

SAM 2019 Legislative Session Summary

66th Montana Legislative Session



May 1, 2019 DRAFT

(May be revised following final outcome of bills yet to be signed into law at this time)

School Administrators of Montana (SAM) actively pursued advocacy on behalf of our membership on the SAM Legislative Priorities during the 66th Legislative Session. SAM continued to work effectively with the alliance of education associations, [MT-PEC](#) (Montana Public Education Center), to help the legislature understand and support public education in our state. The session was very successful in terms of SAM's participation in developing legislation that created flexibility and funding to support public education, and helping to defeat legislation that would have caused harm to public schools. This report is an update on the actions of the legislature around the [SAM Advocacy Priorities](#) established by the SAM Delegate Assembly and the membership prior to the session.

The SAM Legislative Network 2019 (SAMLN19) was formed prior to the legislative session in order to effectively communicate SAM legislative issues/bills and collect input to allow appropriate representation of SAM issues/bills during the legislative session. [Ninety-seven SAM members](#) representing every affiliate region across the state served on the SAMLN19, and through their effort accomplished the successes this session! The [SAMLN19](#) webpage references 22 SAMLN19 Updates, Podcasts, and Weekly Schedules, as well as 5 “Calls to Action” and the webinar training and web meetings that helped organize the effort of the SAMLN19.

SAM followed and advocated for (or against) 138 bills to the end of the session. These bills and their status over the course of the session are on the [SAM Bills 2019](#) webpage, see [SAM Followed Bills 4-30-19](#) to review all 138 bills. The [SAM Followed Bills Priority Status Report 4-30-19](#) provides a review of all of the bills sorted by SAM advocacy priority and indicates the stance taken by SAM (Proponent, Opponent, Monitor).

The summary that follows begins with an overview of progress on [SAM Advocacy Priorities](#). Next is a brief ‘success by the numbers’ review of bills that were followed by SAM. Thanks to the many SAM members who made contacts to legislators and shared information – this **IS** what made the difference for K-12 education during the 66th Legislative Session.

SAM Legislative Priorities

SAM's advocacy priority areas – 1. Support Adequate and Equitable School Funding (28 bills), 2. Support Recruitment and Retention of Quality Educators (5 bills), 3. Oppose Privatization with Public Funds (2 bills), 4. Support Facility and Technology Infrastructure (6 bills), 5. Support School Based Mental Health Services (5 bills), and Other SAM Followed Bills (49 bills). Each of these priority areas are summarized below...

1. Support Adequate and Equitable Funding for Montana Schools (1 SF)

- Twenty-eight bills to address school funding were considered by this legislature. What follows are the major successes of SAM bills related to school funding.
- As the legislative session began, a major focus was to comply with the current law to provide inflationary increases to the K-12 school funding formula components. Special education

allowable costs continued to be an issue that this legislature funded at the inflationary rate but in effect kicked the can down the road by not placing the special ed allowable costs into the K-12 funding formula or funding an adjustment to the special ed distribution formula that would have assisted special education coops needs. The two bills addressing these big issues of funding that passed this session were ...

- [HB 159](#) (Grubbs), providing inflation on the funding formula and following through on what was set up in the 2017 Legislature with the state's expanded state support for public schools through the GTB formula and through funding of the Natural Resource Development (NRD) Payment to defray major maintenance levies that had been obtained through SB 307 in the 2017 Legislature. GTB by itself is projected to be \$23 million per year higher than what GTB plus block grants was in FY17. Combined with \$10 million per year in the NRD payment, that represents \$33 million in tax relief and over \$80 million in increased biennial spending authority for schools. This bill was passed as one of the first (2/27/19) significant bills of the 2019 Session, establishing a three biennial trend where public schools were funded first.
- [HB 638](#) (Bedey), increasing K-12 special ed allowable cost payment was much slower (4/10/19) making it through the session after the failure of [HB 27](#) (Funk) on 2/14/19, generally revise special education funding which would have placed special ed allowable costs into the funding formula, applied inflation and adjusted the distribution formula to account for the special ed coop needs. As is HB 338 places the current inflationary adjusted special ed allowable costs into the base funding to be considered by the 2021 legislature.
- [HB 351](#) (McKamey), providing incentives for school districts to transition to personalized learning (transformational) models, including the incorporation of proficiency based ANB. The funding under this bill amounts to approximately \$3,200 per year per participating quality educator and includes both state funding and a 100% nonvoted local levy match authority in the Flexibility Fund.
- [HB 387](#) (Jones), providing increased CTE funding for advanced opportunities. This bill expands school district access to use of Adult Education Funds (25% match) and will, when fully phased in between 2020-2024, nearly triple current funding for CTE programs, including expansion to middle grades. This bill also creates a present law base and inflationary adjustments to CTE for the first time.
- [HB 576](#) (Bedey), providing increased flexibility for school districts in managing their endowment funds. There is nearly \$30 million in school district endowment funds across Montana and up until now, expenditure of the principal from those funds has been prohibited by automatic operation of the law. Under HB 576, unless the donor directed the funds to an endowment, the school district will now have flexibility to move and spend the funds at the discretion of the board of trustees.
- [SB 92](#) (Salomon), creating a new expanded definition of school safety that includes both capital and operational expenditure authority and both preventative and reactive measures to address school safety. The broadened definition of school safety will expand authority of trustees to transfer money from fund to fund, to run voted levies for school safety (no cap and no durational limit other than as specified on the ballot by the trustees) and access to existing nonvoted major maintenance levy proceeds for school safety.

2. Support Recruitment and Retention of Quality Educators (2 RR)

- Five bills addressing recruitment and retention of quality educators were under consideration this session. Only one of those bills passed.

- [HB 211](#) (Jones), providing loan repayment funding for impacted schools with critical quality educator shortages. This bill represents the collective advocacy of MT-PEC to place in law state funded loan repayment (for 3 years) for educators in critical shortage areas, expand the definition critical shortage areas (targeting rural schools and hard to fill positions), and provides local school districts the ability to use district approved funding to extend the loan repayment to a 4th year.

3. Opposition to Privatization with Public Funds (3 PP)

- Two privatization with public funding bills were considered during this session. [HB 755](#) (Moore), generally revise pre-kindergarten laws, and amendments in Conference Committee (on the last 2 days of the 2019 session) action to [SB 352](#) (Thomas), generally revise laws related to the state budget failed this session. Unfortunately, all of the funding for preschool was stripped from this strong effort by some legislators to provide public funds to private schools on the last day of the 2019 legislative session.
- You can follow the dialogue of what happened regarding privatization with public funds and preschool by reviewing [SAMLN19 Legislative Update 22 4-26-19](#) and/or [Podcast Week 16](#).

4. Support Facility and Technology Infrastructure (4 FT)

- Four bills to address facility and technology infrastructure were considered during the 66th legislative session.
- [HB 247](#) (Grubbs), provide greater flexibility for school districts in financing major maintenance, will providing school districts access to over \$250 million in major maintenance loans. This bill provides exponentially-increased value to the major maintenance levies by allowing the use of levy proceeds to pay debt service on major maintenance loans. This bill was an idea developed by the SAM Delegate Assembly and was an action resolution. SAM helped write the bill language, asked Rep Grubbs to carry the bill, and assisted in navigating this bill through the session to a successful end.
- [HB 652](#) (Hopkins), revise the long range building bonding program, dedicates \$10.75 million to school district infrastructure projects by application. The bill places a cap of \$750,000 per project and \$1.5 million per county and provides funding possibilities for any school district impacted by natural resource development.

5. Support School Based Mental Health Services (5 MH)

- Five bills were followed during the session that would have had an impact on school based mental health services.
- [SB 267](#) (Sands), revise laws related to private alternative adolescent programs board was the only bill in this area to pass. The content of the bill will revise laws related to private alternative adolescent programs board and will have little impact on the services in our public schools.
- SAM has much more work to do in the future in this advocacy priority area.

Reviewing the Success in the Session on Bills followed by SAM

The SAM advocacy team (Kirk Miller and Rick Duncan) provided testimony on behalf of SAM 94 times on 55 different bills. See the [SAM Testimony Log 2019 Legislative Session](#) to review the details. The following is an overview of the bills by the numbers...

- Testimony on behalf of SAM was provided 94 times – 84 as proponents, 8 as opponents and 2 as informational (questions were asked).
- Bills followed by SAM in which we were either proponent or opponent: 55

- Passage Rate on Bills SAM supported: 28/47 Bills Passed (59.6%)
- Failure Rate on Bills SAM supported: 19/47 Bills Failed (40.5%)
- Passage Rate on Bills SAM opposed: 1/8 Bills Passed (12.5%)
- Failure Rate on Bills SAM opposed: 7/8 Bill Failed (87.5%)

This data indicates that we were relatively effective in playing offense by passing 28 of the 47 bills SAM supported. This data also indicates that we were quite effective in playing defense by having only 1 of the 8 opposed bills pass the legislature. As stated in the introductory remarks, SAM was active in helping to write the bill language in several instances that passed and are now law.

The [SAM Followed Bills Priority Status Report 4-30-19](#) shows detailed information about the bills SAM followed and their final status in the 66th Legislative session.

Following the Session the focus of SAM and MT-PEC has turned to the development of professional learning (training PD) for our members to leverage flexibility and resources during times of scarcity. Helping our school administrators develop an understanding of the flexibility and resources resulting from the 2019 legislative session actions and that of previous legislative sessions is of highest priority this spring, summer and into the fall of 2019. An example would be full understanding of the ability to develop early childhood education authorized under current law, notably the exceptional circumstances clause of MCA 20-5-101(3), as a way to provide opportunities in your district to our youngest learners. You can expect to see this professional learning opportunity at the SAM Administrators Institute 2019 in July, and also at MCEL in October 2019. SAM will make this effort because we know that our members, administrators all across the state, will benefit from learning about all of the opportunities that flexibility and resources can bring to their schools, and the impact it will have on creating learning opportunities for the students served in those schools.

Thank you to the SAM members in the SAM Legislative Network 2019, SAM Delegate Assembly Steering Committee Chairman Rick Duncan, for his effort to support SAM advocacy during the session, our partners in the MT-PEC, and many legislators for committing their time and energy in creating this success for the education of our children during the 66th Legislative Session!

Respectfully Submitted,



Kirk J. Miller, Ed.D.
Executive Director
School Administrators of Montana