EDUCATION INTERIM COMMITTEE
67th Montana Legislature

SENATE MEMBERS
Edith (Edie) 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
June 14, 2022
Capitol Room 137/Zoom
Helena, Montana

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the meeting and the time at which the item was presented or discussed, a motion was made, or a vote was taken.
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can be viewed by clicking on the Exhibit of interest. All Exhibits are public information and may be printed.
Please contact the Legislative Services Division at 406-444-3064 for more information.

MEMBERS PRESENT:
Sen. Edith (Edie) McClafferty, Chair (D)
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:
Rep. Tyson Running Wolf (D)

MEMBERS ABSENT:

STAFF PRESENT:
Pad McCracken, Research Analyst
Bethany McDowell, Secretary
Laura Sankey Keip, Attorney

MONTANA LEGISLATIVE SERVICES DIVISION STAFF: SUSAN BYORTH FOX, EXECUTIVE DIRECTOR • SONJA NOWAKOWSKI, DIRECTOR,
OFFICE OF RESEARCH AND POLICY ANALYSIS • TODD EVERTS, DIRECTOR, LEGAL SERVICES OFFICE • DALE GOW, CIO, OFFICE OF
LEGISLATIVE INFORMATION SERVICES • JOE KOLMAN, DIRECTOR, LEGISLATIVE ENVIRONMENTAL POLICY OFFICE • ANGIE CARTER,
FINANCIAL SERVICES MANAGER
CALL TO ORDER/ROLL CALL
08:30:24 Sen. Edith (Edie) McClafferty-D called the meeting to order at 8:30 AM. The committee secretary took roll.

OPENING REMARKS
08:31:39 Pad McCracken, Research Analyst for EDIC, went over the agenda with the committee. (See attachment 1)

ADMINISTRATIVE RULE REVIEW - Laura Sankey Keip, Staff Attorney for EDIC
08:33:43 Ms. Sankey Keip (Exhibit 1)

AGENCY REQUESTED LEGISLATION REFRESHER
08:35:36 Mr. McCracken presented the Agency Bill request memo to the committee. (Exhibit 2)

Committee Questions for Mr. McCracken
08:40:13 Sen. O’Brien asked Mr. McCracken for clarification on committee approval for agency requested bills.

Agency Requested Legislation from Montana State Library Update
08:41:14 Jenny Stapp, State Librarian, gave an update on the status of bills that her agency requested. (Exhibit 3)

Committee Questions for Panel/Presenter
08:45:05 Rep. Reksten asked Ms. Stapp about funding for the requested legislation.

UPDATE ON LEAD IN SCHOOL WATER - Greg Montgomery, DEQ; BJ Biskupiak, DPHHS; Jay Phillips, OPI
08:46:53 Mr. Montgomery (Exhibit 4)

Committee Questions for Mr. Montgomery
08:58:59 Sen. McClafferty asked about schools that do not complete samples for testing lead.
09:00:29 Rep. Funk asked about informing schools about certain grants.
09:02:14 Rep. Novak asked about a list of schools who have not tested. The committee requested the list from Mr. Montgomery.

OFFICE OF PUBLIC INSTRUCTION
09:02:56 Mr. Phillips (Exhibit 5)
Committee Questions for Mr. Phillips
09:14:36 Sen. Salomon asked about the budget dates in his document. (See exhibit 5)
09:15:35 Sen. Salomon asked local control over funds and whether they need OPI approval.
09:16:06 Rep. Funk asked about OPI's work with ARPA.
09:18:29 Rep. Funk asked about funds that can be used to streamline the process of testing for lead.
09:21:00 Rep. Novak stated her understanding that money was set aside specifically for mental health.

MONTANA ART COUNCIL UPDATE - Tatiana Gant, Executive Director
09:22:50 Ms. Gant

Committee Questions for Ms. Gant

AGENCY REPORTS
09:38:42 Mr. McCracken went over the reports from agencies for the September meeting. (Exhibit 6)

Committee Questions for Mr. McCracken
09:40:00 Rep. Funk asked about the date that the final reports are due.

Recess
9:49:21 Reconvened at 10:00:39

OFFICE OF PUBLIC INSTRUCTION
10:01:25 Superintendent Elise Arntzen

PANEL: Recent Montana Teachers of the Year (TOY) Instructions and Input - Bill Stockton, 2022 TOY, Science Teacher at Arlee High School; Kristi Borge, 2021 TOY, Multi-Grade Elementary at Polaris School
10:04:34 Mr. Stockton

Committee Questions for the Panel
10:09:44 Sen. Salomon asked Mr. Stockton about 4-day weeks.

10:11:24 Ms. Borge

Committee Questions for the Panel
10:28:39 Sen. Salomon asked the panel about their approach to helping students who have fallen behind.
10:33:36 Sen. O'Brien asked the panelists to share their thoughts on some of the topics that were discussed during the June 6, 2022 meeting.
Rep. Novak commented on the challenges of meeting mental health needs for students and parents.

Rep. Reksten commented on county superintendents and potential support that they can give. She also commented on discussions from the June 6, 2022 meeting.

**OFFICE OF PUBLIC INSTRUCTION**

Supt. Arntzen

Paul Taylor, Budget Analyst for OPI, presented BASE Aid Estimate for FY 24-25 and a timeline for collecting the numbers. (Exhibit 7)

Committee Questions for Mr. Taylor


Sen. Salomon asked about the numbers on the document. (See exhibit 7)

Crystal Andrews, OPI, discussed the new educator licensing system with the committee. (Exhibit 8 - The presentation can be viewed in the video recording at 11:15:56.)

Committee Questions for Ms. Andrews

Sen. Tempel asked about the number of applications received by OPI.

Chris Sinrud, OPI, discussed report card access updates from OPI.

Chris Noel, OPI, continued the presentation on report card access updates. (The presentation can be viewed in the video recording at 11:29:03.)

Committee Questions for Mr. Sinrud and Ms. Noel

Sen. McClafferty asked how to compare school reports in the updated system.

Ashley McGrath, OPI, gave an update on the Montana Alternative Student Testing (MAST) pilot program. (Exhibit 9)

Committee Questions for Ms. McGrath

Rep. Reksten asked about the amount of time required to take MAST tests.

Rep. Reksten asked about timing for MAST tests.

Rep. Funk commented on teachers being a part of the testing plans.

Rep. Hill asked about an empathy interview and asked Ms. McGrath to explain what it is.

Carrie Gopher, American Indian Achievement Director at OPI, gave an update on HB 644. (Exhibit 10)

Dr. Julie Murgel, Chief Program Officer at OPI, gave an update on Chapters 55, 57, and 58. (Exhibit 11)

Committee Questions for Dr. Murgel

Rep. Reksten asked about funding related to the Ch. 55 Negotiated Rulemaking Committee.

Rep. Reksten commented on the Ch. 55 Committee's decision on eliminating programs.

12:33:58 Rep. Funk asked for clarification on social and emotional learning standards. She followed by asking how the negotiated rulemaking committee members are appointed.

**LUNCH**

12:36:14 Reconvened at 12:49:12

**RESIDENT STUDENT ACCESS UPDATE AND PORTAL DEMONSTRATION - Scott Lemmon, MUS Director of Admissions and Enrollment Strategy**

12:49:43 Mr. Lemmon (The web portal walkthrough can be viewed in the video recording at 12:50:18)

**Committee Questions for Mr. Lemmon**

12:56:05 Rep. Funk asked about the differences between career aptitude tests and the website portal.

13:01:57 Rep. Funk asked about information on the website that is similar to information found in the Montana Career Information System (MCIS).

13:04:30 Rep. Reksten asked about a tool on the website that helps high school students assess their strengths.

13:07:11 Sen. Tempel asked about dual enrolled students' ability to access the portal.

13:08:26 Sen. Salomon asked about all higher education opportunities showcased on the website.

13:11:00 Rep. Hill asked about counseling on the vitality of certain industries outlined in the portal.

**WORK SESSION AND DIRECTIONS TO STAFF**

13:14:38 Mr. McCracken asked the committee for input on the agency reports memo. (See exhibit 6)

13:14:58 Sen. McClafferty asked for a presentation on transformational learning programs and grown your own educator programs.


13:16:43 Rep. Reksten asked to hear more about the CTE program.


13:17:30 Sen. O'Brien asked to hear more on American Indian students on the reservations.


13:19:04 Mr. McCracken introduced the preliminary bill drafts that the committee will discuss. (See exhibits 12 and 13)


Sen. O'Brien stated the problem that the bill addresses.

Rep. Reksten asked about school districts using their budget to fund school meal co-pays.

Rep. Funk commented on renaming the program so that it doesn't imply a new entitlement.

Sen. McClafferty commented on student meal co-pays. She asked Mr. McCracken about individual legislators sponsoring a bill.

**COMMITTEE ACTION**

**Motion**

Rep. Funk moved for the committee to bring PD 12 into further consideration.

**Public Comment on PD 12**

None

**Vote:**


**WORK SESSION CONTINUED**

Ms. Sankey Keip discussed PD 13. (Exhibit 13)

Sen. Salomon asked Ms. Sankey Keip about insurance regarding passenger vehicles.

Lance Melton, MTSBA, responded to Sen. Salomon's question.


Rep. Reksten asked for clarifying language on the type of vehicle outlined in the draft bill. She followed by asking about ownership and insurance regarding the vehicle.

**Public Comment on PD 13**

Lance Melton, MTSBA

Paul Taylor, OPI

**WORK SESSION CONTINUED**

Rep. Hill asked Mr. Melton about the NHTSA rating for vehicles used for student transportation.

Sen. McClafferty stated that the committee will move forward working on this bill.

Ms. Sankey Keip discussed PD 14. (Exhibit 14)

Sen. Salomon asked about funding for the programs listed in the draft bill.

Mr. Phillips stood to respond to Sen. Salomon's question and presented a document discussing educator shortages and the Quality Educator Loan Assistance Program (QELAP). (Exhibit 15)

Rep. Reksten asked about the application of money from QELAP.

Rep. Novak asked whether the QELAP is presented as an incentive to educators.

Sen. Salomon commented on the intent of the bill.
Rep. Novak asked Ms. Sankey Keip about the appropriation amount of the funds.

Sen. Tempel commented on schools that qualified for QELAP under current legislation.

Rep. Hill commented on the necessity of bill draft changes.

Sen. Salomon asked Ms. Sankey Keip about a cap on the rates in the QELAP.

Rep. Reksten asked Mr. Phillips about funding for QELAP. She followed by commenting on retired teachers who are rehired to teach.

Public Comment on PD 14
14:13:40 Jay Phillips, OPI
14:14:03 Lance Melton, MTSBA
14:18:29 McCall Flynn, BPE
14:19:57 Diane Fladmill, MFPE

WORK SESSION CONTINUED
14:21:10 Sen. Salomon stated his preference on moving forward with the bill.
14:21:44 Work Session paused.

K-12 EMPLOYEE HEALTH BENEFITS - Dave Iseminger, Program Director for Public Employees Benefits Board and School Employees Benefits Board, Washington State Health Care Authority
14:22:14 Mr. McCracken (Exhibit 16)
14:33:17 Mr. Iseminger

Committee Questions for Mr. Iseminger
14:44:39 Rep. Funk asked about gathering different people to work together on the legislation.
14:49:33 Rep. Funk asked about Mr. Iseminger's ratio of public employees to school districts.
14:52:34 Mr. McCracken asked about the dynamic between city and county employees in Washington.

PANEL: Sarah Piper, Montana Federation of Public Employees (MFPE); Lance Melton, MTSBA; Amy Jenks, DOA
14:58:10 Ms. Piper (Exhibit 17)
15:11:53 Mr. Melton
15:28:28 Ms. Jenks

Committee Questions for the Panel
15:34:58 Sen. Salomon asked Ms. Jenks about districts joining the state pool. He followed by asking how to get all the districts into the pool.
15:40:06 Sen. Salomon asked about education funding earmarks.
15:48:12 Mr. McCracken discussed SB 69. (Exhibit 18)

Recess
15:49:31 Reconvened at 16:08:20

**HJ 47 STUDY OF EDUCATIONAL PROGRAMS FOR THE INCARCERATED**

*Board of Pardons and Parole – Chairman Steve Hurd*
16:09:49 Mr. Hurd

**Committee Questions for Mr. Hurd**

**PANEL: Department of Corrections – Scott Eychner, Rehabilitation and Programs Chief Executive; Gayle Butler, Montana Correctional Enterprises Administrator**
16:21:34 Mr. Eychner *(Exhibit 19)*
16:23:21 Ms. Butler

**Committee Questions for the Panel**
16:34:19 Rep. Anderson asked about transitioning tools for individuals who are pre-released on parole.
16:36:33 Rep. Reksten asked about classrooms at MWP.
16:40:05 Rep. Funk asked about access to web portals like Apply Montana and MCIS.

**Shelby Crossroads Correctional Center – Warden Pete Bludworth**
16:41:54 Mr. Bludworth

**Committee Questions for Mr. Bludworth**
16:42:06 Rep. Funk asked about the Crossroads Center HiSet program.
16:43:15 Rep. Funk asked about seeing the Correctional Center's pass rate for the HiSET. She also asked about certified teachers at the facility.
16:44:25 Rep. Funk asked about addressing the issues with the HiSet program.
16:48:46 Sen. McClafferty asked about the HiSET being offered at the facility.

**Public Comment on HJ 47 Study**
16:52:04 Kerri Crowe, Representative

**Committee Discussion on HJ 47**
16:55:00 Mr. McCracken

**WORK SESSION CONTINUED**
16:55:44 Mr. McCracken discussed PD 30. *(Exhibit 20)*
16:56:47 Mr. McCracken discussed PD 31. *(Exhibit 21)*

**Public Comment on PD 30 and PD 31**
16:59:57 Paul Taylor, OPI
WORK SESSION CONTINUED
17:01:35 Sen. McClafferty stated the committee's preference for moving forward with PD 30 and PD 31.
17:02:04 Mr. McCracken discussed PD 32. (Exhibit 22)
17:04:52 Sen. Tempel commented on PD 32.
17:05:12 Rep. Hill asked Mr. McCracken about changing the language in PD 32. (See exhibit 22)

Public Comment on PD 32
17:06:20 Kelsey Brown, Cut Bank, Cut Bank Schools

WORK SESSION CONTINUED
17:09:06 Rep. Funk commented on support from the schools.
17:09:52 Sen. McClafferty stated that Mr. McCracken will draft PD 32 to present at the September 2022 meeting.
17:10:08 Mr. McCracken discussed PD 33. (Exhibit 23)
17:14:02 Sen. Tempel commented on creating legislation for school systems operating outside of their districts.

Public Comment on PD 33
17:15:02 Mike Talia, Church, Harris, Johnson, and Williams Law Firm, Helena
17:16:43 Sharyl Allen, OPI
17:18:05 Paul Taylor, OPI
17:19:35 Lance Melton, MTSBA

WORK SESSION CONTINUED
17:25:35 Sen. McClafferty asked the committee about postponing the bill.
17:27:03 Mr. McCracken discussed PD 35 and PD 36. (Exhibit 24 and Exhibit 25)
17:34:45 Rep. Funk and Rep. Reksten commented on the language in PD 35. (See exhibit 24)
17:36:18 Rep. Reksten asked about defining "strategic plan" within PDs 35 and 36.

Public Comment on PD 35 and PD 36
17:41:40 Sharyl Allen, OPI
17:47:40 Lance Melton, MTSBA
17:55:13 McCall Flynn, BPE
17:58:13 Krystal Smith, OPI
18:01:30 Sen. McClafferty asked for volunteers to work with Mr. McCracken on draft legislation.

Public Comment on any Topic Within the Committee's Jurisdiction
18:02:45 None

REVIEW SEPTEMBER AGENDA TOPICS
18:02:55 Mr. McCracken (Exhibit 26)
18:03:14 Sen. O'Brien asked about a joint meeting with the Education Interim Budget Committee.
18:06:08 Sen. McClafferty commented on writing a letter to ARPA regarding school-funded programs.
18:06:42 Rep. Funk commented on a letter that WPIC wrote to ARPA regarding lead in school water.

COMMITTEE ACTION

Motion
18:08:09 Rep. Funk moved for Mr. McCracken to draft a letter to ARPA to request a funded program that addresses lead in school water.

Discussion on the Motion
18:08:41 Rep. Reksten asked about ESSER funding that could be used for this request.

Vote
18:13:54 Rep. Funk's motion carried unanimously with a voice vote with members present.

18:14:17 Sen. McClafferty asked Mr. McCracken about bill drafts from the Montana State Library.

ADJOURNMENT
18:15:51 Sen. McClafferty adjourned the meeting at 18:15:51. (6:15)