



Education and Local Government Interim Committee

63rd Montana Legislature

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TO: Education and Local Government Interim Committee members
FROM: Pad McCracken
DATE: January 22, 2014
RE: Review of advisory councils and required reports

Section 5-5-215(1)(d) requires all interim committees to "review statutorily-established advisory councils and required reports of assigned agencies to make recommendations to the next legislature on retention or elimination of any advisory council or required reports pursuant to 5-11-210."

House Bill No. 142 (2011) added this requirement and as several of you are aware, the 2011-12 ELG performed a comprehensive review that resulted in legislation that eliminated one advisory council (the Student Loan Advisory Council) and one required report (the discretionary Biennial Report of the Superintendent of Public Instruction) and clarified the requirements for the American Indian Achievement Gap Report and the At-Risk Students Report.

Based on committee direction at the June 24, 2013, meeting, this memo provides a review of the three remaining advisory councils and eight required reports. If you'd like me to provide further information on any of the councils or reports, please let me know.

Advisory Councils

Certification Standards and Practices Advisory Council (2-15-1522)

The Certification Standards and Practices Advisory Council (CSPAC), created in 1987, is attached to the Board of Public Education (BPE). It consists of seven members appointed by BPE and the members must include classroom teachers, a K-12 specialist, a faculty member from an accredited teacher education institution, a school administrator, and a school district trustee.

CSPAC's mission is 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 teacher education programs in Montana; and policies related to the denial, suspension, and revocation of educator certification and the appeals process."

CSPAC's funding source is described on the Council's website as follows:

In 1989 an act of the Montana legislature designated \$4 of each yearly

certification fee for the operation of the Council. In 1991, the legislature raised the yearly certification fee to \$6 and statutorily appropriated the remaining \$2 of the fee for a research fund. This fund is to be used by the Council to provide research on the issues before the Council.

At ELG's September 2011, meeting, presenters were Pete Donovan, CSPAC administrative officer; Sharon Applegate, chair; John Runnalls, vice-chair; and Tammy Lacey, member. The panelists discussed CSPAC's annual report, revising the teacher code of ethics, improving education in Montana, teacher training and preparation, and teacher salaries.

CSPAC's budget for FY 2013 is \$113,320.

CSPAC's website is: <http://bpe.mt.gov/cspac.mcp>

Governor's Postsecondary Scholarship Advisory Council (2-15-1524)

The council is attached to the Office of the Commissioner of Higher Education (OCHE) for administrative purposes. The Governor appoints the members of the council and among the members there must be at least one person with experience in financial aid at a postsecondary institution and one person with experience in secondary or postsecondary education. The council shall "advise the Board [of Regents] on issues related to the governor's postsecondary scholarship program and other student assistance programs; and report to the governor annually or at any time upon request by the governor."

The Montana Guaranteed Student Loan Program handles the day-to-day operations of the scholarship program, also called the "Best and Brightest" program, with policy advice from the advisory council. The 2011-2012 Annual Report Summary states, in part:

During the 2011-2012 academic year 1,673 students received Best and Brightest scholarships with a total value of \$2,372,000. This includes 1,116 students who renewed their scholarships, and 557 students that were awarded new scholarships. The Governor's Best and Brightest Scholarship helps both scholastically high achieving students and those students who demonstrate financial need. More than 6,800 Montana students have received and benefitted from a scholarship since its creation in 2005. Of the \$2,372,000, \$743,000 were new scholarship awards and \$1,629,000 were for renewals of existing scholarships.

More information about the scholarship program, including the annual report, is available on the program's website:

http://www.mus.edu/Prepare/Pay/Scholarships/Governors_Best_and_Brightest_Scholarship.asp

Fire Services Training Advisory Council (2-15-1519)

The Board of Regents appoints the members of the advisory council and the members must include a fire chief, a volunteer firefighter, a paid firefighter, a fire service instructor, a person involved in fire prevention, an insurance industry representative, and an educator. Ex officio

members include a representative of the State Fire Prevention and Investigation Section of the Department of Justice, a fire control officer designated by the Department of Natural Resources and Conservation, and the director of the Fire Services Training School (FSTS).

The school itself offers direct training, curriculum development, certification, emergency incident support, consulting, and a resource center and library.

More information about the school and the advisory council is available on the FSTS's website: <http://www.montana.edu/wwwfire>

Required Reports

1. Reporting Entity: Office of Public Instruction
Report Title: At-Risk Students Report
Citation: 20-9-328, MCA
Statute Text: . . . (3) On or before September 15 of even-numbered years, the office of public instruction shall report to the governor and the legislature on the change in status of standardized test scores, graduation rates, and drop-out rates of at-risk students.

Comments: Prior to amendment by SB 2 (2013) this report was only required once, in September 2010.

Link to Report: <http://leg.mt.gov/content/Publications/services/agency-reports/At-Risk-Students.pdf>

2. Reporting Entity: Office of Public Instruction
Report Title: American Indian Achievement Gap Report
Citation: 20-9-330, MCA
Statute Text: . . . (4) On or before September 15 of even-numbered years, the office of public instruction shall report to the governor and the legislature on the change in status of standardized test scores, graduation rates, and drop-out rates of American Indian students

Comments: Prior to amendment by SB 2 (2013) this report was only required once, in September 2010.

Link to Report: <http://leg.mt.gov/content/Publications/services/agency-reports/Indian-Student-Data.pdf>

3. Reporting Entity: Education Commission of the States
 Report Title: Education Commission of the States
 Citation: 20-2-501, MCA
 Statute Text: (10) The commission annually shall make and provide to the governor and legislature of each state that has entered into the compact a report covering the activities of the commission for the preceding year. The commission may make any additional reports as it considers desirable.
- Comments: Montana's membership is provided for in 20-2-502 and includes the Governor, one senator appointed by the Committee on Committees, one representative appointed by the Speaker of the House, the Superintendent of Public Instruction, and three persons appointed by the Governor, including one educator engaged in the field of higher education and two educators engaged in the field of K-12 education.
- Members listed on the ECS website are: Denise Juneau, Superintendent of Public Instruction; Jane Karas, President, Flathead Valley Community College; Linda McCulloch, Secretary of State; Steve Bullock, Governor; Carmen Taylor, Executive Director, National Indian School Board.
- This reporting requirement is part of an interstate compact that should not be revised without concurrence of compact states.
- Link to Report: A variety of reports are available on the ECS website:
<http://www.ecs.org/>
4. Reporting Entity: Board of Regents
 Report Title: Carl D. Perkins Career and Technical Education Improvement Act, 2006 -- Legislative Report
 Citation: 20-7-330, MCA
 Statute Text: (1) The superintendent of public instruction and the commissioner shall each appoint three people from their respective advisory boards to serve on a committee to review and update the 5-year state plan for career and technical education as required by 20 U.S.C. 2323. Two members appointed from each advisory board must be educators, and the remaining member appointed from each advisory board must be a representative of a business or community interest.

(2) At least four times a year, the board of regents shall meet with the superintendent of public instruction, teachers, students, labor organizations, businesses, and institutions or agencies involved in vocational and technical education to:

(a) discuss the state plan;

(b) identify any issues or concerns with the administration of the Carl D. Perkins Career and Technical Education Improvement Act of 2006 in Montana;

(c) identify the needs of technical students and programs in Montana and determine the best way to meet those needs; and

(d) if necessary, make changes in the administration and operation of the Carl D. Perkins Career and Technical Education Improvement Act of 2006 in Montana.

(3) The board of regents shall report the results of the meetings required in subsection (2) to the legislature in accordance with the provisions of 5-11-210.

Comments: This report was last provided on August 31, 2010. The 2006 Act has yet to be re-authorized with new requirements for state plans. Funding for the Act and Montana's 5-year state plan from 2007 are in continuation.

Link to Report: <http://leg.mt.gov/content/Publications/services/agency-reports/Carl-D-Perkins.pdf>

5. Reporting Entity: Western Interstate Commission for Higher Education (WICHE)
Report Title: Western Regional Higher Education Compact Report
Citation: 20-25-801, MCA
Statute Text: (6) On or before January 15 of each year, the commission shall submit to the governors and legislatures of the compacting states and territories a report of its activities for the preceding calendar year.

Comments: This reporting requirement is part of an interstate compact that should not be revised without concurrence of compact states.

Link to Report: <http://wiche.edu/info/publications/WICHEar2013.pdf>

6. Reporting Entity: Montana Historical Society
Report Title: Biennial Report to the Governor and the Legislature
Citation: 22-3-107, MCA
Statute Text: The powers and duties of the trustees are as follows : . . .(8) to

report to the governor and, as provided in 5-11-210, the legislature biennially. The report must include a statement of all important transactions and acquisitions, with suggestions and recommendations for the better realization of the purposes of the society and the improvement of its collections and services.

Link to Report: <http://leg.mt.gov/content/Publications/services/2012-agency-reports/MHS-2015-Biennial-Report.pdf>

7. Reporting Entity: State Historic Preservation Office
Report Title: State Agency Heritage Properties
Citation: 22-3-423, MCA
Statute Text: The State Historic Preservation Officer must report information gathered under 22-3-422: the status and stewardship of state agencies' and the university system's heritage properties as required in 22-3-424, along with recommendations regarding management of the properties.

Comments: SB 3, enacted during the 2011 Legislature, initiated this reporting requirement.

Link to Report: <http://leg.mt.gov/content/Publications/services/2012-agency-reports/MHS-Montana's-Shared-Heritage.pdf>

8. Reporting Entity: See statute text below
Report Title: Report on the Interstate Compact on Educational Opportunity for Military Children
Citation: 20-1-131, MCA
Statute Text: By July 1, 2014, representatives of the Great Falls school district, the Helena school district, and a member of the military, as specified by the adjutant general, shall provide, singly or jointly, a report to the senate president, the speaker of the house, and the education and local government interim committee regarding the state's participation in the compact on educational opportunity for military children established in 20-1-230. (Terminates June 30, 2015--sec. 4, Ch. 321, L. 2013.)

Comments: The report will be presented at the June 2014 ELG meeting.

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