



Education and Local Government Interim Committee

63rd Montana Legislature

SENATE MEMBERS

TOM FACEY
DAVE LEWIS
FREDERICK (ERIC) MOORE
MATTHEW ROSENDALE
SHARON STEWART-PEREGOY
JONATHAN WINDY BOY

HOUSE MEMBERS

KRISTIN HANSEN
DONALD JONES
EDITH (EDIE) MCCLAFFERTY
JEAN PRICE
DANIEL SALOMON
TOM WOODS

COMMITTEE STAFF

PAD MCCRACKEN, Lead Staff
LAURA SANKEY, Staff Attorney
DAWN FIELD, Secretary

MINUTES LOG

June 24, 2013

Room 137, State Capitol
Helena, Montana

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.

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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

SEN. TOM FACEY
SEN. DAVE LEWIS
SEN. FREDERICK (ERIC) MOORE
SEN. MATTHEW ROSENDALE
SEN. SHARON STEWART-PEREGOY
SEN. JONATHAN WINDY BOY

REP. KRISTIN HANSEN
REP. DONALD JONES
REP. EDITH (EDIE) MCCLAFFERTY
REP. JEAN PRICE
REP. DANIEL SALOMON
REP. TOM WOODS

STAFF PRESENT

PAD MCCRACKEN, Lead Staff
LAURA SANKEY, Staff Attorney
DAWN FIELD, Secretary

AGENDA & VISITORS' LIST

Agenda, Attachment #1.
Visitors' list, Attachment #2.

COMMITTEE ACTION

The Education and Local Government Interim Committee:

- elected SEN. TOM FACEY as ELG Committee Chair and REP. DON JONES vice chair; and
- agreed by consensus on study plan topics for the 2013-14 interim.

CALL TO ORDER AND ROLL CALL

00:00:03 SEN. LEWIS called the meeting of the Education and Local Government Interim Committee (ELG) to order at 10:05 a.m. The Secretary took roll, SEN. WINDY BOY and SEN. STEWART-PEREGOY were not present but expected to arrive shortly (Attachment #3).

INTRODUCTION OF MEMBERS AND STAFF

00:01:42 ELG staff and committee members introduced themselves and provided a brief description of their position and legislative experience.

SELECTION OF COMMITTEE CHAIR, VICE CHAIR

00:05:36 SEN. LEWIS explained the rotation history of ELG chairs ([EXHIBIT 1](#)). He opened the floor for nominations for Chair. **REP. MCCLAFFERTY nominated SEN. FACEY. SEN. FACEY was elected as Chair on a unanimous voice vote.**

00:06:37 SEN. LEWIS opened nominations for Vice-Chair. **SEN. ROSENDALE nominated REP. JONES for Vice-Chair. REP. JONES was elected as Vice-Chair on a unanimous voice vote.** (*SEN. STEWART-PEREGOY arrived at the meeting.*)

GUIDE TO REDISTRICTING MAPS

- **Overview from Rachel Weiss**

00:07:44 **Rachel Weiss, Research Analyst, Legislative Services Division (LSD)**, discussed an overview of the Final Legislative Districting Plan, adopted by the Districting and Apportionment Commission (DAC) in February 2013. Ms. Weiss demonstrated how to access and view the maps and other materials posted on the Districting webpage. She distributed a list of the materials and information on the DAC website ([EXHIBIT 2](#)). (*SEN. WINDY BOY arrived at the meeting.*)

Questions from Committee

There were no questions.

Committee Administration

- **Budget Overview**

00:19:01 **Pad McCracken, Research Analyst, LSD**, noted that an updated agenda was provided in their meeting folder. He briefly reviewed a draft work plan narrative

"Summary of Statutory Duties and Proposed Work Plan" (EXHIBIT 3), highlighting the ELG budget and proposed meeting schedule.

- **Member Reimbursement**

00:20:09 Mr. McCracken reviewed the process for legislator reimbursement and provided a document explaining in more detail legislator claims for reimbursement.

- **Operating Rules**

00:22:13 Mr. McCracken reviewed *Rules, Procedures, and Guidelines for Interim Committees*, as approved by the Legislative Council (EXHIBIT 4).

00:28:47 SEN. FACEY said, depending on the budget, that he would like two ELG members to attend all Board of Regents meetings and two ELG members to attend all Board of Public Education meetings. He asked interested members to let him know.

COMMITTEE OVERVIEW, RESPONSIBILITIES, INTRODUCTION OF WORK

- **ELG Organizational History**

00:30:47 Mr. McCracken referred ELG members to the "Summary of Statutory Duties and Proposed Work Plan" (EXHIBIT 3) and *ELG Committee Work Plan Prioritization Tool* (EXHIBIT 5) and reviewed the organizational history of the ELG, including past use of the Postsecondary Education Policy and Budget (PEPB) Subcommittee.

00:34:15 REP. HANSEN asked what the purpose of the PEPB Subcommittee was. Mr. McCracken briefly explained and said that many of PEPB's statutory duties have been rolled into the full ELG Committee's enabling statute (5-5-224, MCA).

00:36:25 REP. HANSEN discussed the possibility of the ELG forming a subcommittee in order to monitor the progress of SJR 13 - requesting the Montana University System (MUS) to study and adopt goals and performance measures directed at increasing college completion rates.

- **Statutory Duties**

00:38:05 Mr. McCracken reviewed the ELG's statutory duties in *ELG Work Plan Prioritization Tool* (EXHIBIT 5).

00:42:34 REP. HANSEN suggested that the Committee may wish to consider legislation to repeal or amend 82-2-701, MCA, requiring ELG review of sand and gravel investigation reports since the requirement hasn't proven to be useful as it is currently written.

00:43:31 Mr. McCracken continued his review of ELG statutory duties.

- **Legislative Council assignment of HJ 2 (study of electronic records management by state and local governments) to the ELG**

00:45:26 Mr. McCracken said that the Council assigned HJ 2 to ELG and that the Committee would discuss it in more detail later in the meeting.

• **Other Topics**

00:46:41 Mr. McCracken discussed optional topics for consideration by the ELG (pages 8 and 9, [EXHIBIT 3](#), and page 2, [EXHIBIT 5](#)).

CONSTITUTIONAL CONSIDERATIONS: The roles of the Legislature, Board of Regents, and Board of Public Education

- 00:51:10 **Laura Sankey, Staff Attorney, LSD**, discussed three main points:
- provisions of Montana Constitution;
 - administrative rulemaking and the administrative rule review process; and
 - how they intersect, with respect to the interim work of the ELG.
- Ms. Sankey began her discussion with Article X, Section 9 (Boards of education) of the Montana Constitution.
- 00:53:44 REP. HANSEN asked Ms. Sankey to read aloud Constitutional language regarding local control of school districts. Ms. Sankey read aloud Article X, Section 8, Montana Constitution.
- 00:54:43 Ms. Sankey discussed "*Overview of Administrative Rule Review Authority*" ([EXHIBIT 6](#)) in which she explained the function of administrative rules, an overview of the administrative rulemaking process, and a summary of ELG's administrative rule review authority.
- 01:04:54 Ms. Sankey discussed a June 2013 Administrative Rule Report listing the rules filed by the Board of Public Education (BPE) with the Secretary of State's Office ([EXHIBIT 7](#)). She noted that they are also posted on the Committee's website.
- 01:05:51 REP. HANSEN referred to the footnote regarding the 1992 District Court ruling on the BPE's rulemaking authority and its subsequent request in 2003 that the ELG review its administrative rules. Ms. Sankey said that the BPE has come to the ELG with that request in the spirit of cooperation but is not required to do so. REP. HANSEN said she would like to know if the 2013 Legislature passed any legislation to authorize new rulemaking authority for any entity under the ELG's jurisdiction.
- 01:07:17 REP. HANSEN said she would also like clarification on the independent rulemaking authority of the BPE and the Office of Public Instruction (OPI) in reference to one another. Ms. Sankey said that there are Superintendent of Instruction rules and BPE rules.
- 01:08:29 REP. HANSEN commented on the 1992 District Court ruling which, she said, "is severely out of Constitutional balance and that legislative authority has been overly usurped". She said that she would work to rectify the imbalance created by that decision.
- 01:09:13 SEN. FACEY said that independent review of a rule can be requested if a certain number of legislators object. Ms. Sankey said she would find out the threshold for implementing that process.

01:09:45 SEN. WINDY BOY asked if Montana Administrative Procedure Act (MAPA) applies to the Office of the Commissioner of Higher Education/Board of Regents. Ms. Sankey said no, that the Board of Regents and the university system are excluded from MAPA requirements.

LOCAL GOVERNMENT: UPDATES AND REQUESTS/SUGGESTIONS FOR ELG WORK PLAN

01:10:40 **Harold Blattie, Executive Director, Montana Association of Counties (MACo)**, discussed a number of issues that MACo is working on. He said that some of them may result in MACo-proposed legislation, which will be brought before the ELG for review. Issues discussed by Mr. Blattie included salaries for elected county officials, funding for the Local Government Center at Montana State University, local government study commissions, gravel pit review report requirements (SB 297, 2009) and the lack of funding for compiling the report.

01:15:48 REP. HANSEN asked if MACo could suggest a remedy for the SB 297 situation. Mr. Blattie said that the ELG could request an update from the Bureau of Mines.

01:16:28 SEN. ROSENDALE discussed the intent of SB 297 and said that his opinion is that because the money has not been appropriated or otherwise obtained, perhaps the law should not remain on the books.

01:17:21 Mr. Blattie closed his comments by saying that MACo plans to monitor the HJR 2 study and would be happy to assist the ELG however it can. He said MACo staff would report on other relevant issues at a later date.

01:21:10 **Alec Hansen, Montana League of Cities and Towns**, discussed the League's concern about the plight of cities and towns in eastern Montana dealing with infrastructure issues related to the energy expansion. Other topics of discussion included the League's support for SB 324, the League's opposition to holding municipal and school elections on the same day, challenges in dealing with water and sewer infrastructure issues, and the importance of allowing local governments to make decisions for themselves. He closed his comments by saying that he planned to attend all ELG meetings and offered his assistance to the Committee.

01:33:18 **Kelly Lynch, Division Administrator, Community Development Division, Department of Commerce**, updated the ELG on the implementation of SB 324 (2013). She reported that draft regulation templates have been completed and explained how they can be used by local governments. Ms. Lynch said she would provide more updates to the ELG at future meetings.

PUBLIC COMMENT

01:37:26 There was no public comment given.

01:37:46 SEN. FACEY recessed the meeting for lunch until 12:45 p.m.

LUNCH BREAK

02:48:21 SEN. FACEY called the meeting back to order at 12:53 p.m.

OFFICE OF PUBLIC INSTRUCTION

02:48:48 **Denise Juneau, Superintendent of Public Instruction, Office of Public Instruction (OPI)**, reviewed OPI's 2013 legislation and discussed a number of topics which included implementation of the *Common Core* standards for English and math curriculums in Montana schools, an update on the *Graduation Matters Montana (GMM)* program to increase high school graduation and college attendance rates in Montana, a partnership of the OPI and Office of Higher Education that combined grant money to allow all Montana high school juniors to take the ACT test, including the ACT Plus Writing test, free of charge, ongoing work to expand dual credit programs in high schools, and changes made in the high school equivalency exam, specifically that Montana will begin using the High School Equivalency Test (HiSET) in January 2014, replacing the GED.

Committee Questions

03:01:45 REP. MCCLAFFERTY asked if the HiSET will be administered online or in the school building. Ms. Juneau said that details are still being worked out but that she hopes the test will be administered in schools.

03:02:32 REP. WOODS wondered if the HiSEP will substitute for the GED on job applications. Ms. Juneau said it would and explained further.

03:03:29 SEN. LEWIS asked if implementing the *Common Core* standards is required or optional. Ms. Juneau said that BPE approved the standards as Montana standards so Montana schools must implement them. She explained further.

03:05:55 SEN. WINDY BOY discussed a serious issue in his district regarding the closure of the Lodgepole Elementary School. He asked Ms. Juneau to look into the situation and provide a report to the ELG. Superintendent Juneau said it was a school board decision to close the school and discussed OPI's work with the school district on the issue. SEN. WINDY BOY asked Ms. Juneau to put her response in writing for him. Ms. Juneau said she would do so.

Update: SB 175 - Generally Revise Public Education Funding

03:09:48 **Madalyn Quinlan, Chief of Staff, OPI**, discussed a detailed overview of SB 175 (2013) to generally revise public education ([EXHIBIT 8](#)).

Committee Questions

03:30:35 SEN. WINDY BOY requested a report on how many nonvoting levies have been imposed at the local level. Ms. Quinlan said that provisions of the bill have not yet been implemented so no information is available at this time. SEN. WINDY BOY asked that OPI report back to the ELG with that information.

03:32:34 SEN. LEWIS asked about oil and gas revenue bonds and a deficiency tax levy. He asked if there has been any discussion about selling these bonds without a voter-approved deficiency levy. Ms. Quinlan said she is not aware of any plans and explained further.

BOARD OF PUBLIC EDUCATION

- 03:34:00 **Pete Donovan, Executive Director, Board of Public Education (BPE)**, said the he was pleased that ELG members planned to continue attending BPE meetings. He then discussed a document, *Role and Duties of the Board of Public Education* ([EXHIBIT 9](#)). His presentation included a discussion of follow-up items to 2013 Legislature.
- 03:39:21 REP. HANSEN expressed concerns about the adequacy of teacher preparation programs. Mr. Donovan discussed an upcoming Dean's retreat devoted to the issue of teacher preparation and BPE's upcoming review of teacher preparation program standards. He said that it will be a broad review which encompasses other states' programs and national organizations and that all findings will be presented to the Superintendent of Schools.
- 03:42:31 REP. HANSEN read headlines from several education-related publications and asked if there is a sense of urgency in terms of addressing concerns about teacher preparation. Mr. Donovan said that Montana's teacher preparation programs are very good and noted that other states actively recruit Montana teachers. REP. HANSEN discussed the recent program review at MSU Northern which resulted in elimination of certain programs, stating that a close examination of teacher preparation programs is warranted because it appears that students are going into the programs but not graduating.
- 03:45:59 SEN. WINDY BOY discussed his concerns about credit transfers between tribal and state colleges.
- 03:49:45 SEN. FACEY said a concern of his is student teaching in foreign countries where standards differ a great deal from Montana teaching standards.
- 03:51:13 REP. WOODS commented that it is difficult to decipher the data because of the number of students who change their mind about teaching after the student teaching experience. He recommended introducing student teaching earlier in the process as well as expanding it because, he said, that is where students learn the most.
- 03:53:50 SEN. STEWART-PEREGOY said teacher preparation program information is readily available online for all colleges. She said that teaching is an art and that the bottom line is that to be a successful teacher, one has to love children.
- 03:56:11 SEN. LEWIS asked if a fiscal evaluation was before BPE's adoption of the *Common Core* standards. Mr. Donovan said no but noted that implementation was delayed in order to allow the Legislative Fiscal Division (LFD) to do a fiscal analysis. He explained the timeline of the process further.
- 03:59:59 REP. HANSEN said that the LFD was surprised by the request to do a fiscal analysis and that only a small number of schools participated in the LFD school survey. Because of that, she said, her opinion is that a thorough fiscal analysis still has not been done.

04:01:15 SEN. LEWIS said, due to the controversy surrounding the adoption of the *Common Core* standards, that he wanted this discussed on the record.

OFFICE OF THE COMMISSIONER OF HIGHER EDUCATION

04:01:50 **Clay Christian, Commissioner of Higher Education, Office of Higher Education (OCHE), Montana University System (MUS)**, stated that the University System is very prudent with taxpayer dollars and that it is obligated to be accountable to the taxpayer. Discussion topics included the effects of 2013 legislation, the three components of the College Affordability Plan, SJR 13 - MUS study of college completion, developmental education requirements and other issues related to teacher preparation, expansion of the WWAMI program and other programs. Commissioner Christian agreed that teacher preparation is an important issue and has captured the attention of many. He assured the ELG that a robust discussion could be held, should the ELG desire.

Committee Questions and Discussion

04:17:38 SEN. MOORE said that he supports performance-based funding but is concerned that academic achievement not be sacrificed in order to improve graduation rates. Commissioner Christian said it will take a robust conversation among university faculty and will require their support and cooperation to make sure that, as a state, there is a timed completion agenda to ensure that students are moving through the university system in an efficient and timely manner without sacrificing quality of education. He also discussed the economic growth related to increased graduation rates and the importance of the MUS and the Legislature working closely together.

04:20:57 SEN. STEWART-PEREGOY said, as a tribal college faculty member, that she would like more detail regarding changes that are being considered, particularly for developmental education courses and a cap on financial aid. Commissioner Christian said the goal is to identify ways to better prepare students for college so there is less need for developmental education at the college level, but at the same time, determine how to work best with those students who do need developmental education courses. He discussed how that could be done.

04:23:56 SEN. FACEY asked about data collection that differentiates between traditional and nontraditional students. Commissioner Christian said the data is collected for each group because of the different needs of each group.

04:24:43 REP. WOODS discussed concerns about the unintended consequences of incentivising graduation completion rates and how to divert students who are not ready for college. Mr. Christian agreed that is an important concern and said that no one wants to reduce the quality of education in Montana. He discussed how students who are not ready for college could be helped to find alternative programs that they are ready for.

04:28:56 SEN. MOORE discussed his concern about overbuilding capacity for two-year colleges and declining enrollment in community colleges. Mr. Christian said those concerns are duly noted but that he doesn't feel capacity has been overbuilt,

even though enrollment in the community colleges in eastern Montana has decreased. He explained his position further.

04:33:09 SEN. FACEY recessed the meeting for a short break.

BREAK

04:46:30 SEN. FACEY called the meeting back to order at 2:50 p.m.

GOVERNOR'S OFFICE

04:46:50 **Shannon O'Brien, Policy Advisor to Governor Bullock**, related her professional credentials and invited the ELG and the public to attend the upcoming BPE and BOR meeting, scheduled for July 16, 2013. She reviewed agenda topics to be discussed at the July meeting.

Committee Questions

04:50:51 SEN. WINDY BOY said he is very alarmed about the number of students who drop out or are expelled from schools, particularly in native communities. He noted an example of one school in his district that expelled 23 students in one month. He said that issues, such as high unemployment, domestic violence, and drug and alcohol abuse must be addressed before a student can be successful at the college level.

OVERVIEW OF AND INPUT ON HJR 2 - ELECTRONIC RECORDS MANAGEMENT

04:55:27 **Anita Bangert, State Project Management Office, Information Technology Services Division (ITSD), Department of Administration (DOA)**, stated she was appearing on behalf of Ron Baldwin, Chief Information Officer (CIO), DOA. Ms. Bangert related Mr. Baldwin's duties as CIO and his efforts as the ITSD Administrator to deal with electronic records management. She said that Mr. Baldwin recognizes the need for long-term solutions that will also ensure an appropriate level of security and ease of availability to the public. She described the steps that will be necessary in order to identify solutions and said that Mr. Baldwin is eager to work with the ELG on HJR 2.

04:57:35 **Patti Borsberry, Secretary of State's Office (SOS)**, listed her duties as a records and information manager in the SOS and read a statement into the record that outlined the SOS's support for strategies that will move Montana governments towards electronic records stewardship. Ms. Borsberry said that the SOS is recommending that the HJR 2 study include a stakeholder's working group to ensure a more successful outcome. She said that the SOS is looking forward to working with the ELG and stands ready to assist.

04:59:55 **Jodie Foley, Montana State Archivist, Montana Historical Society (MHS)**, read a statement into the record outlining MHS' understanding of the importance of HJR 2 and the important role the state archives can play as part of the process and solutions. She described her duties as state archivist in storage, management, and disposal of state records and some of the issues surrounding electronic records management. Ms. Foley thanked the ELG for taking on the complicated and difficult issue of electronic records management and pledged her assistance and support to the Committee.

- 05:07:20 REP. HANSEN asked how to start the process. SEN. FACEY referred the members to the copy of HJR 2 in their meeting materials ([EXHIBIT 10](#)) to use as a guidance and discussed several suggestions there. REP. HANSEN asked the SOS to make recommendations on who should be included in a stakeholder's work group.
- 05:09:27 Ms. Borsberry discussed the membership and work of a 2007-08 electronic records and information management steering committee which had a very broad base of representation. She said that the SOS thinks a similar approach would be effective for the HJR 2 study. REP. HANSEN asked the SOS to compile some of the background material from the 2007 steering group and present it to the ELG at the September meeting.
- 05:11:19 SEN. ROSENDALE asked if there is any consistency in the types of data being stored and in the forms of storage being used by the different departments and organizations. Mr. McCracken said that there is a very wide range of formats used for data storage. He said his impression is that the work outlined in HJR 2 will be undertaken by experts and that it will be ELG's job to monitor and support that work by reviewing progress reports and appointing ELG members to the stakeholder group.
- 05:13:29 REP. WOODS asked if there are any other states with strong programs that Montana could emulate. He suggested that a list of the "top ten" be compiled for consideration by the ELG. Ms. Foley said she would provide that information to Mr. McCracken.
- 05:15:13 At REP. HANSEN's request, the panelists agreed to stay for discussion of the Work Plan, in the event ELG members had additional questions.

PUBLIC COMMENT

- 05:15:55 **Deborah Lamm, parent and private citizen**, commented on parental concerns about BPE's decisionmaking authority, particularly regarding adoption of the *Common Core* educational standards. She asked the ELG to include the *Common Core* standards issue in its Work Plan and to put it on the agenda for further discussion and consideration.
- 05:20:25 Ms. Lamm made comments related to REP. HANSEN's concerns about teacher quality and said she was available for questions. She also submitted public comment from Barbara Rush ([EXHIBIT 11](#)) and Arthur and Kathleen Hassan ([EXHIBIT 12](#)).
- 05:21:53 **Bob Vogel, Montana School Boards Association (MTSBA)**, distributed and discussed highlights from the MTSBA's 2013 Resolutions ([EXHIBIT 13](#)). Mr. Vogel also discussed his support of HJR 2 and said it is important to have the best available technology in school districts for records management.
- 05:30:53 **Linda Holenstein, Plains, Montana**, said that as a retired educator, she is very concerned for American education. Ms. Holenstein discussed her strong objections to the *Common Core* standards and her concern that the National

Education Association is inappropriately manipulating of America's education system for its own purposes.

05:35:31 **Melissa Friedman, Miles City**, asked the ELG to protect her rights, as a parent, to homeschool her children by halting implementation of the *Common Core* standards in Montana. She discussed the basis for her strong objections to the standards. Ms. Friedman also discussed other curriculum concerns and the importance of allowing local school boards and parents to make those choices.

05:42:12 **Gina Satterfield, Helena**, expressed her strong objections to the *Common Core* standards and asked ELG members to read the standards for themselves. She categorized the standards as a data mining and social engineering experiment and said that children will become "lab rats" as a result. She said that other states are rejecting the *Common Core* standards and asked that Montana reject them too.

WORK PLAN DISCUSSION

05:47:30 SEN. FACEY explained how he would like the Committee to proceed with its discussion of the Work Plan and said that members would refer mainly to the Prioritization Tool ([EXHIBIT 5](#)) when discussing individual study plan topics.

05:49:59 SEN. ROSENDALE asked to have presentations on administrative rules for the departments and agencies under the purview of the ELG. SEN. FACEY said that Ms. Sankey, as staff attorney, planned to address rule review at every meeting.

05:51:04 REP. HANSEN said, given the intensity of testimony regarding the *Common Core* standards, that she would include monitoring of that issue in the Work Plan, specifically administrative rules relating to the *Common Core* standards. She asked if it would be possible to look back at previous BPE actions and said the ELG may wish to consider doing that, for the fiscal issues at the very least.

05:52:10 SEN. ROSENDALE recalled discussions in the last ELG Committee about implementation of *Common Core* standards and agreed that because there continues to be a great deal of concern about the standards, that the ELG should continue to monitor the issue.

05:53:31 SEN. FACEY commented on why some districts are farther ahead than others in implementing *Common Core* and said it should be appropriate to ask for additional fiscal analysis. Mr. McCracken said that in listening to ELG member comments, it appears that the Committee is interested in monitoring not just the administrative rules related to *Common Core*, but also the process related to adoption or amendment of accreditation standards. He discussed ELG statutory authority to do so as listed in the Prioritization Tool ([EXHIBIT 5](#)).

05:55:22 REP. HANSEN said she would like information from OPI on the status of the implementation of the standards and how it is playing out statewide. She said she would keep track of where curriculum development is and how it is changing to fit the new standards.

- 05:56:58 SEN. WINDY BOY said he is concerned about the fiscal impact of the new standards and wondered if their sustainability, once grant funds run out.
- 05:57:41 REP. MCCLAFFERTY said she would like more information on the HiSET. SEN. FACEY explained how his school deals with students who need to be caught up in order to graduate. He said the HiSET catches kids up and keeps them in school and involved in their education.
- 05:59:07 SEN. ROSENDALE asked, if the GED is the accepted test, if student opportunities are being jeopardized by changing to the HiSET.
- 05:59:59 REP. PRICE discussed how the GED program is administered in Great Falls and said she would like to more thoroughly understand the effects of changing to the HiSET.
- 06:01:08 SEN. STEWART-PEREGOY reviewed her notes on using the GED versus the HiSET and said she thought it would be worth looking into. Regarding the *Common Core* standards, SEN. STEWART-PEREGOY thought it would be good to involve the MTSBA and other vision groups in discussion of core standards.
- 06:02:37 SEN. FACEY said he would like to investigate the performance-based funding in the MUS and the *Complete College American* program as discussed by Commissioner Christian. Regarding HJR 2, SEN. FACEY said he would like to get the stakeholder group sorted out and create more specific sideboards on what that group should do. He asked Mr. McCracken how best to proceed on this issue and who should be invited to present. Mr. McCracken reviewed his notes, which included a broad overview of the topic in general and a review of the work of the Select Committee on Efficiency in Government, review of other strategic planning studies, best practices, and a other states' work and programs.
- 06:05:23 SEN. FACEY asked about meeting date changes. Mr. McCracken said that based on feedback, the September meeting date was changed to September 23 and 24, 2013, and that other meeting date changes may be made as needed.
- 06:07:03 SEN. LEWIS asked to add to the work plan a review of two charter school bills from the 2013 session. He predicted that the issue will come up in the 2015 session and said that reviewing the two bills would provide a good background.
- 06:08:28 SEN. FACEY said that could be done but commented he would not support a charter school bill as a ELG Committee bill. He said that REP. HANSEN's open enrollment bill from the 2013 session would also likely resurface in the 2015 session.
- 06:10:29 SEN. STEWART-PEREGOY said that she would like to address early learning initiatives under the "Education Emerging Issues" as listed on page 2 of the Work Plan Prioritization Tool. She discussed the possibility of forming a subcommittee to address this important issue.

- 06:12:25 SEN. MOORE proposed Option B for following implementation of SB 175 (page 2, [EXHIBIT 5](#)) and to also include an update from the K-12 Data Task Force.
- 06:13:16 REP. MCCLAFFERTY asked to invite Sara Groves from the State Library to update the ELG on its new "Ready to Read" program. SEN. FACEY discussed budget issues and asked members who want to attend BOR or BPE meetings to monitor the meeting schedules and plan to attend when there is one in their area. REP. HANSEN asked staff to send members a meeting calendar for the Regents and the BPE. Mr. McCracken said he would do that.
- 06:15:04 SEN. WINDY BOY asked, regarding the issue of dual credit and transferability of credits, to have OPI, OCHE, and BPE make a report to the ELG on progress being made on that issue. SEN. FACEY agreed but cautioned that turf battles may prevent much progress from being made.
- 06:16:19 SEN. MOORE said it would be beneficial to get an update later in the interim on infrastructure issues in oil and gas-impacted towns in Montana. SEN. WINDY BOY reported that the State-Tribal Relations Committee will be discussing the impact of border towns around reservations and transferability of tribal college credits and nonbeneficiary students.
- 06:17:38 REP. HANSEN asked for information on transportation rates. Mr. McCracken said that the Legislative Audit Division recently prepared a report on school transportation funding and safety which included several recommendations. REP. HANSEN asked if the transportation question could be looked at as part of the open enrollment issue. She said an additional issue of interest to her is grant funding and requested staff to prepare a report on what entities or agencies under the purview of the ELG have applied for grants, what amount of grant funding has been received, and what their authority is to request grants. SEN. LEWIS explained that the Legislative Finance Committee receives regular reports on grants received by every agency. REP. HANSEN said she would like to see those reports but that she would still like to know which agencies are applying for grants and what their authority is to ask for grants.
- 06:21:55 Mr. McCracken said, regarding the Committee's work priorities as discussed so far, that aside from review of the accreditation standard review/Common Core standards at a higher intensity, his understanding is that the ELG wishes to pursue their remaining statutory duties at a lower intensity. REP. HANSEN said she wants to review administrative rules at a medium intensity. She recalled that Mr. Blattie had suggested having the Bureau of Geology and Mines provide an update on the sand and gravel investigation reports.
- 06:23:45 Mr. McCracken said he was clear on HJR 2 study plans.
- 06:23:54 Mr. McCracken recalled that the ELG reached general agreement on most of the topics listed on the second page of the Prioritization Tool and on the issues brought forth by the members. SEN. MOORE thought that the topic of revisiting K-12, K-20, and MUS shared policy goals could be given a low priority. REP. HANSEN said that topic could be rolled into the MUS performance funding piece.

Mr. McCracken explained how he planned to address it at the September or December meeting.

06:25:57 REP. HANSEN asked for more specific information on the K-12 Data Task Force in SB 175 and if there is a time frame for getting that up and running. Mr. McCracken said he would have that on the September agenda.

ADJOURN

06:27:26 Without further business before the ELG, SEN. FACEY adjourned the meeting at 4:30 p.m. The Education and Local Government Interim Committee will meet next in Helena, Montana, on September 23 and 24, 2013.

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