



EDUCATION INTERIM COMMITTEE 67th Montana Legislature

SENATE MEMBERS

Edith (Eddie) McClafferty
Shannon O'Brien
Daniel Salomon
Russel (Russ) Tempel

HOUSE MEMBERS

Fred Anderson
Moffie Funk
Ed Hill
Sara Novak
Linda Reksten
Tyson Running Wolf

COMMITTEE STAFF

Pad McCracken - Research Analyst
Bethany McDowell - Secretary
Laura Sankey Keip - Attorney

MINUTES LOG

March 15, 2022
Room 317
Helena, Montana

Please note: This document is a Minutes Log and provides annotation of the time elapsed between the beginning of the meeting and the time at which the item was presented or discussed, a motion was made, or a vote was taken. The narrative presented here is provided only as a guide to the audio or video recording of the meeting. The official discussion, motion, or vote is available on the audio or video archive of this meeting. The Legislature does not prepare a transcript of the meeting activities. The time designation may be used to locate the referenced discussion on the audio or video recording of this meeting.

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MEMBERS PRESENT:

Rep. Fred Anderson, Vice Chair (R)
Rep. Moffie Funk (D)
Rep. Ed Hill (R)
Rep. Sara Novak (D)
Sen. Shannon O'Brien (D)
Rep. Linda Reksten (R)
Sen. Daniel Salomon (R)
Sen. Russel (Russ) Tempel (R)

MEMBERS EXCUSED:

Sen. Edith (Eddie) McClafferty (D)
Rep. Tyson Running Wolf (D)

MEMBERS ABSENT:

EDUCATION INTERIM BUDGET COMMITTEE MEMBERS PRESENT:

Sen. Dan Salomon, Vice Chair
Sen. Kenneth Bogner
Sen. Shane Morigeau

Rep. John Fuller
Rep. Llew Jones
Rep. Connie Keogh
Rep. Jonathon Windy Boy
Rep. David Bedey, Chair

STAFF PRESENT:

Pad McCracken, Research Analyst
Katie Guenther, LFD Budget Analyst
Bethany McDowell, Secretary
Laura Sankey Keip, Attorney

AGENDA ([Attachment 1](#))

VISITORS' LIST ([Attachment 2](#))

COMMITTEE ACTION

CALL TO ORDER/ROLL CALL

08:37:07 Rep. David Bedey called the meeting to order at 8:37 AM. The committee secretary took roll for the Education Interim Budget Committee.

SCHOOL FUNDING CLEANUP

08:39:03 Sen. O'Brien made an announcement to the committee about the upcoming St. Patrick's Day parade in Butte.

NATIONAL CENTER ON EDUCATION AND THE ECONOMY (NCEE) AND NATIONAL CONFERENCE OF STATE LEGISLATORS (NCSL) PRESENTATION ON K-12 REDESIGN

08:41:26 Michelle Exstrom, Education Program Director for the NCSL, gave a presentation regarding a study on K-12 Education Redesign and introduced Jason Dougal, President and COO for the NCEE.

08:46:16 Mr. Dougal gave a presentation on anticipating and adapting to potential changes around the globe in education, labor, and industry. ([Exhibit 1](#))

Committee Questions

09:24:20 Rep. Fuller commented on Mr. Dougal's presentation by stating that he has concerns regarding the impediments to movement among income quintiles. Rep. Fuller followed by asking if Mr. Dougal could outline his goal for United States education.

09:26:55 Mr. Dougal responded to Rep. Fuller by stating that the Organization for Economic Cooperation and Development (OECD) measures academic resiliency. He followed by commenting on some of the impediments in the U.S. education system as well as his thoughts on the process for improving the Montana education system.

09:31:35 Mr. Dougal continued his presentation on efficient learning systems and structures.

Committee Questions/Discussion

- 09:44:00 Rep. Jones commented on the presentation by stating that to fix the education system there has to be an agreement on the end goal. Rep. Jones followed by stating his thoughts on how to begin that fix.
- 09:46:01 Rep. Reksten commented on her teaching experience and the division within Montana's education system. Rep. Reksten followed by stating that the focus for some teachers must change to be more united as well as more targeted toward their students' needs.
- 09:48:43 Rep. Fuller commented on the presentation by stating that Montana needs to work on funding the system so its methods can become more modern and relevant to current needs.
- 09:50:10 Rep. Windy Boy commented on the presentation by stating that progress in Indian Country is stagnant and that the number of citizens in poverty heavily affects the outcome of education.
- 09:54:11 Rep. Novak commented on the behaviors of educators and how the challenges they face are as important as funding. Rep. Novak also commented on standard assessments of students.
- 09:58:06 Sen. Tempel commented on the behaviors of students. Sen. Tempel asked Mr. Dougal whether he has seen a difference in respect from students in other countries.
- 10:00:08 Sen. Tempel asked Mr. Dougal when things in the education system began to change, drawing attention to his own experiences in school versus students in school today.
- 10:03:11 Mr. Dougal responded by addressing the committee's questions and comments.
- 10:04:17 Rep. Bedey commented on the dissatisfaction of the status-quo in Montana.

BREAK

RECONVENE

- 10:16:49 Rep. Bedey reconvened the meeting after the break.

KINDERGARTEN READINESS

Waterford Upstart Program

- 10:17:22 Rich Stombres, Senior Vice President of Government Relations at Waterford, gave a presentation on the upstart kindergarten readiness program in Waterford. ([Exhibit 2](#))

Committee Questions

- 10:32:08 Rep. Funk commented on the upstart program and how it prepares children for classroom readiness and emotional stability. Rep. Funk also commented on the parental coaching aspect of the program.
- 10:34:22 Rep. Fuller asked Mr. Stombres whether students are required to be online at a specific time of the day with this program. Rep. Fuller followed by commenting on the benefits of having parents more involved in this type of instruction.
- 10:35:08 Rep. Reksten asked Mr. Stombres whether the program was multi-lingual.

- 10:36:34 Sen. O'Brien asked Mr. Stombres what the typical cost per student is to participate in the program. Sen. O'Brien followed by asking how frequently the coaches meet with the parents.
- 10:38:22 Mr. Stombres answered by stating that the program is personalized to the child and the parent to fit their needs.
- 10:38:43 Rep. Bedey asked Rep. Jones about a comment he made regarding the education system that he believed was the best in the nation.

5-YEAR TRENDS

- 10:40:32 Paul Taylor, Budget Analyst at OPI, gave a presentation on the enrollment of children under 5 years-old in school and the trends observed regarding their enrollment. ([Exhibit 3](#))

Committee Questions/Discussion

- 10:47:10 Sen. Salomon asked Mr. Taylor about the numbers in the handout and their relation to COVID-19.
- 10:48:02 Rep. Bedey mentioned Montana law regarding children under the age of five enrolled in school and receiving ANB funding.
- 10:49:32 Mr. Taylor responded to Rep. Bedey by stating that the children are enrolled in kindergarten programs under special circumstances.
- 10:50:19 Mr. Bedey responded by stating the numbers he sees are contrary to the law in effect in Montana. Rep. Bedey suggested that OPI look further into the number of students under the age of five enrolled in non-kindergarten programs with ANB funding to ensure accordance with the law.
- 10:51:09 Mr. Taylor responded by stating the total number of students under the age of five enrolled in 2022 with ANB funding.
- 10:52:46 Rep. Bedey responded by stating the clarification of his concern and asked the Office of Public Instruction to correctly reflect enrollment counts that abide by the law.
- 10:54:03 Rep. Novak asked Mr. Taylor about the numbers on his data sheet and where those numbers come from. (See Exhibit 3)

SPECIAL EDUCATION FUNDING

- 10:57:06 Mr. McCracken introduced the topic of special education preschool funding. ([Exhibit 4](#))

Committee Questions/Discussion

- 11:02:15 Sen. O'Brien asked Mr. Taylor to clarify the type of student that is allowed to receive ANB funding from the state.
- 11:04:34 Rep. Bedey stated that there is a disconnect in the law regarding unfunded mandates at OPI. Rep. Bedey followed by stating that it is the committee's duty to correct them.
- 11:05:38 Rep. Reksten commented on HB 16 and the challenges that it faced due to budgeting. She followed her comment by stating the necessity of fixing the mandate.
- 11:07:01 Rep. Novak described the process of trying to get certain children evaluated and funded. Rep. Novak followed by stating that Montana is seeing more special needs children in general.
- 11:09:59 Rep. Fuller asked Rep. Novak if the definition of special circumstances is clearly defined by the law.

- 11:10:40 Rep. Novak answered Rep. Fuller by stating that she believes there is a disconnect between the need to provide special education for 3 and 4-year-olds and what the special circumstances are for early enrollment.
- 11:10:56 Rep. Fuller responded to Rep. Novak by stating that one of the tasks of the committee should be to define what the special circumstances are.
- 11:11:26 Rep. Bedey asked Mr. Taylor about the process of finding a remedy for the number of students, defining their circumstances, and distributing state funding for those students.
- 11:14:30 Mr. Taylor responded by clarifying the numbers in the data sheet and what their school hours and special circumstances mean when it comes to ANB funding. Mr. Taylor followed by asking Rep. Bedey if he had a suggested rate to calculate.
- 11:14:41 Mr. Bedey deferred his response to OPI. Rep. Bedey followed by stating that it could be food for thought for later.
- 11:16:10 Mr. Taylor responded to Rep. Bedey by clarifying the disproportionate cost readjustment and expenditures for students receiving pre-k services.

Public Comment

- 11:16:58 Emily Dean, Montana School Board Association ([Exhibit 5](#))
- 11:20:39 Caitlin Jensen, Zero to Five Montana

MONTANA STATE LIBRARY AND MONTANA LIBRARY ASSOCIATION PRESENTATION

- 11:26:06 Jenny Stapp, State Librarian, gave a presentation on the role that libraries play in education and the necessary funding required to keep them effective in education. ([Exhibit 6](#))

Committee Questions

- 11:36:54 Rep. Bedey asked Ms. Stapp to clarify the amount of funding the library is allowed to apply for.

MONTANA STATE LIBRARY AND MONTANA LIBRARY ASSOCIATION PRESENTATION

- 11:37:57 Continued presentations and testimonies from librarians in Montana.
- 11:38:05 Mark Wetherington, Director of Bitterroot Public Library, gave a presentation on required funding to keep libraries effective in the 21st century.
- 11:42:55 Lori Cannady, Director of Dillon Public Library, gave a presentation on the services offered by her library and the benefits of the public having access to those services.
- 11:52:34 Mary James, Library Director of George McCone Memorial County Library, gave a presentation on local resources connected to libraries.

Committee Questions

- 11:59:09 Rep. Funk asked the panel for an update on the grants they receive. Rep. Funk followed by asking what education is required to become a librarian and if those requirements are different than the ones required for public school librarians.
- 12:02:12 Ms. Stapp responded to Rep. Funk by stating that she will do research on the grants and get back to the committee. She followed by stating that some current services are not funded by the state. Ms. Stapp answered Rep. Funk's second question by describing the functions and work required for state librarians.

- 12:03:13 Rep. Fuller asked about the role that the American Library Association (ALA) plays in the recommendation of their library purchases. Rep. Fuller also asked the panel if their library boards actively participate in choosing their materials.
- 12:04:26 Ms. Cannady answered Rep. Fuller by stating that the library board does not participate in choosing their materials. Ms. Kennedy followed by stating that the library board's role is to support the library and the ALA sends out booklists for the librarians to choose from.
- 12:04:55 Rep. Fuller asked Ms. Cannady why the library board does not participate in the library book selections. He followed by asking Mr. Wetherington the same question.
- 12:05:40 Mr. Wetherington responded to Rep. Fuller by stating that the library board for his library does not select the materials either. He followed by describing their role and job description.

LUNCH

12:07:27 Reconvene at 13:02:30.

Reconvene

13:02:30 Rep. Bedey reconvened the meeting after lunch.

MONTANA DIGITAL ACADEMY

- 13:03:37 Jason Neiffer, Executive Director of the Montana Digital Academy (MTDA), Montana State Virtual School, gave a presentation on student satisfaction and the overall progress of academia at MTDA. ([Exhibit 7](#))
- 13:12:29 Mike Agostinelli, Assistant Director and Curriculum Director at MTDA, gave an update on student enrollment at MTDA, the factors that affect enrollment, and cost-sharing. (See Exhibit 7)
- 13:24:18 Mr. Neiffer gave an update on course development at MTDA, funded by the 2021 Legislature. (See Exhibit 7)
- 13:30:29 Anna East, Content Specialist and Student Supporter, gave an update on indigenous language and studies coursework at MTDA.
- 13:37:52 Mr. Neiffer made an additional comment on potential upcoming indigenous language courses at MTDA. He followed by stating that MTDA has experienced teacher shortages and other challenges that accompany digital/distance learning.

Committee Questions

- 13:45:31 Rep. Keogh asked the panelists about the funding for MTDA.
- 13:46:22 Mr. Agostinelli answered Rep. Keogh by describing the funding process and providers. Mr. Agostinelli followed by explaining cost-shares at MTDA.
- 13:49:55 Rep. Keogh commented on the presentation and the discoveries being made as an effect of implementing new programs.
- 13:50:23 Rep. Hill asked Mr. Agostinelli about assessing mastery and proficiency.
- 13:51:20 Mr. Agostinelli answered Rep. Hill by describing the beginning to end process of the classes, as well as describing the work of the teachers and how their feedback is indicative of a good learning experience.
- 13:54:07 Rep Hill asked the panelist about accreditation.
- 13:54:26 Mr. Neiffer answered Rep. Hill by stating that MTDA is not an accreditation academy.
- 13:54:50 Rep. Funk asked the panelists how MTDA courses are setup for students.

- 13:55:36 Mr. Neiffer answered Rep. Funk by stating that MTDA provides asynchronous courses, which to his knowledge, is better suited for state-wide learning. Mr. Neiffer followed by drawing attention to the challenges brought on by a lack of internet access across Montana.
- 13:59:55 Rep. Bedey commented on the presentation and the work the MTDA has done and plans to do.

BOARD OF PUBLIC EDUCATION (BPE) AND OFFICE OF PUBLIC INSTRUCTION (OPI) INPUT ON THE ACCREDITATION PROCESS BILL DRAFT

Accreditation Process Bill Draft

- 14:01:15 Mr. McCracken presented the bill draft and memo for accreditation standards. ([Exhibit 8](#))
- 14:04:56 Rep. Bedey made a comment on the standards and the requirement to add more funding when new standards are added.
- 14:06:23 Mr. McCracken continued his presentation of the draft bill for accreditation standards.

Committee Questions/Discussion

- 14:09:27 Rep. Funk asked if the budget committees were temporary.
- 14:10:10 Sen. Salomon asked about the intent of the bill draft in the legislature.
- 14:10:45 Rep. Bedey asked the Board of Public Education if they had anything to offer to the discussion on accreditation standards.
- 14:10:53 McCall Flynn, Executive Director at the Board of Public Education, commented on the bill draft and the accreditation standards. Ms. Flynn drew attention to specific lines within the draft and suggested language to clarify the intention of the bill.
- 14:13:59 Rep. Windy Boy asked Ms. Flynn if there has been improvement in the transfer of tribal college credits to other Montana colleges.
- 14:15:13 Ms. Flynn responded by stating that she did not have any exact information, but that she knew there was an effort from community colleges and tribal colleges to improve transfer credits.
- 14:15:22 Rep. Windy Boy asked Ms. Flynn if the Board of Public Education had any mechanism for language curriculums within the school systems.
- 14:16:37 Ms. Flynn responded to Rep. Windy Boy by stating that the Board of Public Education sets general content standards and that it is not in charge of requiring or mandating any curriculum that they use. Ms Flynn stated that curriculums are created by a school's board of trustees.
- 14:16:50 Rep. Bedey asked Ms. Flynn to continue to the conversation at the Education Interim Budget Committee meeting tomorrow where OPI will present.
- 14:17:23 Rep. Bedey asked Deputy Superintendent Sheryll Allen, from the Office of Public Instruction, if she had anything to offer to the discussion on accreditation standards.
- 14:17:33 Dep. Allen made a comment on the implementation of standards and the difference between content standards and curriculum.
- 14:20:20 Rep. Reksten asked Dep. Allen how OPI evaluates the standards being taught.

- 14:21:26 Dep. Allen answered Rep. Reksten by stating the standards have to check off so many boxes.
- 14:22:39 Rep. Bedey commented on Dep. Allen's remarks regarding the negotiated rulemaking process and costs of those rules.
- 14:23:51 Dep. Allen answered Rep. Bedey by stating that two-year negotiations are a necessary process because of the amount of research and depth that goes into it.
- 14:24:52 Rep. Bedey made a statement regarding the intent of the legislature to improve language and clarify the statute beforehand.
- 14:25:54 Rep. Reksten made a comment on the challenges surrounding content standards for teachers. Rep. Reksten followed her statement by asking how the standards will be assessed. Rep. Reksten suggested that the OPI clarify those standards for teachers as well as how they will be assessed.
- 14:27:39 Dep. Allen responded to Rep. Reksten by stating that OPI is working on how to better meet and serve the needs of schools and educators.
- 14:27:49 Rep. Windy Boy asked Dep. Allen how the process of rulemaking works at the OPI.
- 14:28:50 Rep. Windy Boy asked how the OPI makes the determination of who sits on the panel that will assess standards.
- 14:29:50 Dep. Allen responded to Rep. Windy Boy by describing the process of choosing panelists and making rules for standards.
- 14:31:11 Supt. Elsie Arntzen brought attention to the work that OPI has done in improving accreditation standards and stated her intent on ensuring that schools are not given an unfunded mandate.

OPI DATA MODERNIZATION PROJECT

- 14:33:46 Supt. Arntzen introduced Zam Alidina, project manager for Data Modernization at the OPI.
- 14:34:35 Mr. Alidina gave a presentation on Data Modernization and Project Status Overview. ([Exhibit 9](#))

Committee Questions

- 14:42:24 Rep. Funk asked Mr. Alidina about who will be leading the data task force.
- 14:43:02 Mr. Alidina deferred Rep. Funk's question to Supt. Arntzen.
- 14:43:28 Supt. Arntzen answered Rep. Funk's question by describing the process of supporting and enforcing the task force and who will be participating in it.

OPI DATA MODERNIZATION PROJECT

- 14:44:28 Mr. Alidina continued his presentation on Education Licensure System Project Status. ([Exhibit 10](#))

Committee Questions

- 14:53:54 None

BREAK

- 14:54:04 Reconvene at 15:17:20.

Reconvene

- 15:17:20 Rep. Bedey reconvened the meeting after the break.

IMPLICATIONS OF CI-121 ON SCHOOL FUNDING

15:17:38 Julia Pattin, LFD, and Megan Moore, LSD, gave an overview on CI-121 and its potential impacts. ([Exhibit 11](#))

Committee Questions

- 15:39:09 Rep. Bedey stated an observation that he made on CI-121 and school funding which drives the number of mills.
- 15:40:24 Mr. McCracken reviewed the CI-121 requests made by the Revenue Interim Committee to provide feedback from the Education and Education Budget Committee meeting discussions on the CI-121.
- 15:42:19 Rep. Bedey suggested a one-page letter of concerns and implementation regarding the CI-121.
- 15:42:36 Rep. Anderson responded on behalf of the Education Interim Committee that they agree with the one-page letter being written.

MODELING FUTURE EDUCATION EXPENSES

- 15:43:48 Katie Guenther, LFD, gave a presentation on the MARA Model that HB 330 will address.
- 15:55:19 Amy Carlson, Director of Legislative Fiscal Division, gave a presentation on Financial Modernization and Risk Analysis for K-12 redesign. ([Exhibit 12](#))

Committee Questions

- 15:58:55 None
- 15:59:05 Sen. Tempel addressed the committee with an announcement for a supper consisting of all products grown in Montana.

Public Comment on any topic within the committee's jurisdiction

- 16:00:56 Dennis Parman, Montana Rural Education Association
- 16:11:54 Bob Story, Montana Taxpayers Association

SCHOOL FUNDING LEGISLATION CLEANUP ISSUES

- 16:15:20 Mr. McCracken reviewed the school funding legislation cleanup memo. ([Exhibit 13](#))
- 16:18:01 Mr. Taylor discussed the issues with legislative language that needed to be changed in order to clarify the legislation.
- 16:20:08 Mr. McCracken requested committee approval to bring bill drafts to the committee in June of 2022.

Committee Questions/Discussion

- 16:20:50 Rep. Bedey began discussions with the committee and the committee's direction moving forward.
- 16:26:10 Rep. Funk commented on the decisions made by the committee and Rep. Bedey regarding the direction of the committee.
- 16:29:30 Rep. Bedey requested to send a letter to the Supt. of Public Instruction to ensure that the numbers of children receiving ANB funding follows Montana law.
- 16:30:46 Sen. O'Brien stated that she believed it was important to have representation for teachers at the next meeting. Sen. O'Brien requested that she aid Rep. Jones in representing the Education Interim Committee.

- 16:31:20 Rep. Bedey responded to Sen. O'Brien by stating that the initial meeting should be exclusive to constitutional decision-makers in order to accomplish the committee's goals.
- 16:32:31 Rep. Anderson stated that there will be an opportunity for public comment at the meeting, so those who wish to will be heard.
- 16:32:50 Rep. Funk agreed that the first meeting should be confined to constitutional decision-makers.
- 16:34:05 Sen. Tempel commented on taxes being given to education systems.

ADJOURNMENT

- 16:35:10 Rep. Anderson adjourned the meeting at 16:35:10.