure and for the issuance of emergency authorization of employment.
2. Consider the suspension or revocation of educator licenses and conduct hearings on appeals from the denial of educator licensure, or cases of material non-performance.
3. Administer and order the distribution of the BASE aid.
4. Adopt and enforce policies to provide uniform standards and regulations for the design, construction, and operation of school buses.
5. Adopt policies prescribing the conditions when school may be conducted on Saturday and the types of pupil-instruction-related days and approval procedures for those days.
6. Adopt standards of accreditation and establish the accreditation status of every school.
7. Adopt policies for the conduct of special education.
8. Adopt rules for issuance of documents certifying equivalency of completion of secondary education.
9. Adopt rules for student assessment in the public schools.
10. Serve as the school board of the Montana School of the Deaf and Blind.
11. Identify criteria for teachers receiving the Quality Educator Loan Assistance.
12. Perform any other duty prescribed from time to time by the Legislature.

The Board of Public Education's operating costs, in addition to personal services, include: travel and per diem for eight board members and seven members of the Certification Standards and Practices Advisory Council from around the state; an honorarium for certain board members that qualify; fixed costs; legal fees; conference room rentals; registration fees; and information technology costs.

As indicated in the LFD Budget Analysis, the Board of Public Education expenditures for FY 2014 were \$100,000 less than the amount of the legislative appropriation for the period. This savings was accomplished by leaving one FTE administrative position vacant for the biennium and redistributing the duties of the vacant position among the 3 BPE staff.

The greatest financial challenge for the Board is to allocate resources from within the small agency budget, to cover fees for agency legal services. The BPE is charged with responsibility for legal review of case files, the preparation and conduct of hearings of educator licensure

cases, legal review of existing and proposed administrative rules, legal analysis of federal, state and local laws and policies, and defense of legal actions filed against the agency.

The Board of Public Education is experiencing a growing need for legal services, and has been reluctant to access the necessary legal services, because there are no designated funds within the budget to cover legal expenses. The BPE, and by extension the state, are being exposed to additional legal risk by not utilizing necessary legal services. The Board of Public Education proposes to eliminate the one vacant FTE position from the agency in exchange for dedicated funds to pay for agency legal services.

Board of Public Education's Certification Standards and Practices Advisory Council

The Montana Legislature established the Certification Standards and Practices Advisory Council in 1987 to conduct research and make recommendations to the Board of Public Education on licensure issues pertaining to teachers, administrators and specialists; professional standards and ethical conduct; the status and efficacy of approved teacher education programs in Montana; and policies related to the denial, suspension, and revocation of educator licensure and the licensure appeals process. The Board of Public Education appoints its members. The council consists of seven members who serve three-year terms and meet four times per year.

Duties of the Council

- Conducts comprehensive reviews and recommends periodic updates to all the Montana educator licensure rules and the Montana professional educator preparation program standards.
- Serves as the review panel for all Class 8 Dual Credit Postsecondary Faculty Licensure applications.
- Adopts and maintains the Montana Professional Educator Code of Ethics.
- Assists the Board in establishing standards and policies on suspension, denial and revocation of educator licensure.
- Researches strategies to improve recruitment and retention of teachers, administrators, and specialists with on-site and distance delivered mentoring programs.
- Studies tiered licensure and other professional development models to enhance educator effectiveness.

Council Funding

The educator licensure fee in Montana is \$6 for each year of the term of the license. All licensure fees are deposited in a state special revenue account. In 1999, the Montana Legislature designated \$4 of each yearly certification fee for the operation of the Council. The Legislature appropriated the remaining \$2 of the fee for maintenance of the CSPAC Research Fund. This fund is to be used by the Council and the Board of Public Education to conduct research on the issues before the Council and the Board.