



Update to SAM Officers and Directors

June 2018

MQEC serves as the 'constitutional guardian' of Article X of the Montana Constitution.

We advocate for, pursue, and defend the need for adequate funding to provide quality education for each of Montana's public school students.

Thank you for the opportunity to share Montana Quality Education Coalition's current priorities and activities. MQEC plays a vital role in Montana's public education advocacy system and I appreciate every occasion to describe the good work of our organization!

SB 410 Litigation

- [Senate Bill 410](#), passed by the 2015 Legislature, established a tax credit for individuals wishing to contribute to K-12 public schools and K-12 private, non-parochial schools. The bill called for the program to be established in accordance with Article V, Section 11(5) and Article X, Section 6(1) of the Montana Constitution, which prohibit the direct or indirect appropriations or payment from any public fund to any sectarian or religious purpose. Accordingly, the Department of Revenue adopted rules that manage the program and which exclude church-affiliated schools from participation. MQEC is on record in support of the Department of Revenue rules.
- The exclusionary rule was challenged by parents of children who attend private, church-affiliated schools and a ruling from the Flathead County District Court was issued in their favor. MQEC has worked closely with the Department of Revenue in appealing this decision to the Montana Supreme Court, [which was argued in early April](#). We anticipate the Court may issue a ruling this summer, though there is no specific timeline for action by the Court.



More detailed information on this topic is available [on the MQEC web site](#).

Litigation costs are funded through MQEC's advocacy reserves, which are in turn funded through annual membership dues from Montana's school districts and MT-PEC partners (MASBO, MFPE, MREA, MTSBA, and SAM). MQEC has expended approximately \$52,000 on SB 410 litigation to date.

2019 Legislative Priorities



- **Defend and preserve the existing funding formula defined in 20-9-309 MCA.** The state budget picture is still a moving target, but we expect attempts to change/decrease/eliminate/freeze elements of the formula.
- **Insist upon the return of the Data for Achievement payment as specified in SB 261.** This distribution was suspended for the 2018-2019 biennium and is scheduled to return in 2020. We expect attempts to continue the suspension or elimination of the payment.
- **Insist upon expansion of Guaranteed Tax Base payments as specified in HB 647: 216% for FY19, 224% for FY2020, 232% for FY2021.** GTB expansion over a 4-year period was promised in exchange for elimination of General Fund Block Grants. We expect attempts to slow or limit the expansion.
- **Insist upon funding for the school facilities program through the natural resource development (NRD) payment.** The program was established through HB 647 and SB 307, although funding was suspended for the biennium as specified in SB 261.
- **Support efforts to address teacher recruitment and retention issues, including funding for student loan forgiveness as specified in HB 119 and stipends for educators achieving and/or maintaining National Board Certification as specified in SB 115.**
- **Ensure application of inflation to all elements in the funding formula.** In particular, since 2008 the state share of special education funding has remained flat at \$41 million while contributions from the local taxpayer have increased from \$44 million to \$52 million. Judge Sherlock's 2008 opinion specifically noted that "State appropriations for special education have fallen far short of the growth in costs".
- **Successfully defeat efforts to fund charter schools, tax credits, vouchers, and education savings accounts, with public funds at the expense of funds that would otherwise be committed to our public schools.**
- **Successfully defeat assaults against the Board of Public Education's accreditation standards and local district policy.** Proposals for complicated and unworkable curriculum opt-outs, mandated presence of guns in schools, and attacks on the Board of Public Education's standards will all likely be on the agenda as they were in previous legislative sessions.

Please don't hesitate to contact me if you would like more information on MQEC's activities.

I look forward to working with you in the upcoming Legislative Session in support of quality public education.

Dianne