

BOARD OF PUBLIC EDUCATION

An Agency Profile Prepared by the
Legislative Fiscal Division

November 2018



INTRODUCTION

The Board of Public Education (BPE) is charged under the Montana Constitution with general supervision of the public school system and other public institutions assigned by law, including the Montana School for the Deaf and Blind. Located in Helena, Montana, the board cooperates with the Governor and other elected officials, the Board of Regents, the Superintendent of Public Instruction, local school boards, the education community, and all Montana citizens, including its students. The Board of Public Education and the Board of Regents meet twice a year as the Board of Education.

Duties assigned to the BPE include but are not limited to:

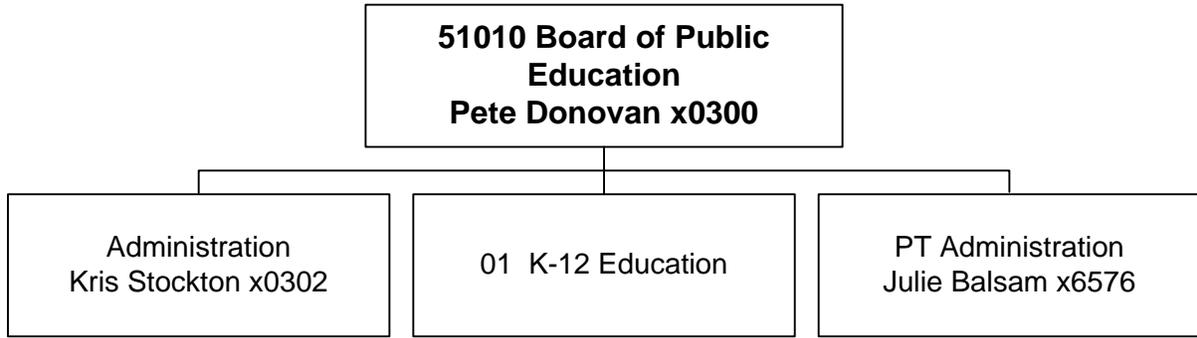
- Adopt standards of accreditation for Montana schools and establish the accreditation status of each school
- Effect a system of teacher certification, including the accreditation of the teacher and administrator training programs
- Consider the suspension or revocation of teacher certificates and hear appeals from the denial of teacher certificates
- Administer and order the distribution of state equalization aid
- Adopt policies for the special education of handicapped and gifted and talented students
- Act as the governing agency for the Montana School for the Deaf and Blind

The Board consists of seven members appointed by the Governor, and confirmed by the Senate, to staggered seven-year terms. The Governor, the Superintendent of Public Instruction, and the Commissioner of Higher Education are ex-officio, non-voting members of the Board. A student representative is elected by the Montana Association of Student Councils executive committee to serve a one-year term.

HOW SERVICES ARE PROVIDED

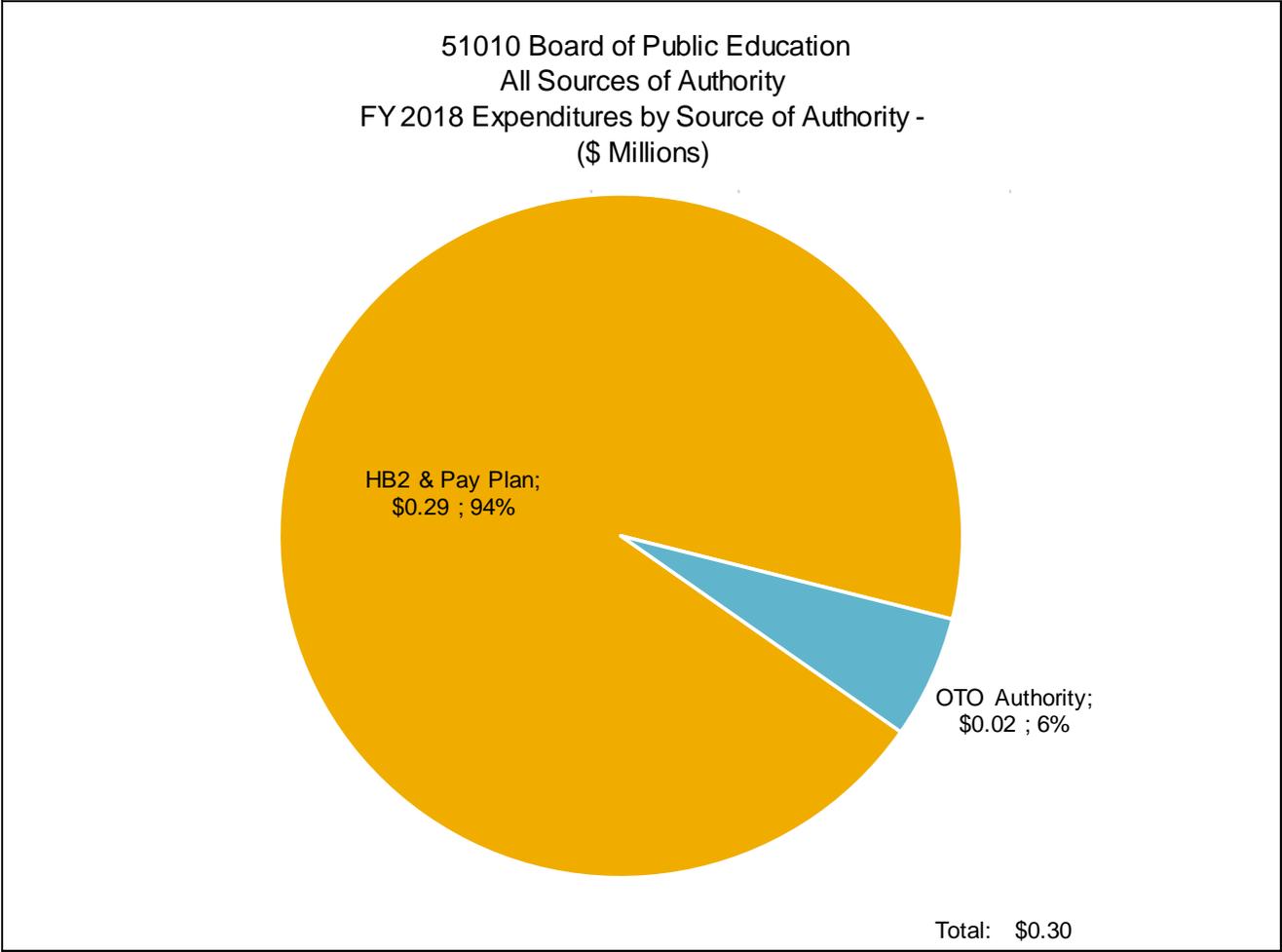
The BPE provides its service through a single state agency with offices in Helena. The board has a staff of three that provide research, clerical functions, and management of business affairs for all programs under the purview of the Board of Public Education. Programs include:

- Certification Standards and Practices Advisory Council (CSPAC). This council is tasked to study and to make recommendations to the Board of Public Education on: certification issues concerning teachers, administrators and specialists; professional standards and ethical conduct; the status and efficacy of approved educator preparation programs in Montana; and policies related to the denial, suspension, and revocation of educator certification and the associated appeals process. The seven members of this council are appointed by the Board of Public Education to serve three-year terms.
- The Montana Advisory Council for Indian Education is attached to the Board of Public Education. This council advises the board and the Superintendent of Public Instruction on Indian education. The council is composed of representatives of the eleven tribal groups in Montana, and other groups working in the interest of Indian people.



Sources of Spending Authority

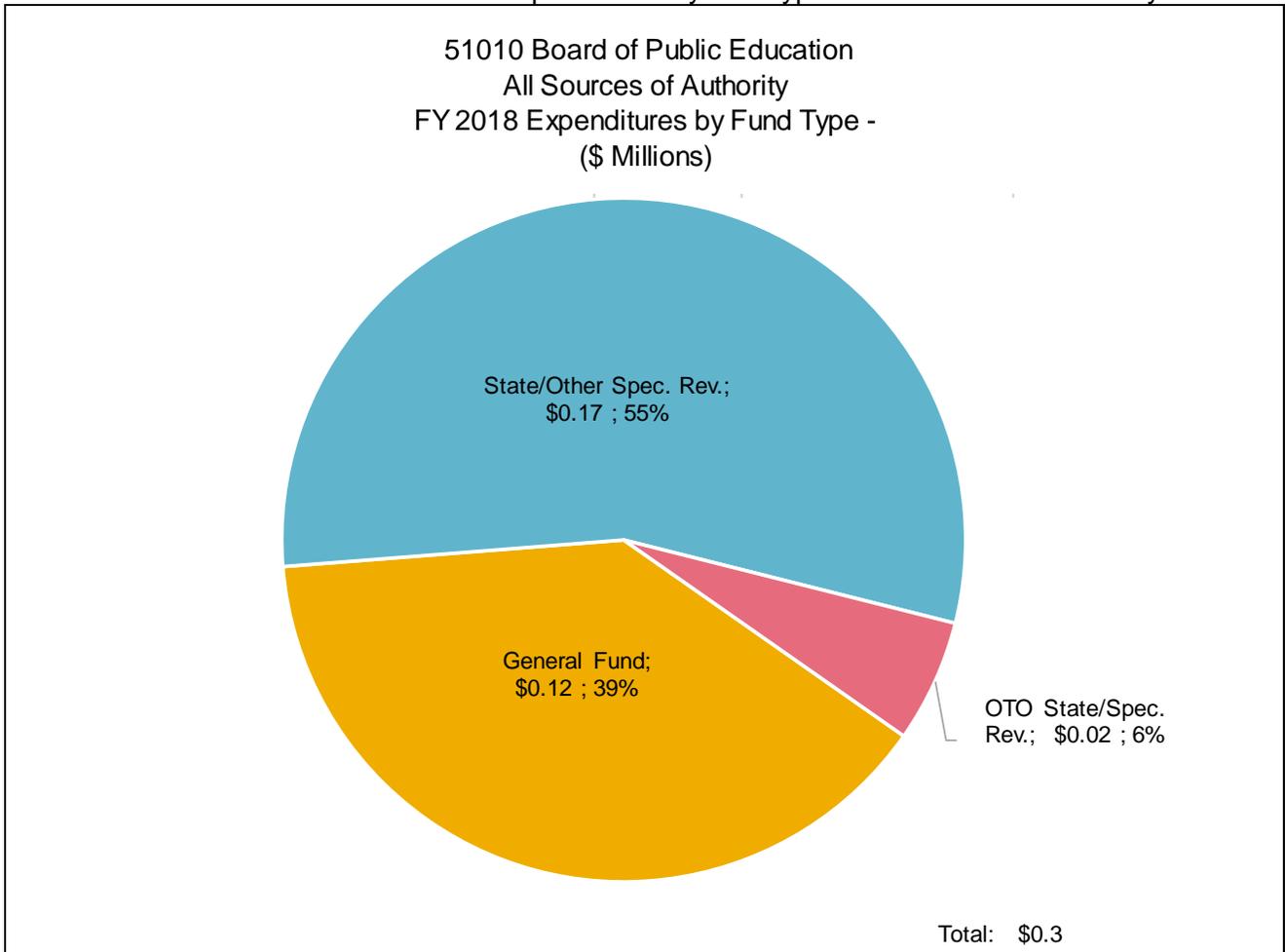
The chart below shows the source of authority for the Board of Public Education that was expended in FY 2018. HB 2 and pay plan expenditures comprise the majority of expenditures for BPE.



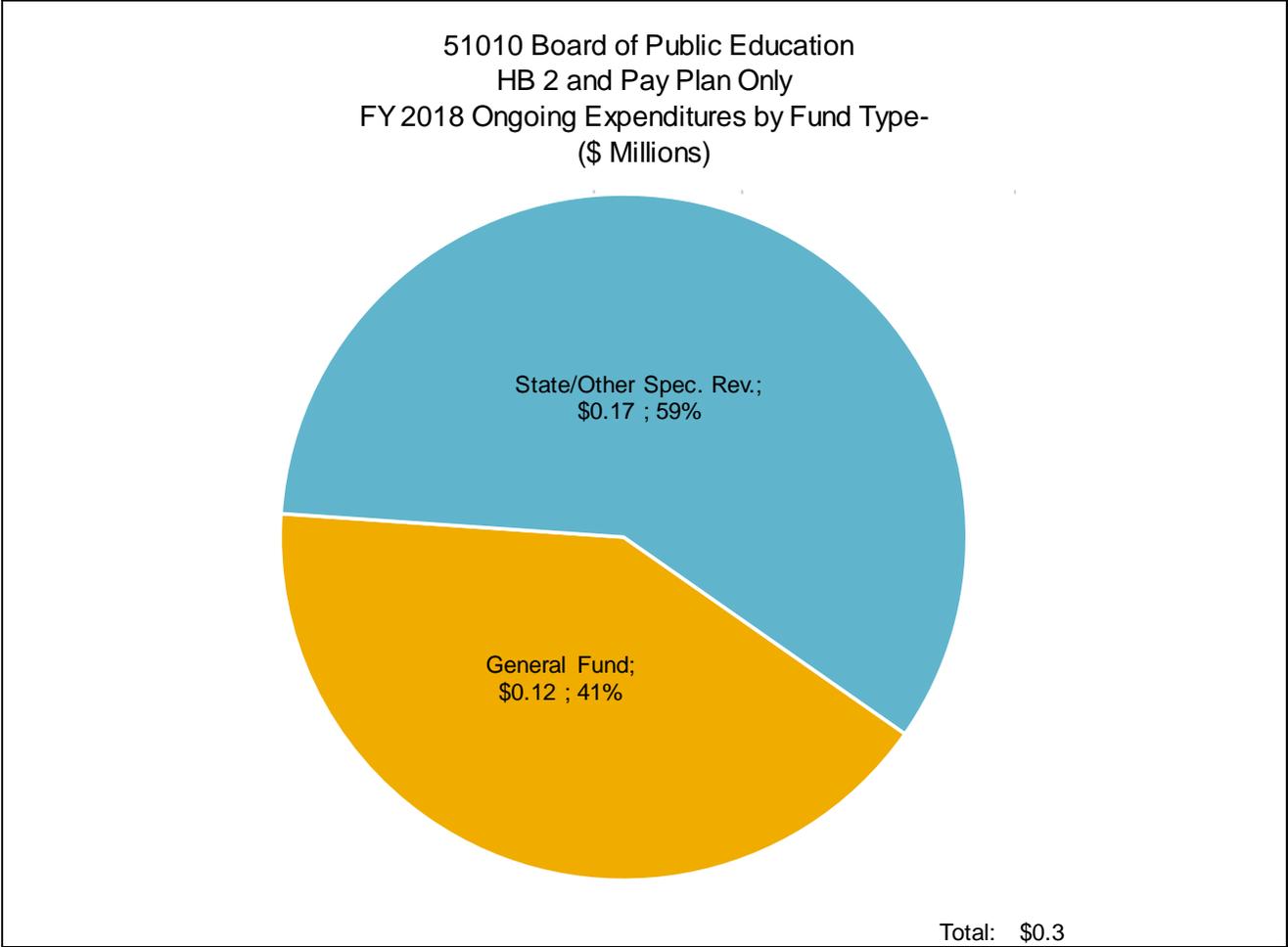
Funding

The BPE is funded through a combination of general fund and state special funds. 39% of the budget is funded with general fund. 61% is funded with state special revenue generated from teacher certification fees, of which 6% is one time only (OTO). By statute [20-4-109](#), these fees are collected by OPI and deposited into two accounts; two thirds (2/3) of the fees are deposited in the Advisory Council which supports the activities of CSPAC, and one third is deposited into the Research Fund and used to fund the statutory duties of the BPE and CSPAC. A portion of state special was provided as one-time-only and restricted for legal fees.

The chart below shows FY 2018 actual expenditures by fund type for all sources of authority.

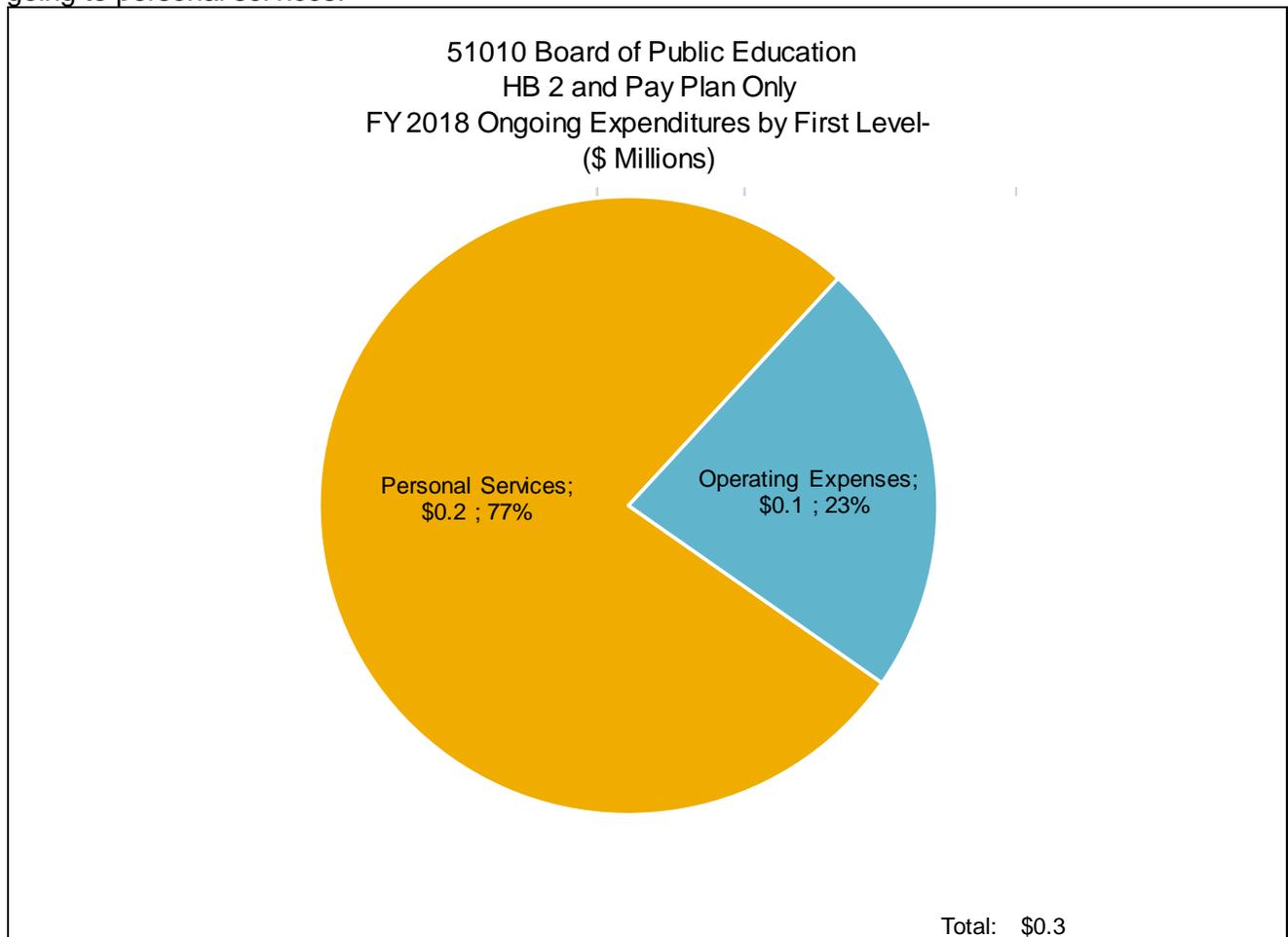


The chart below shows the agency's HB2/pay plan expenditures by fund type.



Expenditures

The chart below explains how the HB 2 authority is spent, with the majority of expenditures in BPE going to personal services.



How the 2019 Legislature Can Effect Change

The level of on-going activity related to mandated duties and educational issues governs activity for this agency. In order to change expenditure levels and/or activity, the legislature might address laws governing the powers, duties, staffing, and funding of the Board of Public Education

The legislature is less likely to control:

- The number of complaints that merit Board of Public Education action
- Federal legislation impacting the educational system
- Initiatives or legislation responding to citizen action
- Population growth or decline
- Economic factors' contribution to local funding of school districts
- The standards setting process

Major Cost Drivers

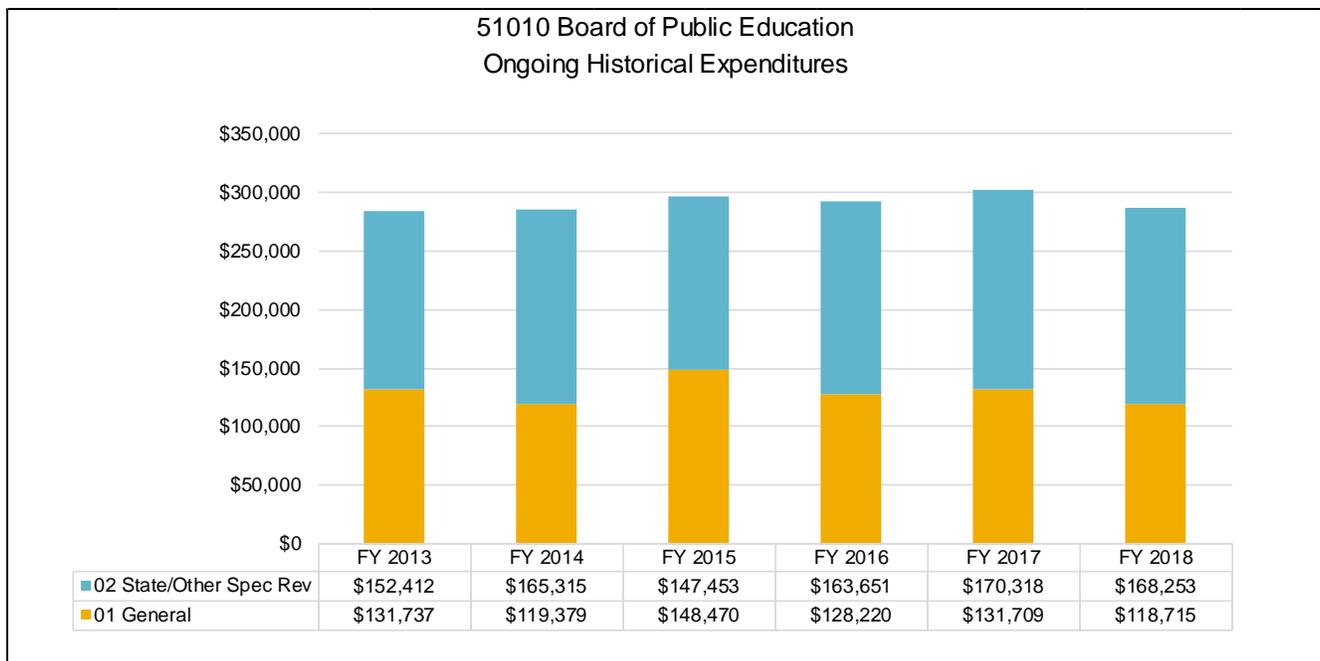
The primary cost driver is personal service, which represent 77% of expenditures. The board meets six times each year and is also required to meet two times annually with the Montana Board of Regents of Higher Education as the board of Education. Each meeting results in approximately \$3,500 in expenses related to travel for board member, communications, and meeting facilities. The Certification

Standards and Advisory Council (CSPAC) meets four times per year at an estimated cost of \$1,800 per meeting.

Major Cost Drivers for the Board of Public Education				
Element	FY 2014	FY 2016	FY 2018	Significance of data
School Districts	409	405	403	Decrease workload
Quality Educators	12,056	12,085	12,397	Attention to licensure standards
Board Meetings per Year	6	6	6	Consistent expenditure and workload
CSPAC meetings	4	4	4	Consistent expenditure and workload
Teacher Licensure Hearings	2	1	10	Increasing expenditure and workload

Funding/Expenditure History

The decrease in expenditures starting in FY 2013 is due primarily to vacancy savings, the agency was budgeted for 4.0 FTE but operated with 2.0 FTE in the 2015 biennium. The 2015 legislature reduced the agencies FTE to 3.0 for the 2017 biennium, the agency is now staffed with two full time positions and one part-time position.



Major Legislative Changes in the Last Ten Years

SB 345 (2015 Legislature) – Revise process of adoption of accreditation standards

- SB 345 requires the superintendent to use negotiated rule making process and develop an economic impact statement when making recommendations to change accreditation standards.
- Prior to adoption or amendment of any accreditation standard, the Board of Public Education must submit each proposal, including the economic impact statement, to the education and local government interim committee for review.
- Unless the economic impact to school districts are determined by the education and local government interim committee to be insubstantial, meaning the expense can be readily absorbed into the budgets of existing district programs, the board may not implement the standard until July 1 following the next regular legislative session. The board must request that the Legislature fund the implementation of the proposed standards determined to be substantial.

For more information, please visit the agency's website at: <http://bpe.mt.gov/>