# MINUTES LOG
June 24, 2019
Room 102, Capitol Building
Helena, Montana

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Please contact the Legislative Services Division at 406-444-3064 for more information.

## COMMITTEE MEMBERS PRESENT
SEN. CARLIE BOLAND
SEN. EDIE MCCLAFFERTY
SEN. DAN SALOMON
SEN. RUSSEL TEMPEL

REP. FRED ANDERSON
REP. MOFFIE FUNK
REP. BRUCE GRUBBS
REP. CONNIE KEOGH
REP. SUE VINTON
REP. TOM WOODS

## COMMITTEE MEMBERS EXCUSED

**STAFF PRESENT**
PAD MCCRACKEN,  Research Analyst
LAURA SANKEY KEIP,  Staff Attorney
LAURA SHERLEY,  Secretary

**VISITORS' LIST** (**Attachment 1**)

**AGENDA** (**Attachment 2**)

**COMMITTEE ACTIONS**
The Education Interim Committee:
- adopted Legislative Council's Rules, Procedures, and Guidelines for Interim Committees with the changes to use simple majority for committee motions excepted for the adoption of committee bills which will require a 2/3 majority;
- elected Rep. Anderson as the presiding officer; and;
- elected Sen. McClafferty as the vice-presiding officer.

**CALL TO ORDER AND ROLL CALL**
09:03:58    Sen. McClafferty called the meeting to order at 9:01 a.m. The committee secretary took roll (**Attachment 3**).

**MEMBER AND STAFF INTRODUCTIONS**
09:05:07    Rep. Anderson
09:05:43    Sen. Boland
09:06:11    Rep. Grubbs
09:06:59    Rep. Woods
09:07:38    Rep. Vinton
09:08:10    Rep. Funk
09:08:53    Sen. Salomon
09:09:17    Rep. Keogh
09:10:08    Sen. Tempel
09:11:15    Ms. Sherley
09:11:38    Mr. McCracken
09:13:03    Ms. Sankey-Keip
09:13:28    Sen. McClafftery

**COMMITTEE ADMINISTRATION**
09:14:13    Mr. McCracken (see Attachment 2)

**Budget overview**
09:16:43    Mr. McCracken

**Compensation and expense reimbursement**
09:19:03    Mr. McCracken (**Exhibit 1**) (**Exhibit 2**)

Committee questions
09:26:18    Sen. Boland asked for clarification on entitled versus required reimbursement claims.
09:27:35    Rep. Keogh asked for clarification on meal reimbursement claims.

## Rules, Procedures, and Guidelines for Interim Committees
09:28:49      Mr. McCracken (**Exhibit 3**)

Committee questions/comments
09:38:10      Rep. Funk commented on the recommended guideline for the committee's final report due date.
09:40:32      Rep. Funk asked if the committee's final report due date is required.

09:41:25      Mr. McCracken continued his presentation (see Exhibit 3).

## Committee discussion/adoption of rules
09:43:16      Committee discussion on proxy votes.
09:44:08      Sen. McClafferty asked for clarification on simple majority versus chamber majority vote options.
09:45:36      Sen. McClafferty asked what the committee's rules have been in previous interims regarding vote majority.
09:46:02      Sen. Boland asked for clarification on chamber majority vote.
09:47:27      Committee discussion on committee vote options.

## Motion
09:48:35      Rep. Anderson moved to accept simple majority for all committee votes except for committee bills which will require a 2/3 majority vote.

## Vote
09:48:50      The motion passed on an unanimous voice vote.

## Motion
09:49:12      Sen. McClafferty moved to adopt Legislative Council's Rules, Procedures, and Guidelines for Interim Committees (see Exhibit 3).

## Vote
09:49:36      The motion passed on an unanimous voice vote.

## ELECTION OF COMMITTEE PRESIDING OFFICERS
## Motion
09:49:58      Sen. Salomon nominated Rep. Anderson as presiding officer of the Education Interim Committee.

## Vote
09:50:25      The motion passed on an unanimous voice vote.

## Motion
09:50:36      Sen. Boland nominated Sen. McClafferty as vice-presiding officer of the Education Interim Committee.

## Vote
09:50:48      The motion passed on an unanimous voice vote.

**COMMITTEE OVERVIEW**
09:52:23      Mr. McCracken

**Committee background**
09:52:45      Mr. McCracken (**Exhibit 4**)

**Article X and constitutional considerations, roles, and responsibilities**
09:57:46      Mr. McCracken (**Exhibit 5**)
10:05:09      Ms. Sankey-Keip

Committee questions
10:08:53      Rep. Funk asked how old the Montana Constitution language is regarding
              Education and Public lands (see Exhibit 5).

10:10:14      Ms. Sankey-Keip continued the presentation.

Committee questions
10:11:50      Sen. McClafferty asked Ms. Sankey-Keip if the Board of Reagents makes
              decisions on what university system programs are initialized, changed or
              discontinued.
10:13:26      Rep. Woods asked Ms. Sankey-Keip if the Board of Reagents needs to approve
              the dissolution of a university system department.
10:14:05      Sen. McClafferty asked Ms. Sankey-Keip to provide information to the committee
              regarding the Board of Reagent's oversight.

10:14:26      Mr. McCracken continued the presentation (**Exhibit 6**).

**Overview of draft work plan**
10:16:51      Mr. McCracken (**Exhibit 7**)
10:20:57      Ms. Sankey-Keip
10:21:09      Mr. McCracken (**Exhibit 8**)

Committee questions
10:25:00      Sen. Salomon asked Mr. McCracken why a school would exceed their adopted
              budget and how it involves revenue bonds.

10:26:38      Mr. McCracken continue the presentation (see Exhibit 7) (see Exhibit 8).
10:28:28      Ms. Sankey-Keip (see Exhibit 7) (**Exhibit 9**) (**Exhibit 10**)
10:37:50      Mr. McCracken (see Exhibit 7) (**Exhibit 11**)
10:40:54      Joe Triem, Fiscal Manger, Legislative Fiscal Division (**Exhibit 12**) (**Exhibit 13**)
              (**Exhibit 14**)
10:59:32      Mr. McCracken (**Exhibit 15**) (**Exhibit 16**)

**BREAK** (Reconvened at 11:18 a.m.)

**OFFICE OF THE COMMISSIONER OF HIGHER EDUCATION (OCHE)**
11:18:21      Clayton Christian, Commissioner of Higher Education

**2019 Session review**
11:20:31       Comm. Christian

**OCHE/Board of Regents update and activities**
11:33:03       Tyler Trevor, Deputy Commissioner, Commissioner of Higher Education
11:46:51       Comm. Christian

Committee questions
11:50:36       Rep. Vinton asked Mr. Trevor to comment on non-transferrable credits and if the topic will be included in the shared services initiative. Angela McLean, Minority Achievement and K-12 Partnerships, OCHE, also responded to Rep. Vinton's question.
11:54:07       Rep. Funk asked if the number of students who go through the Career and Technical Education (CTE) program and get jobs in Montana are tracked.
11:56:24       Rep. Grubbs asked how the office is addressing large work force needs through their CTE programs.
12:00:46       Rep. Woods commented on start-up costs for higher education research labs and asked if Montana University System (MUS) is prepared to invest in new research labs.
12:06:17       Rep. Woods asked at which Montana university would the research labs be replaced and what effect would this have on the mental health research program.
12:08:06       Rep. Woods asked for further information on the OCHE's plan for research labs.
12:11:24       Rep. Woods commented on the programs and faculty involved with the state research labs.
12:14:11       Rep. Keogh asked Mr. Trevor for further information on the OCHE portal and their programs to invest in local students.

**LUNCH** (Reconvened at 1:17 p.m.)

**OFFICER OF PUBLIC INSTRUCTION (OPI)**
13:17:47       Elsie Arntzen, Superintendent of Public Instruction, introduced OPI staff to the committee.

**2019 Session review**
13:20:45       Superintendent Arntzen (**Exhibit 17**) (**Exhibit 18**) (**Exhibit 19**)

**OPI update and activities**
13:28:17       John Perkins, Legislative Liaison and Policy Director, OPI

**2019 LEGISLATION IMPLEMENTATION UPDATES**
13:35:37       Ken Bailey, Chief Financial Officer, OPI (see Exhibit 19)

Committee questions
13:41:20       Rep. Keogh asked if HB 351 (2019) has a sunset date.
13:41:45       Rep. Keogh asked if new applicants can be added to the transformational learning program or if the current participants will stay in the program until it expires.

13:42:45       Mr. Bailey continued his presentation.

Committee questions

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| 13:45:03 | Sen. McClafferty asked Mr. Bailey to comment on the implementation of the photo repository in SB 40 (2019). The question was redirected to Michael Sweeney, Chief Data Officer, OPI. |
| 13:46:31 | Sen. McClafferty asked Mr. Sweeney if the office contacted state schools to review if they can handle the implementation of SB 40. |
| 13:47:26 | Superintendent Arntzen commented on HB 351 and HB 387 and the FTE that was given to the department for the studies. |

## OFFICE OF PUBLIC EDUCATION (BPE)
13:50:15          Peter Donovan, Executive Director, BPE

## Introduction to BPE role and duties
13:52:14          Mr. Donovan (**Exhibit 20**) (**Exhibit 21**)

## BPE update and activities
13:58:08          Mr. Donovan

Committee questions

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| 14:02:41 | Rep. Funk asked for clarification on the administrative rule changes regarding national board certifications. |
| 14:03:54 | Sen. Salomon asked how long the certification process takes. |
| 14:05:16 | Rep. Keogh asked for clarification on the basic skills test and what effect it has on the participants existing certification. |

## Requests/suggestions for work plan
14:07:43          Mr. Donovan continued his presentation.

Committee questions

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| 14:19:47 | Rep. Anderson asked Mr. Donovan if he had comments on any of the legislation that would affect BPE and the program implementation by OPI. |

## GOVERNOR'S OFFICE UPDATE AND INPUT
14:21:24          McCall Flynn, Education Policy Advisor

Committee questions

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| 14:25:33 | Rep. Vinton asked for further information on the HB 732 (2019) program implementation. |
| 14:26:16 | Ms. Flynn continued her presentation. |

## STAKEHOLDER AND PUBLIC COMMENT ON WORK PLAN, INCLUDING HJ 56

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| 14:29:04 | Sen. Pat Flowers, SD 32 (**Exhibit 22**) |
| 14:36:15 | Kirk Miller, School Administrators of Montana (**Exhibit 23**) |
| 14:50:38 | Ms. McLean (**Exhibit 24**) (**Exhibit 25**) |
| 14:59:58 | Marco Ferro, Montana Federation of Public Employees |
| 15:05:08 | Sen. Salomon asked Mr. Ferro if students in the Education Rising program could get credits from the program. |
| 15:06:15 | Dianne Burke, Montana Quality Education Coalition (**Exhibit 26**) |

**BREAK** (Reconvened at 4:21 p.m.)

**WORK PLAN DISCUSSION**
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| 15:21:39 | Mr. McCracken asked for guidance on the committee's interim work plan. |
| 15:24:15 | Ms. Sankey-Keip reviewed the Department of Public Health and Human Services (DPHHS) proposal notice (**Exhibit 27**). |
| 15:24:55 | Committee discussion on DPHHS proposal notice. |
| 15:28:13 | Rep. Funk asked how long DPHHS has after receiving public comment to implement their proposal rule changes. |
| 15:29:48 | Sen. McClafferty asked how long DPHHS has been working on the new admnistrative rules and if there has been any input from school districts. |
| 15:31:24 | Sen. Salomon asked if there will be fiscal impact with the DPHHS proposal rule changes regarding lead testing. |
| 15:33:04 | Mr. McCracken reviewed the committee's work plan outline (see Exhibit 16) |
| 15:34:20 | Committee discussion on standing agenda items. |
| 15:37:39 | Mr. McCracken asked the committee for direction on HJR 56 |
| 15:37:56 | Committee discussion on HJR 56 |
| 15:43:25 | Committee discussion on other research topics |
| 15:48:55 | Sen. McClafferty asked for a presentation from OPI on assessment testing. |
| 15:49:44 | Mr. McCracken commented on the committee's topics discussion. |
| 15:51:27 | Sen. Boland asked for information on anti-bullying programs around the state. |
| 15:52:15 | Rep. Keogh asked if there was a bill carried during the 66th legislative session regarding a suicide prevention checklist. |
| 15:53:15 | Committee discussion on graduation age |
| 15:58:57 | Sen. Tempel asked for further information from each school regarding CTE and two-year programs. |
| 16:01:06 | Committee discussion on CTE |

**WRAP UP -- NEXT MEETING DATE AND AGENDA ITEMS**
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| 16:07:36 | Mr. McCracken |

Committee questions/discussion
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| 16:09:21 | Committee discussion on meeting dates |
| 16:25:02 | Sen. McClafferty asked if the committee can revise their mandatory duties. |

**PUBLIC COMMENT ON ANY OTHER TOPIC WITHIN THE COMMITTEE'S JURISDICTION**
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| 16:27:16 | Nik Griffith, Microsoft |

**ADJOURNMENT**
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| 16:30:00 | Rep. Anderson adjourned the meeting at 4:30 p.m. |

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