



## Education and Local Government Interim Committee

---

### 62nd Montana Legislature

#### SENATE MEMBERS

GARY BRANAE--Vice Chair  
TOM FACEY  
BOB HAWKS  
LLEW JONES  
BOB LAKE  
FREDERICK (ERIC) MOORE

#### HOUSE MEMBERS

ELSIE ARNTZEN--Chair  
KRISTIN HANSEN  
EDITH (EDIE) MCCLAFFERTY  
ROBERT MEHLHOFF  
JEAN PRICE  
MATTHEW ROSENDALE

#### COMMITTEE STAFF

LEANNE KURTZ, Lead Staff  
DANIEL WHYTE, Staff Attorney  
CLAUDIA (CJ) JOHNSON, Secretary

# MINUTES

June 18, 2013  
Room 137

Capitol Bldg.  
Helena, MT

Please note: These minutes provide abbreviated information about committee discussion, public testimony, action taken, and other activities. To the left of each section in these minutes is a time designation indicating the approximate amount of time in hours, minutes, and seconds that has elapsed since the start of the meeting. This time designation may be used to locate the referenced discussion on the audio or video recording of this meeting.

Access to an electronic copy of these minutes and the audio or video recording is provided from the Legislative Branch home page at <http://leg.mt.gov>. On the left-side menu of the home page, select *Committees*, then *Interim*. Once on the page for Interim Committees, scroll down to the appropriate committee. The written minutes summary, along with the audio and video recordings, are listed by meeting date on the interim committee's web page. You must have Real Player to listen to the audio recording or to view the video.

Hard copies of the exhibits for this meeting are available upon request. Legislative Council policy requires a charge of 15 cents a page for copies of the document.

#### COMMITTEE MEMBERS PRESENT

REP. ELSIE ARNTZEN, Chair  
SEN. GARY BRANAE, Vice Chair  
SEN. TOM FACEY  
SEN. BOB HAWKS  
SEN. BOB LAKE  
SEN. FREDERICK (ERIC) MOORE  
REP. KRISTIN HANSEN  
REP. EDITH (EDIE) MCCLAFFERTY  
REP. ROBERT MEHLHOFF  
REP. JEAN PRICE  
REP. MATTHEW ROSENDALE

#### COMMITTEE MEMBER EXCUSED

SEN. LLEW JONES

#### STAFF PRESENT

LEANNE KURTZ, Lead Staff

DANIEL WHYTE, Staff Attorney  
CLAUDIA (CJ) JOHNSON, Secretary

### **Visitors**

Visitors' list, [Attachment #1](#).  
Agenda, [Attachment #2](#).

### **COMMITTEE ACTION**

The Education and Local Government Interim committee approved the following:

- to accept LCEd06-to eliminate the Student Loan Advisory Council from the Montana University System (MUS), and approved the three remaining MUS advisory councils: (Exhibit 11)
  - 1) Certification Standards and Practices Advisory Council.
  - 2) Governor's Postsecondary Scholarship Advisory Council.
  - 3) Fire Services Training School Advisory Council.
- to accept bill draft to eliminate reporting requirements of the agencies to the committee, but retain the information in another format.
- to accept all of OPI's proposals, (Exhibit 13).
- approved to have the three shared policy goals to be revisited in the 2013 interim.
- approved housekeeping cleanup of HB 123 with requested changes.
- agreed to change committee dates from September 10 & 11, 2013 to September 13 & 14, 2012.

### **CALL TO ORDER AND ROLL CALL**

00:00:00 Rep. Arntzen called the ELG committee to order at 8:00 a.m. The secretary called roll. [Attachment #3](#) Sen. Jones is excused and submitted a proxy. [Attachment #4](#)

00:01:18 Leanne Kurtz, Research Analyst, LSD, gave an overview of the committee's agenda. (Attachment #2)

### **AGENDA**

#### **HJR 39 Subdivision for Lease or Rent study**

00:03:41 Ms. Kurtz updated the committee on HJR 39, a study about statutes governing exemptions from subdivision review, sell, rent, or conveyance.

00:06:54 Allison Mouch, Planning Bureau Chief, Community Technical Division, Department of Commerce, gave an overview of her duties and the office. She gave a brief update of the work group's progress regarding accomplishments.

00:13:51 Helena Thigpen, Staff Attorney, LSD, explained bill draft LCEd01 [Exhibit 1](#), which clarifies the exemption for the lease or rent of certain buildings, structures, or improvements under the Subdivision and Platting Act.

#### **Committee comments and questions**

The committee talked about finding ways to expedite review of new subdivisions; time

- lines for the review process; and regulation guidelines for applicable zoning areas
- 00:21:32 Sen. Lake
- 00:22:25 Ms. Thigpen
- 00:23:00 Sen. Lake
- 00:23:39 Sen. Hawks
- 00:24:49 Ms. Thigpen
- 00:25:34 Sen. Hawks
- 00:26:27 Ms. Thigpen continued with her explanation of LCEd01. (Exhibit 1)
- 00:28:59 Ms. Thigpen distributed bill draft LCEd05 [Exhibit 2](#), which is similar to LCEd01. She said the main issue of the bill draft is a protest provision for zoning.
- 00:33:56 Ms. Thigpen gave an overview of bill draft LCEd02 [Exhibit 3](#), which repeals sections of exemption for the conveyance of one or more parts of a structure or improvement within the Subdivision and Platting Act.
- 00:37:13 Ms. Thigpen distributed bill draft LC Ed03 [Exhibit 4](#), and explained that local governments are authorized to adopt criteria for reviewing site-specific development plans for the creation of a second or the development of building or structure site standards. She said the trigger point for review of this option is the meaning "the creation of a structure rather than a lease of a structure."
- 00:43:22 Ms. Thigpen distributed bill draft LCEd04 [Exhibit 5](#), which authorizes the regulation of second or subsequent buildings or structures on an existing tract of record. She explained the process the applicant goes through to receive authority of existing structures. Ms. Thigpen said that all five drafts do not necessarily apply to exemptions and regulation of apartments.

### **Committee comments and questions**

The committee discussed the five bill drafts and how they are relevant to the current emergency of the housing shortage in the Bakken oil fields of Eastern Montana.

- 00:48:52 Sen. Lake
- 00:49:41 Ms. Thigpen

### **Public Comment**

- 00:50:57 Sterling Miller said he was part of the work group that helped develop the options presented by Ms. Thigpen. He distributed a handout of his testimony and explained a situation that he and his wife are facing by the Missoula local government officials. [Exhibit 6](#)
- 01:01:39 Derek Brown, Lewis and Clark County Commissioner, talked about the situation that Mr. Miller described. He said there is no good way in the codes to address the exemption of multi-structures. He said that the methods being considered are not consistent. He said currently a person can have a multi-group structure, but cannot have more than one structure. He commented that "it's the use of the structure, not the number of structures".
- 01:06:51 Bill Vancanagan, Attorney from Missoula and representing the Montana

Association of Realtors (MARs), talked about how MARs is currently reviewing the process of subdivision lease and rent of certain structures. He explained the views and duties of the MARs.

- 01:12:39 Harold Blattie, Executive Director, Montana Association of Counties (MACo), talked about his involvement and experience with subdivisions for rent and lease structures. He talked about the history of the subdivision statute that was created in the 2003 Montana Legislature. He suggested the language of the five bill drafts be more clear. Mr. Blattie gave an overview of his tour of the Bakken oil and gas fields in Eastern Montana, and gave an example of having flexibility in the counties stating that "one shoe size doesn't fit all".
- 01:20:42 Ann Cossitt, Montana Association of Planners, talked about her participation with the work group. She explained the difference between subdivisions and zoning areas. She talked about uses of structures and non-impacted areas, and how it should be left to the local jurisdiction. Ms. Cossitt said the five bill drafts presented by Ms. Thigpen do not address the issue, though option #1 is the best option. She stated that it would be best to have counties adopt subdivision lease and rent policies for better control and local flexibility.

#### **Committee comments and questions**

The committee discussed: personal property rights; use permits; litigation from the impact of the Bakken; guidelines from the legislature; bill drafts be more specific; stay away from personal interpretation; discuss the property issue in more detail at the September ELG meeting; look at court decisions and change codes so courts know exactly what is meant; and, exemption of land use.

- 01:25:58 Sen. Hawks  
01:27:32 Commissioner Brown  
01:29:48 Sen. Hawks  
01:33:36 Rep. Rosendale  
01:35:58 Rep. Hansen  
01:37:07 Ms. Cossitt  
01:37:52 Mr. Blattie  
01:41:55 Sen. Lake  
01:44:04 Sen. Facey
- 01:46:24 Rep. Arntzen asked Sen. Facey to work with Rep. Rosendale to bring ideas to the September ELG meeting. Rep. Arntzen also asked Ms. Thigpen if the work group is meeting before the last ELG meeting to also report their decisions back to the last committee meeting.

01:49:18 **Break**

#### **Public comment**

- 02:00:22 Niki Sardot, Florence, Montana, distributed a handout of her comments, and gave a brief overview of her experience with zoning and subdivisions. [Exhibit 7](#)

#### **K-12 funding study, 2013-2014 interim**

- 02:02:45 Ms. Kurtz gave an overview of the K-12 funding study. [Exhibit 8](#)

## **Budget**

02:05:59 Rep. Arntzen, Ms. Kurtz, and Susan Fox, Executive Director, LSD, discussed the need to increase the budget for the Education and Local Government interim committee for the next interim to study the OPI data collection. Ms. Fox said the Legislative Council will be working on the budget at its August 24th meeting and will make the decision on the funding for ELG or have a separate funding for a subcommittee to study the OPI data collection.

## **Committee comments and questions**

The committee discussed the budget and increasing the funding for the next ELG interim committee, and its assigned studies during the interim.

02:08:03 Sen. Lake

02:09:35 Sen. Facey

02:11:19 Sen. Hawks

02:13:44 Rep. Arntzen asked four committee members to work with staff and committee members to work out the details for the study and funding for OPI data collection. The four members selected are:  
Rep. Hansen  
Rep. Mehlhoff  
Sen. Lake  
Sen. Hawks

02:15:44 Rep. Arntzen asked Sen. Lake to chair the subcommittee

## **Public comment - None**

## **HB 142 Compliance: advisory councils and required reports**

02:16:38 Ms. Kurtz explained LCEd06-Eliminating the Student Loan Advisory Council.  
[Exhibit 9](#)

## **Motion**

02:18:06 Sen. Facey made the motion to approve LCEd06 - it eliminates the Student Loan Advisory Council.

## **Discussion**

02:18:39 Sen. Lake asked that the council be left in place. He said if the council is not needed later the committee can eliminate it during the next interim.

02:20:15 Tyler Trevor, Associate Commissioner, Montana University System (MUS), said the council has no applicability at this time. He recommended that the committee dissolve the council.

## **Vote**

02:25:01 The motion to eliminate the Student Loan Advisory Council **passed** by voice vote. Sen. Jones voted aye by proxy. Sen. Moore will carry the bill.

02:25:22 Ms. Kurtz reviewed and explained Enclosure #3 [Exhibit 10](#) - a letter she wrote to the ELG committee regarding the review of statutorily-established advisory

councils assigned to the committee.

- 02:28:52 Ms. Kurtz gave an overview of the remaining three advisory councils:
- 1) Certification Standards and Practices Advisory Council.
  - 2) Governor's Postsecondary Scholarship Advisory Council.
  - 3) Fire Services Training School Advisor Council.

### **Motion**

02:30:12 Sen. Branae made a motion to approve the three remaining advisory councils and continue as is. The motion **passed** unanimously by voice vote. Sen. Jones voted aye by proxy.

02:31:31 Ms. Kurtz explained Enclosure #4 **Exhibit 11**- a summary of reports required by HB 142 that is relevant to the studies done by the ELG interim committee:

#### **OPI**

- 1) At-Risk Students Report
- 2) American Indian Achievement Gap Report
- 3) Biennial Report of the Superintendent of Public Instruction
- 4) Education Commission of the States (Compact)

#### **Board of Regents**

- Carl D. Perkins Career and Technical Education Improvement Act

#### **Western Interstate Commission for Higher Education (WICHE)**

- Western Regional Higher Education Compact Report

#### **Montana Historical Society**

- Biennial Report to the Governor and the Legislature

#### **State Historic Preservation Office**

- State Agency Heritage Properties

### **Committee comments and questions**

The committee discussed the reports required from HB 142; the membership of the compact and how the members are appointed; does the state benefit from attending the meetings; and, how long is the state committed to the compact.

02:35:10 Sen. Lake

02:38:07 Ms. Quinlan

### **Office of Public Instruction (OPI)**

02:36:37 Madalyn Quinlan, Chief of Staff, Office of Public Instruction (OPI), gave an update of the OPI proposals. She reported on the American Indian Student Achievement program, and the At-Risk Students program. The OPI website will also include the GEMs program.

02:40:22 Ms. Kurtz continued with her overview of Enclosure #4 (Exhibit 11).

### **Board of Regents**

02:42:25 Mr. Trevor talked about the Carl D. Perkins Report, and that OCHE meets with OPI on a weekly basis regarding this topic. He also reported on the WICHE program.

### **Montana Historical Society**

02:43:49 Ms. Kurtz gave an overview of the Montana Historical Society on page 5 of Enclosure #4, regarding the State Historic Preservation office.

02:45:24 Denise King, Montana Historical Society, gave an update of the Historical Society.

#### **Committee comments and questions**

The committee talked about changing the requirement for the At-Risk Students report.

02:46:29 Rep. Arntzen

02:46:58 Rep. Hansen

#### **Motion**

02:48:20 Rep. Hansen made a motion that ELG staff draft a bill to eliminate reporting requirements of the agencies required to report to the ELG IC, but maintain the information and be available in another format. The motion **passed** by voice vote. Sen. Jones voted aye by proxy.

#### **Committee comments and questions**

The committee discussed the biennial reporting by the OPI; removing the membership requirement for the Legislative Commission of the states - Compact is in statute 20-2-501, MCA, and the Governor is still appointing people even when the state has not been paying any dues; is information from the Compact used the same way it is used for WICHE; and, OPI reported they have access to the Compact's website.

02:49:35 Ms. Kurtz

02:50:18 Rep. Arntzen

02:50:44 Ms. Quinlan

02:51:54 Ms. Kurtz

02:52:27 Rep. Arntzen

02:53:08 Sen. Lake

02:54:09 Ms. Kurtz added that any state may withdraw from the Compact by enacting a statute repealing the Compact, but withdrawal cannot take effect until one year after the Governor of the withdrawing state has given notice of the withdrawal to the Governors of all states that have entered into this compact.

#### **Office of Public Instruction (OPI)**

02:54:35 Ms. Denise Juneau, Superintendent of OPI, said she is the Commissioner of the Education Commission of Montana, and explained how the Governor appoints people to the Compact.

#### **Discussion**

02:55:42 Sen. Hawks said Montana does receive a benefit from the Compact and should continue to be involved and participate.

#### **Motion**

02:56:14 Sen. Lake made a motion to continue and retain the remaining three advisory councils. The motion **passed** by voice vote. Sen. Jones voted aye by proxy.

02:57:10 Rep. Arntzen asked that a letter be drafted by the committee for continuation of

the three councils.

### **ELG review of agency legislation and authorization for drafting**

02:57:45 Ms. Kurtz gave an update of the committee's duties and its review of assigned agencies. She discussed Enclosure #5 **Exhibit 12**, regarding procedures of interim committees and submitting proposed legislative concepts. She said that OPI is the only agency that will have a bill draft for the ELG committee.

03:03:48 Superintendent Juneau distributed and explained a handout of proposed bill draft requests from the OPI. **Exhibit 13** She thanked the committee for a letter written by the committee staff that allowed the OPI to receive a \$4 million grant for a new data base. The funds will assist in connecting K-12 education data system with the postsecondary education system. Superintendent Juneau gave an overview of OPI's proposed bill draft requests.

### **Committee comments and questions**

The committee talked about transportation, oil and gas funds, and general funds; OPI's request for bill draft proposals; early graduation incentives and scholarships; and, an increase of educator license fees.

03:08:47 Sen. Facey  
03:09:20 Rep. Mehlhoff  
03:10:05 Supt. Juneau  
03:13:20 Rep. Arntzen  
03:14:42 Ms. Juneau  
03:16:06 Rep. Mehlhoff  
03:17:36 Ms. Juneau  
03:19:37 Rep. Arntzen  
03:19:53 Supt. Juneau  
03:21:52 Rep. Mehlhoff

### **Motion**

03:22:51 Rep. Mehlhoff made a motion to accept all of OPI's proposals.

### **Discussion**

03:23:17 Sen. Branae said this is a courtesy and should go forward.

### **Vote**

03:24:00 Roll call vote was taken. **Exhibit 14** The motion **passed** unanimously. Sen. Jones voted aye by proxy.

### **Shared Policy Goals and Accountability Measures**

03:26:47 Madalyn Quinlan, OPI, distributed a handout of the K-12 Shared Policy Goals, and reported on the OPI performance monitoring of the goals. **Exhibit 15**

### **Committee comments and questions**

The committee talked about the Board of Public Education and its' final decisions; struggling schools; and K-20 shared policy goals and its funding.

03:32:39 Rep. Hansen  
03:33:42 Rep. Arntzen



03:35:14 Sen. Facey  
03:35:48 Sup. Juneau

03:41:46 Ms. Kurtz gave an overview of the three Shared Policy Goals, K-12, K-20, and the Montana University System (MUS) handouts that will need to be re-authorized and re-signed. [Exhibit 16](#), [Exhibit 17](#), & [Exhibit 18](#)

#### **Motion**

03:42:25 Sen. Lake made a motion that the three shared policy goals be re-authorized and re-signed.

#### **Discussion**

03:42:55 Ms. Quinlan talked about changing the shared policy goals dates, and recommended that the committee allocate time for the shared policy goals during the 2013 interim and look at performance measures.

#### **Motion/vote**

03:44:02 Sen. Lake restated his motion to include that the three shared policy goals (K-12, K-20, & MUS) documents be reviewed by the 2013 interim committee. The motion **passed** unanimously by voice vote. Sen. Jones voted aye by proxy.

03:45:45 **Lunch.**

04:32:14 Rep. Arntzen called the committee back to order.

#### **Funding 2-year institutions and programs**

04:32:45 Ms. Kurtz gave an overview of Enclosure #9, [Exhibit 19](#) - an Act that will require counties of certain 2-year postsecondary institutions and vocational-technical programs to levy a tax of 1.5 mill levies be deposited in the state's special revenue funds. Ms. Kurtz referred to a handout that explains the 1.5 mandatory mill levy in counties with 2-year university system institutions or programs. [Exhibit 20](#)

#### **Committee comments and questions**

The committee discussed how the 1.5 mill levy would work and using language such as "mandatory" instead of "voluntary"; the community college system operating funds; the three options to implement a levy; and passing the responsibility on to the counties. The committee made a decision to continue this discussion in the September meeting. The University System will support the committee's concerns to be more specific where the funds will go.

04:34:42 Sen. Hawks  
04:39:38 Sen. Lake  
04:42:57 Sen. Hawks  
04:43:57 Rep. Mehlhoff  
04:47:52 Clayton Christian, Commissioner of Higher Education  
04:49:10 Rep. Mehlhoff  
04:51:19 Sen. Moore  
04:52:23 Sen. Facey  
04:53:21 Sen. Lake  
04:55:13 Sen. Hawks

04:55:51 Ms. Kurtz  
04:56:51 Sen. Hawks  
04:57:28 Rep. Mehlhoff  
04:58:41 Clayton Christian  
04:59:29 Sen. Lake  
05:00:19 Sen. Hawks

### **Funding implementation of Common Core**

05:00:45 Rep. Arntzen suggested the committee members review the fiscal analysis report by Rob Miller, LFD fiscal analyst, on the impact of common core standards for mathematics and language arts.

05:03:51 Daniel Thatcher, Policy Specialist, via poly com phone, presented a PowerPoint explaining the common core standards. [Exhibit 21](#)

### **Committee comments and questions**

The committee discussed the time line set for mathematics and language arts, and a study done by the Pioneer Institute regarding the high cost of common core standards to the states.

05:21:00 Sen. Lake  
05:25:06 Rep. Arntzen  
05:27:07 Rep. Hansen  
05:30:09 Rep. Arntzen

05:34:57 Rob Miller, Fiscal Analyst, Legislative Finance Division (LFD), distributed a handout of the fiscal analysis impact of common core standards for mathematics and language arts [Exhibit 22](#), and a handout of the Great Falls public schools' cost analysis of common core state standards. [Exhibit 23](#)

### **Committee comments and questions**

The committee discussed using computers for testing of common core standards, and the cost to the school system for the testing programs and computers.

05:51:58 Rep. Mehlhoff  
05:54:48 Sen. Lake  
05:59:21 Sen. Facey  
06:02:26 Rep. Arntzen  
06:02:57 Sen. Hawks  
06:04:42 Sen. Moore  
06:06:55 Sen. Facey  
06:08:13 Rep. Mehlhoff

06:10:57 Dan Whyte, Staff Attorney, LSD, explained the meaning of "substantial" in 20-7-101, MCA, which states it is "a substantial fiscal impact of an amount that cannot be easily absorbed in a budget of an existing school district", and said it is left up to the LFD to make the decision. He explained that the fiscal staff will look at the fiscal impact of standards, than the Board of Public Education will go to the Legislature and ask for funding. He said it is more of a review process than a decision making process.

### **Committee comments and questions**

The committee talked about problem school districts and when the word "substantial" becomes a school district's determination when its budget cannot be readily absorb; the Board of Public Education(BPE) going forward before the fiscal analysis is completed; and, the implementation of current revenue.

06:14:16 Sen. Lake  
06:17:22 Rep. Hansen  
06:18:39 Mr. Whyte  
06:22:29 Sen. Lake

### **Technology Readiness Survey**

06:24:24 Madalyn Quinlan, OPI, talked about the smarter balanced assessment consortium, a technology readiness tool. She distributed a handout explaining how surveys are used for on-line student assessments. [Exhibit 24](#)

06:28:37 Dennis Parman, Deputy Superintendent, OPI, said there will be testing protocols. He said a teacher will be able to take a class to the lab and take a test on-line. There will be a two-month schedule instead of a one-month schedule to accommodate the students on-line assessment tests. Mr. Parman explained the bandwidth, and how the network will have one specific server for on-line testing.

### **Committee comments and questions**

The committee discussed the time line for performance of pilot projects; tracking the GEM's program; and student assessment tests that will not show on their report card.

06:30:35 Sen. Hawks  
06:33:00 Mr. Parman  
06:33:37 Rep. Mehlhoff  
06:34:46 Sen. Lake

### **Public comment**

06:35:45 Chris Osheski, Curriculum Director for the Great Falls Public Schools, expressed his gratitude on the good work of the Legislative Fiscal Division regarding the common core analysis. He gave an overview of the main areas of common core, assessment system, and a requirement of advanced placement system for all 11th graders. He talked about math and English language arts and other literacy standards. He discussed the use of reserves listed in the fiscal analysis, but said the Board of Trustees have already planned the use of reserves for the next five years. He said that common core standards call for a shift in math and English, and how it will be an increase of students expectations from point A to point B.

06:45:06 Kirk Miller, superintendent of Bozeman Public Schools, said he is retiring and moving to Helena to head the office of School Administrators. He gave an overview of his duties and how Bozeman is one of the 28 schools that participated in the survey for schools to implement the state common core standards. He distributed and explained a handout that summarizes the need to implement state common core standards. [Exhibit 25](#)

### **Committee comments and questions**

The committee discussed the participation of the Bozeman school in the survey;

implementing common core standards and its time line, such as the effect on the students and the cost; a need for the study of the school formula for the next interim; and, solving current issues.

06:54:54 Sen. Moore  
06:56:30 Rep. Hansen  
06:57:36 Rep. Mehlhoff  
07:00:03 Rep. Hansen  
07:02:40 Sen. Facey

07:04:55 Bob Vogel, Montana School Board Association, talked about the committee's issues at hand, and how difficult it is to tie these issues into a definition. Mr. Vogel distributed a letter written by Lance Melton, Executive Director of MTSBA, and Dave Puyear, Executive Director of MREA, that explains their concerns of the Legislative Fiscal Division's analysis report. **Exhibit 26** He talked about real cost estimates on the implementation of the common core and what it will look like. He said to set a benchmark to use as an indicator of what "substantial" might be, than put other implications into place, such as what is the reality with inflation and other demands that are on the school districts throughout the state no matter what size they are.

07:10:29 Jan Cahill, Chairman of the school board representing the Great Falls school districts and the Denton School district, gave an overview of statistics of the Great Falls schools budgets; the schools' reserves; and how the school staff are looking forward to the common core standards' challenges.

#### **Board of Public Education (BPE) - Accreditation Standards Chapter 55**

07:13:52 Patty Myers, chair of the BPE, gave an overview of the BPE task force and how it was organized. She talked about accreditation standards and the implementation of Chapter 55.

07:22:26 Dennis Parman gave five points as a result of the work of the task force, and said 10-55-604 has been re-titled as variance of standards and explained the new language that will give school districts flexibility:

- 1) redefine the categories of accreditation.
- 2) add a student's performance and eliminate on a school by school basis.
- 3) high performing schools will gain discretion and flexibility on input standards.
- 4) schools that will no longer be accredited due to poor performance level, and
- 5) benchmarks or standards for evaluation of teachers and principals, which is aligned with national standards.

#### **Committee comments and questions**

The committee talked about the standards taking into consideration matching the students with the curriculum and not moving students in the system just to be moving them. The committee discussed costs and involvement or reasonable target sets and the realities to the school districts. Chapter 55 standards superceding local control and out of control.

07:24:52 Sen. Lake

07:26:34 Mr. Parman  
07:27:22 Sen. Lake  
07:28:01 Rep. Hansen

07:34:09 Rep. Arntzen and Mr. Parman discussed Chapter 55, its implementation dates, and its time frame. According to BPE, the standards will be implemented on June 1, 2013. Rep. Arntzen and Mr. Whyte discussed the word "substantial" and if the findings could be stopped.

#### **Committee comments and questions**

The committee discussed the impact of Chapter 55 at the local level; saving money at the local level; and the ability to have cooperative efforts with other districts and do what is best on a regional basis.

07:36:25 Sen. Lake  
07:37:31 Rep. Arntzen  
07:38:32 Sen. Facey  
07:39:20 Mr. Vogel

07:41:52 Mark O'Ferro, MFT-MEA, talked about being a member on the BPE task force. He explained how the evaluation for teachers is based on quality standards.

7:44:32 Claudette Morton representing the Montana Small Schools Alliance, said she served on the task force. She recognized the input standards are the same as they have been for many years, but the task force' work on Chapter 55 was very fruitful.

#### **HB 123 - County and school district budgeting time lines**

07:46:56 Harold Blattie, Executive Officer, Montana Association of Counties (MACo), distributed handouts addressing the dates of the districts reapportionment and budgeting schedules at the local level. Enclosure #11 **Exhibit 27**, is a letter clarifying language to change dates that relate to schools and local governments budgeting process. Enclosure #12 **Exhibit 28**, is proposed cleanup language to HB 123 clarifying the time lines and dates of the levy setting and the schools and local governments budgets. Mr. Blattie talked about HB 329 and its distribution; the stakeholder group; and bringing legislation that will provide for some governance and oversight of inoperable communications (safety communications). He touched on the retirement issue and said there are other miscellaneous issues that his staff is working on.

07:52:19 Denise Ulberg, Executive Director with the Montana School Board Association, introduced herself and said she worked on HB 123 with the stakeholder's group and other bills as they come forward.

07:52:46 Mr. Vogel thanked the working group and stakeholders involved regarding the changes to HB 123.

07:53:19 Ms. Kurtz said the committee has to request the changes to HB 123 so she can draft a committee bill.

**Motion**

07:53:41 Rep. McClafferty made the motion to make the requested changes to HB 123, and have staff draft a committee bill. The motion **passed** unanimously by voice vote. Sen. Jones voted aye by proxy.

**Committee discussion**

07:54:38 The committee discussed the final meeting date. The last ELG meeting was moved from September 10 and 11 to September 13 and 14, 2013.

**Adjournment**

08:02:29 Rep. Arntzen adjourned the Education and Local Government Interim committee at 4:04 p.m.

CI0206 2349coxa.