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## Education Interim Committee

69th Montana Legislature

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TO: Education Interim Committee  
FROM: Pad McCracken, Committee Staff  
RE: Required report presentations  
DATE: September 2, 2025

At your July meeting you requested presentations on four annual reports at your September meeting. Additional annual reports are being posted to the committee webpage under the “Required Reports” tab. Remember that the majority of required reports are biennial reports provided in September of even years. So, you can anticipate more presentations a year from now.

Here’s the nutshell on the four reports. All of these reports are from the Office of Public Instruction (OPI) and all are first-time-ever reports.

### Indian Education for All (IEFA) (report also goes to STRC)

This is a new required report established in [Senate Bill No. 181](#) (2025; Windy Boy). The reference made to 20-9-329(6)(a) has to do with school districts reporting expenditures for IEFA at least equal to the IEFA funding the district received.

#### *(6) The office of public instruction shall:*

*(a) create an online portal for submitting feedback from parents, students, and educators about the implementation of the requirements of this part;*

*(b) respond to and address the feedback received in a manner that aims to continually improve the quality of American Indian studies under this part; and*

*(c) report annually to the education interim committee and the state-tribal relations committee in accordance with 5-11-210 on:*

*(i) the feedback received, responses provided, and improvements made under this subsection (6); and*

*(ii) school districts failing to report or report satisfactorily in the same manner as described in 20-9-329(6)(a).*

## Out-of-district attendance

House Bill No. 203 (2023; Bedey) revised out-of-district attendance (aka tuition) laws in a number of ways. One change is that, for the first time, data on out-of-district attendance would be submitted by districts to OPI and then reported annually to the Education Interim Committee. Because this data is from the prior fiscal year and because HB 203 included a delayed effective date of July 1, 2024, this will be the first out-of-district attendance report produced. [House Bill No. 250](#) (2025; Bedey) made some small changes to the reporting requirements and also modified the manner in which districts provide OPI with the data. New language in **bold** below.

*(8) (a) In accordance with 5-11-210, the superintendent of public instruction shall report annually to the education interim committee on out-of-district attendance under 20-5-320 through 20-5-324 in the prior school fiscal year. The report must include the following for each school district:*

- (i) the total enrollment of the district;*
- (ii) the number of nonresident students served by the district under out-of-district attendance agreements, **broken down by district of residence**; and*
- (iii) the number of resident students served by other school districts under out-of-district attendance agreements, **broken down by district of attendance**.*

***(b) School districts shall provide the superintendent of public instruction with the information necessary to comply with this subsection (8) in a manner prescribed by the superintendent that must minimize the reporting burden on school districts.***

## Early Targeted Interventions (report also goes to EIBC)

Early Literacy Targeted Interventions were enacted in House Bill No. 352 (2023; Barker) and included an annual reporting requirement. [House Bill No. 338](#) (2025; Romano) revised the interventions to include a focus on numeracy/math as well and removed “literacy” from the name of the program and added math assessments to the reporting requirement. Similar to the out-of-district attendance changes, early targeted interventions did not begin until the 2024-2025 school year, and this will be the first report provided to the committee. While the more long-term measurements required in the report will not be applicable for a few (or more) years, this report should shed light on the number of districts offering the various intervention programs (home-based, jumpstart, and classroom-based) and offer a benchmark of proficiency levels

*(5) Pursuant to 20-7-104, the superintendent of public instruction shall monitor early targeted interventions and gather data to evaluate the efficacy of the interventions while protecting the privacy rights of students and families. The superintendent shall report, in accordance with 5-11-210, to the education interim committee and the education interim budget committee no later than September 1 annually. The report must contain a comparison analysis by intervention type, including no intervention, and must include:*

- (a) the number of participating and nonparticipating children and districts;*

*(b) longitudinal data displaying the proficiency level of participating and nonparticipating children at each grade level following participation in an intervention;*  
*(c) at a time when the data is available, long-term outcome data for participants and nonparticipants, including but not limited to:*  
*(i) assessment data in 8th grade and high school;*  
*(ii) high school graduation rates;*  
*(iii) and postsecondary participation rates; and*  
*(d) a list of schools offering one or more targeted interventions and a list of the matched comparable nonparticipating schools that on the most recent 4th grade statewide reading and math assessments:*  
*(i) had 75% or more of its students score at proficient or above; or*  
*(ii) improved the percentage of students scoring at proficient or above by 10 or more percentage points.*

### **School Funding Inflation** (report also goes to EIBC and LFC)

[House Bill No. 266](#) (2025; Muszkiewicz) amended 20-9-326, MCA, which is the section of law requiring that the present law base for the main school funding formula components for the upcoming biennium include an inflationary adjustment based on the prior three years' consumer price index (CPI) but not to exceed 3%. The present law base is simply the budgetary "starting point" and despite misperceptions, this statute has never prevented the Legislature from providing inflationary adjustments exceeding 3%. HB 266 addresses that misperception by adding the following language to the law:

*(b) This subsection (2) does not limit the superintendent or the governor from recommending, or limit the legislature from adopting, inflationary adjustments other than those calculated in this section.*

HB 266 also creates a reporting requirement to ensure that three legislative committees are informed about how the inflationary adjustments provided by the Legislature compare to the actual CPI for the most recent six years.

*(3) Beginning in fiscal year 2026 and then every even-numbered fiscal year thereafter, the superintendent of public instruction shall provide a report no later than September 1 to the education interim budget committee and the education interim committee and no later than December 31 to the legislative finance committee, in accordance with 5-11-210, regarding the educational relevance in the implementation of this section. The report must include:*

*(a) the increase in funding over the prior year on a per-ANB basis for the BASE aid elements represented in 20-9-306(2)(a) and (2)(c) through (2)(h) budgeted to be provided to school districts in the current fiscal year and provided to school districts in the preceding 5 fiscal years, which must be reported in both dollar and percentage amounts, with the six percentages rounded to the nearest one hundredth;*

*(b) the percentage change from July of the preceding year to July of the applicable year in the consumer price index for the current year and the preceding 5 years, with the six percentages rounded to the nearest one hundredth; and*  
*(c) a cumulative numerical comparison of the difference between the percentages reported in subsections (3)(a) and (3)(b), rounded to the nearest one hundredth.*