



SCHOOL ADMINISTRATORS OF MONTANA  
*Delegate Assembly 2018 Proposed Resolutions*

As of 4-27-18

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**Resolution #16-01—ONLINE VERIFICATION AND GRACE PERIOD FOR REGISTERING EDUCATOR LICENSE**

~~WHEREAS, educators must register their certificates within 60 calendar days of performing contracted services per MCA 20-4-202; and~~

~~WHEREAS, only the original certificate can be registered; and~~

~~WHEREAS, MCA 20-4-202 does not allow a grace period to address registering certificates with a County Superintendent of Schools Office; and~~

~~WHEREAS, it has become difficult to register certificates with a County Superintendent of Schools Office within the 60 calendar day period either through part time office hours or licensure issues;~~

~~BE IT RESOLVED, that SAM supports legislative action to add the option to allow a grace period in registering the original certificate with consistent access to County Superintendent of Schools for online verification of certificate registration through scanning and submitting through email or digital affidavit from the TEAMS/FTE Report up to the December 1 teacher assignment deadline.~~

~~Designation: Support~~

Submitted by Erin Lipkind (Missoula County Superintendent) on 4-24-18 for MACSS

**Supporting Information**

While there is no fiscal impact to SAM resolution #16-01, I argue that it is an unnecessary focus for the School Administrators of Montana's lobbying efforts. It should not be an action item or a support item. Rather, it should not be a resolution at all.

True, MCA 20-4-202 is outdated now that MSIS exists. When this statute was written, there was no electronic method of determining if a teacher was properly licensed. Thus, a better effort might be to abolish the requirement to register the certificates at all and require the school clerks to identify whose license is expiring or that new staff are properly licensed. All this information is available online. However, the County Superintendent provides a service to county schools by generating lists of teachers whose licenses will expire at the end of the school year. This provides for a system of checks and balances that keeps teachers from slipping through the cracks, resulting in licensure issues being picked up when completing the TEAMS report where it will result in an accreditation problem and decrease in the quality educator payment.

The fact that some County Superintendents hold part time positions is no barrier to getting the original license processed in a timely manner. OPI turns around license renewals within a week, and teachers no longer have to send in their renewal units or transcripts in order for the license to be processed. 5 years is more than enough time to get the necessary renewal units or university credits to renew a license—no extension is necessary. For teachers new to the field graduating from Montana universities, their university personnel assist in the initial licensure processing and most are duly licensed by the end of summer. For those seeking provisional licenses or additional endorsements, the time necessary to receive official transcripts and submit to OPI is no more than two weeks. Thus, 60 days is more than



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enough time to accomplish this. Finally, professional licenses (OT, PT, SLP) must be renewed yearly and can be done via email. These individuals don't get an original license, just a print out. They can email the county superintendent a print out, and she can print it and send it back in the mail.

There is nothing in statute that requires an individual to come in person to register a license. They can be left in a locked drop box or sent to the county superintendent in the mail. She can then send it back to the individual, and the process can be completed within a few business days regardless of how part time the officeholder. If a license is lost in the mail, the OPI can replace it within days.

As County Superintendent in a large county, my experience has been that those who miss the November 1 deadline have failed to accrue the required 60 renewal units or university credits. They either lost their paperwork or simply didn't take the required courses. Since university credits are no longer required for renewal, the process to get a renewal license has gotten so easy that there is no excuse for missing the November 1 deadline. Unprofessional behavior should not be rewarded with a grace period.

## Montana Code Annotated 2015

**20-4-202. Teacher and specialist certification registration.** (1) Any person employed as a teacher, specialist, principal, or district superintendent shall register the person's certificate or the district shall register its emergency authorization of employment for a teacher with the county superintendent of the county in which the person is employed in order to validate the person's employment status and permit payment under the employment contract. If a teacher or specialist does not register the person's certificate with the county superintendent within 60 calendar days after the person begins to perform services, the person is not eligible to receive any further compensation under the contract of employment until the person has registered the certificate. After the schools of a district have been open for 60 calendar days in the current school fiscal year, the county superintendent shall notify each district of the county of each teacher or specialist who has registered a current valid certificate, and the district may not pay any teacher who has not registered the person's certificate until the county superintendent does notify the district of the registration.

(2) A teacher or specialist employed by a joint district shall register the person's certificate with the county superintendent of the county in which the person is working. A teacher or specialist employed by a special education cooperative shall register the person's certificate with the county superintendent of the county in which the special education cooperative is based.

History: En. 75-6106 by Sec. 87, Ch. 5, L. 1971; amd. Sec. 3, Ch. 277, L. 1977; R.C.M. 1947, 75-6106; amd. Sec. 15, Ch. 511, L. 1979; amd. Sec. 1, Ch. 330, L. 1987; amd. Sec. 291, Ch. 56, L. 2009.

### **Resolution #13/14-02 – ALIGNMENT OF ACCREDITATION STANDARDS AND FUNDING**

**BE IT RESOLVED**, that SAM work to regularly monitor changes in accreditation standards and work to ensure appropriate alignment between the accreditation standards adopted by the Board of Public Education and funding appropriated by the Montana Legislature to assist school districts in implementing such standards. SAM shall pursue such alignment either through opposition to unfunded or underfunded changes or through pursuit of funding necessary to allow school districts to comply with such standards.

**BE IT FURTHER RESOLVED**, the SAM collaborate with the Office of Public Instruction and the Board of Public Education to develop a Small Schools Process by which Student Performance Standard Level of

**Commented [LE1]:** This is exactly what we are doing now. The change that occurred was using percentage proficient rather than an average cut score to determine accreditation status.



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Accreditation is determined that takes into consideration the unique nature of Montana's smallest schools and protects a student's right to privacy.

Commented [LE2]: New language

**Designation: Support**

**Submitted by Erin Lipkind (Missoula County Superintendent) on 4-24-18 for MACSS**

**Supporting Information**

See mark-up comments.

See comments in mark-up on Resolution #01/03/05/12/14/15/16/17-07 that support the revisions to Resolution #13/14-02

**Resolution #01/03/05/12/14/15/16/17-07 – STUDENT ACHIEVEMENT AND ASSESSMENT**

WHEREAS, SAM believes there is no single measurement evaluating the quality of education between students and schools; and

WHEREAS, SAM believes any mandated programs of testing must be fully funded and include fully funded research-based intervention programs that help students reach benchmarks; and

WHEREAS, SAM believes that the current concept of high stakes testing does not help schools meet the needs of its students or its community;

WHEREAS, SAM believes that federal and state mandated testing and reporting are excessive and the time required for testing needs to be balanced with time for student instruction;

WHEREAS, SAM believes that using computer adaptive testing is valuable and technology should work appropriately to insure students have the best opportunity to reflect what they know and are able to do during testing in order to have reliable and valid results;

BE IT RESOLVED, that SAM supports use of multiple measures of school assessment in local school improvement projects; and

BE IT FURTHER RESOLVED, that SAM supports the use of a growth based model of student achievement which includes multiple measures of student performance; and

BE IT FURTHER RESOLVED, that if the state funds interim assessments that the use of that funding and the choice of assessment used will remain under the control of local school districts;

BE IT FURTHER RESOLVED, SAM supports full state and federal funding of mandated assessments and subsequent intervention programs;

BE IT FURTHER RESOLVED, SAM supports grade band testing at grade levels determined and approved in Montana, with minimum reporting to the federal government;



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BE IT FURTHER RESOLVED, SAM supports establishing levels of performance (cut scores) that are reviewed and approved by Montana educators following baseline results on the assessment;

**Commented [LE3]:** Note that average cut scores are not being used for determination of accreditation status.

BE IT FURTHER RESOLVED, SAM supports no sanctions to schools or students in Montana as a result of testing that may affect reliability and validity of results.

**Commented [LE4]:** Many factors, such as lack of Internet Connectivity impact the reliability and validity of test scores, and if "sanctions" includes writing a corrective plan, then sanctions are in place.

BE IT FINALLY RESOLVED, that local school administrators are responsible for communicating the value of student testing, and also the limitations of the results received, with their local community, state and federal officials. The best interests of students and their learning is the goal and we support and recognize the importance of receiving timely assessment results to inform instruction and monitor student progress.

Designation: Support

**Resolution #01-04 – PERMISSIVE FUNDING FOR HIGH IMPACT COSTS**

**WHEREAS**, Montana school districts continue to experience high impact fixed operating costs, such as utilities, fuel costs, technology and ~~health insurance~~, which in recent years have increased dramatically; and

**Commented [KM5]:** Emphasized in the submission of this proposed resolution change.

**WHEREAS**, school districts are required to pay for these costly expenditures through the general fund budget which negatively impacts educational opportunity for students; and

**WHEREAS**, school districts have little or no way to control such costs or even budget for them without cutting or eliminating educational programs;

**BE IT RESOLVED**, that SAM supports the creation of separate funds or inclusion into existing funds, outside the General Fund Budget supported through permissive levies, to fund high impact fixed costs and protect the ability of the GFB to support the educational needs of students.

**Designation:** ~~Support~~ **Action**

Submitted by Heather Davis Schmidt (Superintendent of Whitefish Public Schools) on 4-17-18 for NWMASS

**Supporting Information**

Focused on Health Insurance to take every action to help school districts with escalating health care costs.

**Resolution #16-04 – ANB PAYMENT MODIFICATION FOR 6<sup>TH</sup> GRADE**

**Requesting a rewrite from the submitter of the Resolution to make the language more contemporary to future needs.**



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**WHEREAS**, schools are funded in the State of Montana through a variety of sources. The Montana Legislature funds public schools in part based on the number of students in attendance in a school district. For school funding purposes, the number of students enrolled in school is referred to as the Average Number Belonging or ANB; and

**WHEREAS**, currently the Elementary District receives \$5,348 per ANB for 6<sup>th</sup> graders and \$6,847 per ANB for 7<sup>th</sup> and 8<sup>th</sup> graders; and

**WHEREAS**, like many districts throughout the United States, several Montana school districts are moving to a grade 6-8 middle school model. This model is beneficial as it allows students to explore a wider array of courses, particularly elective courses, at an earlier age. Students are allowed to explore opportunities and find passions that oftentimes carry over into high school. Moreover, students can frequently gain experiences and even credits that will benefit them in high school and beyond; and

**WHEREAS**, it is anticipated that the following costs would be associated with the resolution:

Cost of funding 6th graders at high school funding levels	
Difference in ANB, Elementary vs. Max	\$1,497
Statewide expansion of Max Budget	\$16,633,512
Statewide expansion of BASE Budget	\$13,306,810
State Cost Per Year	\$10,479,113
District BASE levy increase, Nonvoted	\$2,827,697
District Over BASE levy increase, Voted	\$3,326,702

**BE IT**  
 logical  
 modify  
 ANB

same as that for 7<sup>th</sup> and 8<sup>th</sup> graders, as reflected in amending Mont. Code Ann. § 20-9-306 (15)(e); and

**RESOLVED**, it is therefore  
 that the Montana Legislature  
 school funding so that the per  
 payment for 6<sup>th</sup> graders is the

**BE IT FURTHER RESOLVED**, SAM hereby requests that the 2017 Montana Legislature modify school funding so that the per ANB payment for 6<sup>th</sup> graders is the same as that for 7<sup>th</sup> and 8<sup>th</sup> graders, as reflected in this draft amendment to Mont. Code Ann. § 20-9-306 (15)(e):

Mont. Code Ann. § 20-9-306 (15) "Total per ANB entitlement" means the district entitlement resulting from the following calculations and using either the current year ANB or the 3-year ANB provided for in 20-9-311:

- \_\_\_\_\_ (e) for an elementary school district or a K-12 district elementary program with an approved and accredited junior high school, 7th and 8th grade program, or middle school, the sum of:
  - \_\_\_\_\_ (i) a maximum rate of \$5,348 for fiscal year 2016 and \$5,444 for each succeeding fiscal year for the first ANB for kindergarten through grade 5, decreased at the rate of 20 cents per ANB for each additional ANB up through 1,000 ANB, with each ANB in excess of 1,000 receiving the same amount of entitlement as the 1,000th ANB; and
  - \_\_\_\_\_ (ii) a maximum rate of \$6,847 for fiscal year 2016 and \$6,970 for each succeeding fiscal year for the first ANB for grades 6, 7 and 8, decreased at the rate of 50 cents per ANB for each additional



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~~ANB for grades 6, 7 and 8 up through 800 ANB, with each ANB in excess of 800 receiving the same amount of entitlement as the 800th ANB.~~

~~Designation: Support~~

~~Submitted by Terry Bouck (Superintendent of Billings Schools) on 3-23-16 for MASS but no rewrite submitted by the 4-27-18 deadline.~~

**Supporting Information**

This Resolution was deleted by the 2017 Delegate Assembly with a request to be rewritten and updated with current fiscal impact and rationale. No rewrite was received by the 4-17-18 deadline.

- 1. Name of member school system submitting the resolution.**  
Billings Public Schools
- 2. Date upon which the Board of Trustees affirmatively voted to submit the resolution for consideration?**  
January 25, 2016
- 3. Please paste (or attach a copy of) the relevant portion of the minutes of the Board meeting at which the resolution was approved for submission.**  
A motion was made to authorize the Superintendent and Board Clerk, along with staff as needed, to work with legal counsel in completing resolutions regarding CTE funding, compulsory attendance age and ANB of 6<sup>th</sup> graders, to be submitted to MTSBA and SAM no later than February 15, 2016. Motion passed unanimously.  
\*\*Note, the minutes of the meeting have not yet been approved.
- 4. What is the conceptual change sought? Please provide an overview of the Intended purpose of the resolution.**  
Schools are funded in the State of Montana through a variety of sources. The Montana Legislature funds public schools in part based on the number of students in attendance in a school district. For school funding purposes, the number of students enrolled in school is referred to as the Average Number Belonging or ANB. This resolution seeks to equalize the ANB for 6<sup>th</sup> grade students with those of 7<sup>th</sup> and 8<sup>th</sup> grade students.
- 5. What sections of law do you anticipate need to be changed? (Please list the sections of law, but not the specific changes sought to such laws, so as to ensure sufficient flexibility regarding how to Implement the change.)**  
We anticipate changes to a number of sections of law, included, but not limited to Mont. Code Ann. § 20-9-306 (15)(c).
- 6. How is the resolution anticipated to advance the Interests of all of Montana's public schools, and/or public school students and/or increase student success?**  
Like many districts throughout the United States, several Montana school districts are moving to a grade 6-8 middle school model. This model is beneficial as it allows students to explore a wider array of courses, particularly elective courses, at an earlier age. Students are allowed to explore opportunities and find passions that oftentimes carry over into high school. Moreover, students can frequently gain experiences and even credits that will benefit them in high school and beyond. It is therefore logical that the Montana Legislature modify school funding so that the per ANB payment for 6<sup>th</sup> graders is the same as that for 7<sup>th</sup> and 8<sup>th</sup> graders.

**Commented [KM6]:** DASC recommends support for the concept of this resolution and request revision to the language of the resolution from the original submitter of the resolution to generally address the consideration of 6<sup>th</sup> grade funded at HS rates



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7. **What are the anticipated sources of external opposition?**  
We anticipate opposition from legislators and groups opposed to increased funding for public schools and/or opposed to public schools generally.
8. **What are the anticipated sources of internal opposition or division within the education community and what steps have been taken, if any, to mitigate/minimize or resolve such division?**  
We do not anticipate any sources of internal opposition or division at this time.
9. **What is the projected statewide Impact on Montana's public schools of the proposed resolution?**  
Student performance would increase, attendance and graduation rates would increase, students would enter high school with greater opportunities including high school credit.
10. **Please provide any additional background, explanation or other context for the resolution that you would like to be considered during the deliberations of the Delegate Assembly.**  
No further additional information.

## New Proposed Resolutions

### **Resolution #18-01 – ALLOWING THE USE OF PERMISSIVE MAJOR MAINTENANCE SUBFUND OF THE BUILDING RESERVE TO SECURE AND REPAY LOANS**

**WHEREAS**, Montana's students have the right to high quality, safe, healthy and educationally appropriate educational facilities that meet the needs of 21<sup>st</sup> Century learners; and

**WHEREAS**, Montana's school systems have a well documented backlog of deferred maintenance and other facility needs; and

**WHEREAS**, SAM has worked with the Legislature to expand funding for capital facilities needs across the state; and

**WHEREAS**, the 2017 Legislature provided school districts with an additional tool via MCA 20-9-520 (3) allowing local school districts to permissively levy up to 10 mills into a Major Maintenance subfund of the Building Reserve; and

**WHEREAS**, due to the many years of deferred maintenance many district's have major maintenance projects that exceed the yearly funding available in the Major Maintenance subfund of the Building Reserve; and

**WHEREAS**, construction and repair costs for these projects tend to increase over time; and

**WHEREAS**, current law, MCA 20-9-503 (2) still requires the electors of the district to authorize projects and financial impositions in order to secure a loan;



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**BE IT RESOLVED**, that SAM will support legislative action removing the term “the electors of” from MCA 20-9-503 sections (2a) and (2b); effectively allowing districts to secure loans utilizing the permissive funding available in the Major Maintenance subfund of the Building Reserve in order to address facility needs in a more timely and cost efficient manner.

**Designation: Action**

**Submitted by Tobin Novasio (Superintendent of Lockwood Schools) on 4-23-18 for MASS**

**Support Information**

The 2017 legislature addressed the well documented under funding of Montana school facilities by passing SB307.

This change to the law allows districts to permissively levy funds for their Building Reserve. These funds will allow districts to address major maintenance projects, which have built up over the years. This funding is limited to the lesser of: 10 mills or \$15,000 per district plus \$100 per ANB. While this additional earmarked funding is certainly appreciated, many districts have longstanding needs; the money in this fund will need to accumulate for several years before they can address said needs.

The purpose of this resolution is to remove language in law preventing districts from using this permissive fund to secure a loan to address their needs. By allowing districts this flexibility to leverage their permissive authority to borrow funds, it allows school boards to address facility needs sooner and saves the state money by having work done at current rates.

**Resolution #18-02 – SCHOOL SAFETY**

**WHEREAS**, school shootings and school violence are occurring at increasing rates in our school communities across the nation; and

**WHEREAS**, Montana law currently provides for local control allowing a Board of Trustees to decide who may possess a firearm or other weapon in a local school district; and

**WHEREAS**, school teachers, staff, administrators or others in possession of a firearm on school property requires significant and ongoing training for proper use and safety of firearms; and

**WHEREAS**, some Montana school districts and communities are located at significant time and distance from local law enforcement support and armed law enforcement officers; and

**WHEREAS**, the focus of our schools, teachers, staff, and administrators should be on quality teaching and learning;

**BE IT RESOLVED**, that SAM opposes possession of weapons on school property by school teachers, staff, administrators, or any other persons except as authorized by a local Board of Trustees; and





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**BE IT FURTHER RESOLVED**, that SAM supports increased funding for school resource officers; and

**BE IT FURTHER RESOLVED**, that SAM urges the State of Montana to require certification and annual qualification equivalent to those set by the Montana Peace Officers Standards and Training of any school teacher, staff, administrator or person authorized by a local Board of Trustees to possess a firearm on school property; and

**BE IT FINALLY RESOLVED**, that SAM supports funding for training and ongoing practice necessary for certification and annual qualification equivalent to those set by the Montana Peace Officers Standards and Training of any school teacher, staff, administrator or person authorized by a local Board of Trustees to possess a firearm on school property.

**Designation: Action**

Submitted by Heather Davis Schmidt (Superintendent of Whitefish Public Schools) on 4-17-18 for NWMASS

**Supporting Information**

**Resolution #18-03 – DAYLIGHT SAVINGS**

**WHEREAS**, many school activities and other local youth programs take place after school and many school facilities do not have outdoor lighting; and

**WHEREAS**, it gets dark early during the fall season;

**BE IT RESOLVED**, that SAM supports keeping daylight savings as is.

**Designation: Support**

Submitted by Heather Davis Schmidt (Superintendent of Whitefish Public Schools) on 4-17-18 for NWMASS

**Supporting Information**



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## Other Considerations Not Submitted

### **Resolution #18-04 – WEF**

**WHEREAS**, every

**Designation:**

**Submitted by Tamra Covington (Special Ed Coordinator, Billings Schools) on x-29-16 for MCASE**

### **Supporting Information**

### **Resolution #16/17-06 – ADDITIONAL FUNDING FOR CAREER AND VOCATIONAL/TECHNICAL EDUCATION**

**WHEREAS**, funding for Career and Vocational/Technical Education (CTE) in Montana is well below the funding levels for programs in neighboring and other western states; and

**WHEREAS**, state funding for career and technical education is distributed using the Carl Perkins formula, these funds are earmarked for high school programs only and no mechanism is currently available in law to fund middle school programs; and

**WHEREAS**, career and technical education prepares students for a wide range of careers and post-secondary education programs; and

**WHEREAS**, career and technical education courses provide students with life and employment skills to make them highly desirable employees in today's modern workforce; and

**WHEREAS**, the majority of jobs in the U.S. labor market now require more than a high school diploma but less than a four-year degree; and

**WHEREAS**, career and technical education directly benefits not only our students, but also employers and local economies; and

**WHEREAS**, enrollment in career and technical education courses has been identified as a path that increases student engagement and high school graduation rates; and

**WHEREAS**, it is widely recognized that the foundation for these high school programs should be established in middle school; and



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**WHEREAS**, as funding increases at the high school level it creates a larger gap between those programs and middle school options; and

**WHEREAS**, establishing an ongoing funding mechanism for middle school career and technical education makes minimal resources available for middle school level career and technical education offerings; and

**BE IT RESOLVED**, that SAM will primarily support legislative action targeting additional funding for HS CTE programs including inflationary increases; and

**BE IT FURTHER RESOLVED**, that SAM will support legislative action to create a funding mechanism to provide career and technical education opportunities for students in accredited middle schools that supplements but does not supplant high school funding.

**Designation: Support**

**Commented [KM7]:** MASS Amendment Approved

**Submitted by Terry Bouck (Superintendent of Billings Schools) on 3-23-16 for MASS, approved by 2017 Delegate Assembly and discussed with Rick Duncan 2018 but no rewrite submitted by the 4-27-18 deadline.**

**Supporting Information**