

School Administrators of Montana

SAM Delegate Assembly 2022 Recommendations

SAM Annual Membership/Business Meeting
October 21, 2022

Approved by the SAM Delegate Assembly on 6-10-22

School Administrators of



Montana



SAM Business Meeting Delegate Assembly Table of Contents

	Page #
Summary of SAM Delegate Assembly 2022 Actions.....	3 - 12
Position Statements Approved by SAM DA 2022	13 - 22
Resolutions Approved by SAM DA 2022	23 - 47
Appendix.....	48
• Minutes of SAM Delegate Assembly 2022	49 - 59
• SAM 2021 Legislative Session Summary	60 - 64

Summary of SAM Delegate Assembly 2022 Actions

SAM Delegate Assembly 2022 convened on June 10, 2022 following the review of Positions and Resolutions by affiliate caucuses on June 9, 2022. Forty-four delegates approved 42 Positions and 48 Resolutions for recommendation to the SAM membership at the annual meeting scheduled for October 22, 2021, at MCEL 2021. Below is a summary of major and new actions on those Positions (10 revised or added) and Resolutions (16 deleted, revised, or added).

POSITIONS

POSITIONS PREAMBLE

Part I. BE IT RESOLVED, that SAM develop and adopt a position that will carry forward year to year through the 2023 Legislative Session, specifying the process to be followed and the topics to be addressed by the K-12 Vision ~~Group~~ **Project**.

Part II. BE IT RESOLVED, that the Delegate Assembly Steering Committee recommends that the resolutions be carried over for further review and discussion through the next year in preparation for the ~~2021~~ **2022** Delegate Assembly, assign a designation and undertake the actions called for under such Positions and Resolutions. In no case should these resolutions be seen as SAM priorities that are segregated from the considerations in Part I.

STUDENT ISSUES

SCHOOL ATTENDANCE

SAM supports compulsory education and daily attendance of all school age children. SAM supports legislation to strengthen truancy laws by increasing parent and student accountability and by establishing clear enforcement procedures **by appropriate officials (ie: CPS, county attorney, sheriff)**.

STATEWIDE ISSUES

DEVELOPMENT OF CURRICULUM

SAM supports ~~OPI's~~ **the board of public education** ongoing development of model curriculum, materials, and assessments aligned to National and State adopted Content, Program and Performance Standards. This development will be done collaboratively with national content area organizations and state education leadership associations.

MONTANA DIGITAL ACADEMY

SAM supports the Montana Digital Academy and ~~restore~~ **restoration of** full funding by the state to guarantee equitable access to educational curriculum.

DATABASE SYSTEMS

SAM supports the use of a secure statewide data warehouse that the Office of Public Instruction uses for the maintenance of student academic records and longitudinal data. SAM further supports the completion of the State ~~Data Base~~ **Database** Modernization project undertaken by the OPI beginning in 2021.

SUPPORT OF TRAINING FOR FEDERAL ~~E-RATE~~ **TECHNOLOGY AND FACILITIES** REIMBURSEMENT

SAM will support a model for training for ~~E-Rate~~ **federal funding reimbursement** applications and submittal **for technology and facilities** to leverage expertise to ensure every district in Montana is taking advantage of the Federal ~~E-Rate~~ funding.

Commented [KS1]: DASC: 2022

Commented [KM2]: Motion to Amend MACSS: additional language
Passed Unanimously

Motion to Amend MACSS: Designation Support to Action
Failed
Passed as once amended.

Commented [KS3]: MACSS Recommendation

Serious issues with truancy, getting much worse with Covid.

Commented [KM4]: Motion to Amend MAEMSP: Strike and replace language.
Substitute Motion MAEMSP: Strike OPI.
Motion Passed Unanimously

Passed as amended unanimously.

Commented [KS5]: MAEMSP Recommendation

Commented [KM6]: Motion to Amend MACSS: Language revision
Motion passed Unanimously

Motion to Amend MACSS: Designation from Support to Action
Motion Failed
Passed as Amended.

Commented [KS7]: MACSS Recommendation

grammatical issue

Commented [KM8]: Motions to Amend MASS: Editorial change to Database.
Motion Passed Unanimously

Passed as amended Unanimously.

Commented [KS9]: MASS Recommendation

Commented [KS10]: PK: contemporary language for a variety of federal efforts to fund technology and facilities

FUNDING ISSUES

FEDERAL PROGRAMS

Federally funded programs should be written in language that ensures easy understanding, minimum paperwork, maximum student-to-teacher contact and interaction, and which allows for local districts to expend allocated funds on eligible students in a manner which they, the local districts, feel most beneficial. It is incumbent on local boards and their administrators to ~~insure~~ ensure that the intent of federal programs is properly implemented and that programs are managed with fiscal and educational integrity.

Commented [KM11]: Motion to Amend MASS: insure to ensure
Passed Unanimously
Passed as Amended Unanimously

Commented [KS12]: MASS Recommendation

TECHNOLOGY

SAM believes technology is now and will forever be an integral part of our culture and presents ever changing challenges and opportunities for our students. Schools throughout Montana struggle to finance critical technology infrastructure. Educational services requiring technology are not available to all Montana Students. Therefore, SAM will support:

Commented [KM13]: Motion to Amend MAESP: Designation from Action to Support
Motion Passed 39-5

- Administrative, operational and learning process change at the federal, state, district and school levels must be addressed strategically where goals, resources and timing for improvement are managed cohesively.
- Baseline funding for supportive technology infrastructure should be addressed by a variety of methods that include; mechanisms that account for life cycle cost of ownership, technology that is driven by changes in classroom and/or curricular needs, and operational technology related to business function necessary to run a school district (i.e. State reporting, security systems, telecommunications, etc). Districts would be encouraged to fund additional infrastructure and capabilities as demanded by their environments.
- Technology education for administrators, staff, technologists and students is timely, relevant, and compulsory.
- The management of technology requires a baseline of understanding and education. School administrators and leaders need support in specific process and technology implementation management.
- Technology planning, implementation and support functions, requiring specialized skills and knowledge, are accomplished by professional staff or contracted consultants according to specific district business models.

Designation: **Action Support**

Commented [KS14]: MAEMSP Recommendation

K-12 Vision Group Project

SAM specifies the following ongoing process for convening the K-12 Vision Group Project, 2013-2023 2027

Commented [KS15]: DASC: Revising new name to K-12 Vision Project as adopted March 10, 2022.

Commented [KM16]: Motion to Amend MASS: Year to 2027 and the changes to the Project from Group.
Passed Unanimously
Motion to approve as Amended Passed Unanimously

Commented [KS17]: MASS Recommendation

BE IT RESOLVED, that SAM take the following position with regard to school the K-12 Vision Group Project and funding of Montana’s schools:

1. SAM will continue to participate in the K-12 Vision Group Project on an ongoing basis through the 2023 Legislative Session to provide continuing guidance and recommendations aligned with the “Vision for Public Education in Montana” developed by the K-12 Vision Group Project in 2012. The work of the K-12 Vision group Project shall be designed to culminate with consensus recommendations regarding the definition of the basic system of free quality schools that is scheduled to be reviewed by the Legislature during the 2021 Legislative Session pursuant to 20-9-309, MCA.
2. The membership of the K-12 Vision Group Project will continue to include trustees, business managers, teachers and administrators representing all MTSBA caucus groups and shall be annually revised and/or

Commented [KS18]: MCASE Recommendation

Commented [KM19]: Changed back Group

Commented [KM20]: Additional change from Group to Project

renewed prior to November 1, to incorporate nominations from the School Administrators of Montana (SAM), Montana School Boards Association (MTSBA), Montana Rural Education Association (MREA), **Montana Federation of Public Employees** (MFPE), Montana Association of School Business Officials (MASBO), and Montana Quality Education Coalition (MQEC).

3. SAM shall extend the opportunity for full collaborative partnerships in facilitating the ongoing work of the K-12 Vision **Group Project** to MTSBA, MFPE, MREA, MQEC and MASBO.
4. SAM supports that MTSBA shall facilitate the K-12 Vision **Group's Project's** work using knowledge-based decision making processes, emphasizing careful, deliberate and comprehensive analysis of issues, the use of open dialogue (the purpose of which is to inform) prior to deliberation (the purpose of which is to decide), pursuit of insight regarding what the involved groups' members want, need and prefer, and consideration of the ethical implications of our choices and mitigation of disadvantage to certain aspects of the respective groups' members that might be caused by recommendations made by the K-12 Vision **Group Project**.
5. SAM and Affiliate Associations shall seek to collaborate with and inform legislators from both political parties as well as key representatives of the offices of the Governor, the Board of Public Education and the Superintendent of Public Instruction of the progress and ongoing work of the K-12 Vision **Group Project** to ensure open communications and the availability of legislative and executive branch perspectives regarding such work.
6. SAM and Affiliate Associations shall start to engage other external stakeholders outside of public education circles to increase awareness of the work of the K-12 Vision **Group Project** and to identify common interests and goals and opportunities for collaboration. There should be no static identification of "outside interest" groups but rather a process for highlighting broad public awareness of the work of the K-12 Vision **Group Project** and emphasizing an open invitation for the public to weigh in on such work. This might be accomplished, for example, through a combination of public opinion polling, facilitated community dialogue, outreach to business, higher education and other community leaders and public awareness campaigns. The key will be to ensure that we generate broad public support for the recommendations of the K-12 Vision **Group Project** over time.
7. The work of the K-12 Vision **Group Project** shall be focused on the following:
 - a. A global look at the current funding formula for schools with an eye toward determining how the formula could be simplified, made more responsive to need, equitable and adequate to allow schools throughout the state to provide the basic system of free quality schools as that term is defined in 20-9-309, MCA. Specifics to be reviewed as part of the global look at the formula shall include:
 - i. Whether the formula sufficiently promotes local control. If not, recommendations should be developed regarding how the formula could be improved to better vest authority in the elected trustees to make financial decisions.
 - ii. Review of weighting adjustments in current formula and identification of possible enhancements. This inquiry shall include analysis of what other states do to account for economies of scale and address needs of school systems in different circumstances.
 - iii. Whether the current formula is sufficiently responsive to the educationally-relevant factors identified in 20-9-309, MCA, including:
 1. the number of students in a district;
 2. the needs of isolated schools with low population density;
 3. the needs of urban schools with high population density;
 4. the needs of students with special needs, such as a child with a disability, an at-risk student, a student with limited English proficiency, a child who is qualified for services under 29 U.S.C. 794, and gifted and talented children;
 5. the needs of American Indian students; and
 6. the ability of school districts to attract and retain qualified educators and other personnel.
 - iv. Recommendations regarding how the varying challenges experienced by different school districts throughout the state of Montana can be met to ensure that the needs of every child can be met.

- v. Whether there is a practical way to better predict and incorporate relevant inflation into the formula that is based on the predominant expenditures of school districts.
- b. As part of its work in identifying a simple, adequate, equitable and rational funding formula, the K-12 Vision Group Project shall undertake the following:
 - i. Review of the differential that exists between current funding and funding necessary to meet the definition of the basic system of free quality schools under 20-9-309, MCA.
 - ii. Revenue necessary to eliminate the differential;
 - iii. A long range plan to eliminate the differential; and
 - iv. A communications plan to create the political will to accomplish the elimination of the differential.

NEW POSITIONS 2022

Funding Issues

INFRASTRUCTURE AND SCHOOL FACILITIES (SUBMITTED BY MAEMSP)

SAM recognizes the importance of our public schools as the hub of many Montana communities. SAM supports Federal and State legislative action that would provide Local Education Agency's (LEA's) with the monetary means to support and maintain state of the art schools and school facilities to ensure all Montana students are equipped with the skills and knowledge to be college and career ready.

Designation: Support

Commented [KM21]: DASC: The types of support include -- This monetary support could come in the form of low cost interest programs, matching grants programs, along with targeted State and Federal dollar funding bills.

Commented [KM22]: Motion to Amend MASS: Add Designation of Support
Passed Unanimously

Motion as Amended Passed Unanimously

Commented [KS23]: MASS Recommendation

RESOLUTIONS

Resolution #99/03/08/10/18/21/22-01 - REQUIRED ATTENDANCE

WHEREAS, school laws of Montana do not adequately address attendance accountability for students; and

WHEREAS, student non-attendance adversely affects student learning, impedes adequate yearly progress, and jeopardizes future academic success; and

BE IT RESOLVED, that SAM supports legislative action ensuring consistent statewide guidelines be established concerning excessive student absences, beginning with school enrollment through a student's graduation; and

BE IT FURTHER RESOLVED, that SAM supports **clear enforcement through** partnering with all **applicable appropriate agencies and officials** to locate and enroll students not previously enrolled **and those with excessive absences**; and

BE IT FURTHER RESOLVED, that SAM supports enhanced flexibility for **enrolled students' attendance engagement and participation**; and

BE IT FINALLY RESOLVED, that SAM supports initiatives aimed at keeping students engaged and enrolled through graduation.

Commented [KM24]: Motion to Amend MACSS: Language Revisions orange font in 2 places.
Amendment Passed Unanimously

Motion to Amend MASS: Language revision blue font
Amendment Passed Unanimously

Motion to Amend MACSS: Designation change from Support to Action.
Amendment **Failed** 8-36

Motion to approve as twice amended Passed Unanimously

Commented [KS25]: MACSS recommendation

Commented [KS26]: MASS Recommendation

Resolution #99/02/06/07/16/17/22-08 - SCHOOL BASED MENTAL HEALTH SERVICES

WHEREAS, disruptive, dangerous, and aggressive behaviors to self and others are occurring at increasing rates in our school communities due to a variety of factors; and

WHEREAS, economic conditions of families and society where adequate mental health services are not provided, families are not eligible for adequate insurance coverage, or determined ineligible for mental health services under existing state guidelines obligate school districts to provide greater attention and resources to students with mental health needs; and

WHEREAS, mental health services remain unfunded within communities and school districts, school districts are using educational resources to provide minimal health services to students with identified needs; and

WHEREAS, there has been a history of inadequate state funding for mental health programs for students with mental health needs in community and school based programs; and

WHEREAS, there exists a significant need for comprehensive services, including community and interagency coordination to meet the needs of children with mental health needs within the school setting; and

WHEREAS, there exists a significant need for a continuum of services including community support, outpatient day and residential treatment, and acute care services with transition support between schools and mental health agencies to meet the mental health needs of children within the state;

BE IT RESOLVED, that SAM supports new state funding for Montana residential/educational services for children with mental health needs; and

BE IT FURTHER RESOLVED, that SAM urges the State of Montana continue to support and provide funding for school based mental health services; and

BE IT FINALLY RESOLVED, that SAM supports new state funding for a continuum of mental health services for students in addition to existing state and federal programs without reducing dollars from the state education general fund.

Commented [KM27]: Motion to Amend MAEMSP: Language strike out
Passed Unanimously
Motion as Amended Passed Unanimously

Commented [KM28]: MAESMP Amendment

Commented [KM29]: MAEMSP Amendment

Resolution #03/15/22-01 - SPECIAL EDUCATION FUNDING

WHEREAS, the percentage of state support for earmarked special education general fund expenditures has declined at a rate significantly greater than has the rate of state support for the total general fund budget creating which creates a significant gap in funding between regular education and special education funding; and

WHEREAS, the original intent of Congress was to fund special education at the 40% level of the national average for pupil expenditure; and

WHEREAS, the lack of state fiscal support for mandated special education services has been wholly inadequate and has effectively decrease(s)d the amount of general funds available to support general education programming and places a disproportionate financial burden upon local tax-payers; and

Commented [KS30]: DASC: Per recommendation of MCASE DASC representatives to consolidate and Make for contemporary special education funding resolutions.

Commented [KM31]: Motion to Amend MCASE: language change
Passed Unanimously

Motion to Amend MAEMSP: language in 2nd to last Be it resolved.
Passed Unanimously

Motion Passed as twice Amended Unanimously

Commented [KS32]: MCASE Recommendation

WHEREAS, inadequate State funding of mandated special education services negatively impacts the education of all students by effectively decreasing the amount of general funds available to support general education programming;

BE IT RESOLVED; that SAM urges the legislature and state officials to avoid state appropriations that may suggest discriminatory funding practices between special education and regular education; and

BE IT RESOLVED, that SAM supports full state and federal funding for mandated special education services for students with disabilities with parallel increases to ANB funding based on the current formula;

BE IT FURTHER RESOLVED, that SAM supports legislation to allow school districts to increase their budget caps to provide for the disproportionate costs associated with educating students with special needs; and

BE IT FURTHER RESOLVED, that SAM will **prioritize support of** legislative action to increase the monetary investment for such mandated special education services by applying additional state funding without reducing payments for the Instructional Services Block Grant, Related Services Block Grant, and the Disproportionate Cost Reimbursement.

BE IT FINALLY RESOLVED, that SAM supports efforts to fully fund IDEA at its originally intended levels and to allow flexibility in maintenance of effort requirements.

~~Resolution #03/06/11/16/17/21/22-02~~ **ADDITIONAL FUNDING FOR MANDATED SPECIAL EDUCATION SERVICES**

Resolution #04/14/16/19/22-02 – EARLY CHILDHOOD PROGRAMS

WHEREAS, high quality early childhood programs contribute to later academic and social success; and

WHEREAS, many of Montana students do not have access to quality early childhood programs;

BE IT RESOLVED, that SAM supports the development of additional and continued fully funded public early childhood programs in Montana; and

BE IT FURTHER RESOLVED, that SAM supports the development of high standards for both early childhood programs and early childhood teacher quality.

Designation: Support Action

Resolution #04/14/16/22-03 – SUMMER AND/OR AFTER SCHOOL PROGRAMS

WHEREAS, many schools are offering summer school programs and/or after school programs to provide more learning time for students; and

WHEREAS, research has shown that extended learning time increases achievement;

BE IT RESOLVED, that SAM supports additional state and/or federal funding to schools that offer summer and/or after school programming to its students; and

Commented [KM33]: MAEMSP Amendment

Commented [KM34]: MAEMSP Amendment

Commented [KS35]: DASC: Per recommendation of MCASE DASC representatives to consolidate and Make for contemporary special education funding resolutions.

Commented [KS36]: DASC: Per recommendation of MCASE DASC representatives to consolidate and Make for contemporary special education funding resolutions.

Commented [KM37]: Motion to Amend MACSS: Designation from Support to Action
Motion Passed

Motion Passed as Amended Unanimously

Commented [KS38]: MACSS recommendation

Commented [KM39]: Motion to Amend MASS: Language changes
Motion Passed Unanimously

Motion Passed as Amended Unanimously

BE IT FURTHER RESOLVED, that SAM supports additional state and county funding for student transportation **and school nutrition programs** for schools that offer summer and/or after school programs.

Commented [KS40]:

Commented [KS41R40]: MASS Recommendation

Resolution #10/16/19/22-03 – ~~MEDICAL~~ MARIJUANA REGULATIONS

WHEREAS, SAM has always supported safe, secure, drug free school efforts;

BE IT RESOLVED, that SAM supports drug free schools and drug-free work place policies that prohibit the use of ~~medical~~ marijuana on school grounds, at school events, or any activity involving schools or students.

Commented [KS42]: DASC: Remove "medical" because of new state marijuana regulations. May want to discuss further implications on safe and healthy school environments related to drug free schools.

Resolution #13/14/17/19/22-04 – FEDERAL ISSUES IMPORTANT TO MONTANA

BE IT RESOLVED, that SAM will work with the Montana Congressional Delegation in support of full federal funding of special education (IDEA) and Every Student Succeeds Act (ESSA); and

BE IT FURTHER RESOLVED, that SAM will work with the Montana Congressional Delegation to ensure that the USAC E-rate **and other technology and facility programs that are federally funded, funding program** stays fully funded to ensure equitable and adequate bandwidth **and access** to every student; and

Commented [KS43]: DASC: revisions to add technology and facility programs that are federally funded.

Resolution #15/17/21/22-01 – SPECIAL EDUCATION FUNDING, CLOSING THE GAP [2021 LEGISLATIVE SESSION HB 46]

Commented [KS44]: DASC: Per recommendation of MCASE DASC representatives to consolidate and Make for contemporary special education funding resolutions.

Resolution #16/21/22-07 – ADEQUATE FUNDING FOR MANDATED SPECIAL EDUCATION SERVICES [2021 LEGISLATIVE SESSION HB 46]

Commented [KS45]: DASC: Per recommendation of MCASE DASC representatives to consolidate and Make for contemporary special education funding resolutions.

Commented [KS46]: DASC: Per recommendation of MCASE DASC representatives to consolidate and Make for contemporary special education funding resolutions.

Resolution #16/17/20/22-09 – SUPPORT OF ADEQUATE BANDWIDTH FOR SCHOOLS

WHEREAS, blended classrooms that integrate technology and rich media resources have become essential in the 21st Century classroom; and

Commented [KS47]: DASC: Per recommendation of MCASE DASC representatives to consolidate and Make for contemporary special education funding resolutions.

BE IT RESOLVED, the legislators will work with the Governor's office, ~~Education Super Highway~~ **Connect K12 (formerly Education Super Highway)**, META, and SAM ensure a minimum of 1mbs per student for all Montana public education students.

Commented [KS48]: DASC: updated language to indicate Education Super Highway merging with Connect K12.

Resolution #18/21/22-03 – DAYLIGHT SAVINGS [2021 LEGISLATIVE SESSION SJ17, SB 254]

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

Commented [KS49]: DASC: Discussed the addition of permanent daylight savings time being better than permanent standard time.

WHEREAS, it gets dark early during the fall season;

BE IT RESOLVED, that SAM supports keeping daylight savings as is or permanently implementing daylight savings time.

Resolution #19/20/22-01 – ALLOWING THE USE OF VIDEO EVIDENCE TO ENFORCE SCHOOL BUS STOP ARM VIOLATIONS

WHEREAS, Montana law requires drivers overtaking a school bus from either direction to stop while the school bus is operating visual flashing red signals as specified in 61-9-402 MCA, and the driver may not proceed until the children have entered the school bus or have alighted and reached the side of the highway or street, and until the school bus ceases operation of its visual flashing red signal; and

...

Designation: ~~Action~~ Support

Commented [KS50]: DASC: Appropriate allocation of SAM resources during the legislative session.

Resolution #20/22-01 SPECIAL EDUCATION FLEXIBILITY FUNDING

~~WHEREAS, an historic review of Montana and federal legislative funding increases for K-12 education clearly show there has been, and continues to be a significant “gap” between increases in revenue provided general education versus increases provided special education; and~~

Commented [KS51]: DASC: Per recommendation of MCASE DASC representatives to consolidate and Make for contemporary special education funding resolutions.

WHEREAS, because LEAs are receiving inadequate increases in special education revenue, the effect on districts includes reducing services to special education children, placing districts at risk of failing to provide FAPE (Free Appropriate Public Education), places special education in the position of “competing” for local funding with general education, extra-curricular, and other activities; and

Commented [KM52]: Motion to Amend MAEMSP: Remove OPI and Prioritize in various areas. Passed Unanimously

Motion Passed as Amended Unanimously

WHEREAS, The Individuals with Disabilities Education Act (IDEA) is a federal law ensuring a free and appropriate public education to children with disabilities ages 3-21; and as enacted (1975), is supposed to provide for 40% full funding. The federal allocation, however, has historically never exceed 16% funding for students with disabilities; and

WHEREAS, most Montana school districts limit attendance to age 19, mandated special education services in the State typically address the needs of children with disabilities ages 3-19; and

...

BE IT RESOLVED, that SAM will work with their educational partners and the Office of Public Instruction to ensure that districts will be enabled to annually reserve tuition funds to overcome potential budgetary shortfalls in the event of a transferring significant needs student into their district.

Commented [KM53]: MAEMSP Recommendation

BE IT FURTHER RESOLVED, LEAs, including cooperative member districts, may budget and utilize tuition funds for the purpose of disbursing it for cooperative assessment fees.

BE IT FURTHER RESOLVED, that SAM will prioritize support of legislative action for statutory language that includes the special education appropriation in the group of education appropriations subject to the mandatory inflationary increase; and

Commented [KM54]: MAEMSP recommendation

BE IT FURTHER RESOLVED, that SAM will prioritize support of legislative action to increase monetary investment in Cooperative infrastructure without reducing payments for the Instructional Services Block Grant, Related Services Block Grant, and the Disproportionate Cost Reimbursement; and

Commented [KM55]: MAEMSP recommendation

BE IT FURTHER RESOLVED, that SAM recognizes proposals for new program entitlements for students outside the current age-range of State-funded educational programs may negatively impact funding consideration for mandated special education services; and

BE IT FINALLY RESOLVED, that SAM will **prioritize** support of legislative action for inflationary increases for special education and increased monetary investment in Cooperative infrastructure above advocacy efforts for new program entitlements for students outside the current age-range of State funded educational programs.

Commented [KM56]: MAEMSP recommendation

NEW RESOLUTIONS 2022

Resolution #22-01 - STUDENT DATA PRIVACY (SUBMITTED BY META)

WHEREAS, the state of Montana has implemented 20-7-1326 Pupil Records – online privacy protections, MCA a law mandating Montana pupil online personal information protection; and

WHEREAS, SAM supports and believes in the essence of this law; and

WHEREAS the implementation of the MPOPIPA (Montana Pupil Online Personal Identity Protection Act) law as an unfunded mandate creates significant challenges for schools to implement the law; and

WHEREAS this law obligates local school districts to perform legal requirements without suitable staffing **or and** funding mechanisms; and

Commented [KM57]: Motion to Amend META: Language revision in pink font
Amendment Passed Unanimously

Motion to Amend MASS and META: Designation change from Support to Action
Amendment Passed Unanimously

Motion Passed Unanimously

WHEREAS, there is now a National Data Privacy Agreement that schools could ascribe to; and

BE IT RESOLVED, that SAM supports the rewording of 20-7-1326 MCA so that the State of Montana recognizes the National Data Privacy Agreement as one that protects the online privacy of the students throughout the state and that schools may enter into a contract with a third party vendor who ascribe to the NDPA **or continue using the Montana DPA.**

Designated: **Support Action** **Support Action**

Commented [KS58]: META Recommendation

Resolution #22-02 – ATTENDANCE CENTERS (SUBMITTED BY MACSS)

WHEREAS, it is problematic, unclear, and causes issues pertaining to funding, transportation, supervision, and administration; and

WHEREAS, only a district/legal entity can receive base and ANB funding; and

WHEREAS, **attendance centers** should be under the supervision of the district administration, or if no district administration, the county superintendent of the county in which the district is located; and

WHEREAS, attendance centers may be established as or become private schools that are privately funded;

Commented [KS59]: META Recommendation
This issue has become a much larger issue because Superintendent's are now signing insurance documents regarding Cybersecurity Insurance. These documents state that they are ensuring that ALL software/websites/apps used within the district, where student data is provided, have a signed data privacy agreement. Insurance agencies could deny coverage due to breach of contract if a software is being used without a signed agreement and the software provider is breached and student data is lost.

Commented [KM60]: Motion to Amend MACSS: Language revisions as indicated in orange font and purple font (rearrange Whereas and affirmative language about county location.
Amendment Passed Unanimously

Motion to Amend MACSS: Designation change from Support to Action.
Passed Unanimously

Motion Passed as twice Amended Unanimously

Commented [KM61]: Amendment MACSS to move this WHEREAS to the first WHEREAS.

BE IT RESOLVED, that attendance centers must be served by a district or county superintendent of the county in which they are located. cannot be served by a district or county superintendent if it they are is located in another county.

Designation: ~~Support~~ Action

Commented [KM62]: Amendment MACSS offered at the table.

Commented [KS63]: MACSS Recommendation

POSITION STATEMENTS Approved by SAM Delegate Assembly 6-10-22

Proposed Positions are in font colors by Affiliate: **MASS**, **MASSP**, **MAEMSP**, **META**, **MACSS**, **MCASE**
Edits – **Red Bold Underline** for additions and ~~Strikeout~~ for deletions with Comments included

It is the role of the Delegate Assembly to bring before the membership timely and important resolutions which will, upon adoption, serve as the platform for action.

Any reference to ‘non-public schools’ throughout the document also includes home schools.

POSITIONS PREAMBLE

SAM (The School Administrators of Montana) is an organization that is student centered, constantly looking for ways to improve the educational climate within the state. SAM has put a great deal of thought and discussion into various issues that affect the students and education in general in this great state. Public schools are endeavoring to provide the best education possible for all students; to this degree the organization has taken a stand on certain issues. The positions and resolutions relative to many concerns are listed on the following pages.

Part I. BE IT RESOLVED, that SAM develop and adopt a position that will carry forward year to year through the 2023 Legislative Session, specifying the process to be followed and the topics to be addressed by the K-12 Vision ~~Group~~ **Project**.

Part II. BE IT RESOLVED, that the Delegate Assembly Steering Committee recommends that the resolutions be carried over for further review and discussion through the next year in preparation for the ~~2021~~ **2022** Delegate Assembly, assign a designation and undertake the actions called for under such Positions and Resolutions. In no case should these resolutions be seen as SAM priorities that are segregated from the considerations in Part I.

Part III. BE IT RESOLVED, that SAM establish new Resolutions adopted by the membership, assign a designation and undertake the actions called for under such Resolutions in the same manner and subject to the same limitations as recommended for resolutions approved by the membership under Part II above.

STUDENT ISSUES

CHILD ABUSE AND NEGLECT

SAM supports efforts designed to: (a) educate school district personnel in recognizing and reporting symptoms of child abuse and neglect and (b) enable school districts and other community agencies to integrate services in carrying out their legal responsibility for these children in a school setting.

Designation: Support

CULTURAL STUDIES

SAM supports curriculum pertaining to diversity and cultural studies as well as the establishment of local policies concerning curriculum development, which would enhance the education of all Montana students.

Designation: Support

Commented [KS64]: DASC: 2022

FOCUS ON THE WHOLE CHILD

SAM believes that the child is the focal point of the educational process and the primary focus should be on student learning and academic rigor. It is the responsibility of the school administrators to facilitate the direction of available skills and resources toward helping each child develop a positive self image and to strengthen feelings of self-worth through academic rigor and social emotional learning.

SAM urges all groups involved in the educational process of children to work in unity for the total development of the child and providing opportunities by which each child may realize his/her fullest potential.

Designation: Support

SAFE, SECURE, RESPECTFUL, DRUG FREE, AND HEALTHY SCHOOLS

SAM supports and promotes legislation (including IDEA reform) and funding that addresses violence, discipline, respect and security in public schools as well as funding for such IDEA mandates as alternative interim educational settings. SAM further supports programs such as MTSS- Multi Tiered System of Supports, school based mental health and day treatment services as integral components of the continuum for safe and healthy schools. SAM supports and promotes safe, respectful, drug free, healthy schools and the continuation of federal and any additional funding for such programs.

Designation: Support

SCHOOL ATTENDANCE

SAM supports compulsory education and daily attendance of all school age children. SAM supports legislation to strengthen truancy laws by increasing parent and student accountability and by establishing clear enforcement procedures **by appropriate officials (ie: CPS, county attorney, sheriff).**

Designation: ~~Support~~ Action

STUDENT DATA PRIVACY

SAM supports and believes in the essence of 20-7-1326, MCA a law mandating Montana pupil online personal information protection. SAM also recognizes and identifies challenges to the implementation of the law including, but not limited to, management oversight at the local and state level; legal ramifications and consequences of non-compliance and vendor violations; and further views this law as an unfunded mandate obligating local school districts to perform legal requirements without a suitable funding mechanism.

Designation: ~~Support~~ Action

STATEWIDE ISSUES

ACCREDITATION STANDARDS

SAM supports the implementation and maintenance of strong educationally sound accreditation standards and supports the position that the State Board of Public Education decisions be made with input from all sectors concerned with education. No action should be taken that will affect schools until all

Commented [KM65]: Motion to Amend MACSS: additional language
Passed Unanimously

Motion to Amend MACSS: Designation Support to Action
Failed

Passed as once amended.

Commented [KS66]: MACSS Recommendation

Serious issues with truancy, getting much worse with Covid.

Commented [KM67]: Motion to Amend META: Designation change from Support to Action.
Failed

Commented [KS68]: META Recommendation
This issue has become a much larger issue because Superintendent's are now signing insurance documents regarding Cybersecurity Insurance. These documents state that they are ensuring that ALL software/websites/apps used within the district, where student data is provided, have a signed data privacy agreement. Insurance agencies could deny coverage due to breach of contract if a software is being used without a signed agreement and the software provider is breached and student data is lost.

concerned are given notice and are provided with the opportunity to be heard through public hearings. Changes affecting fiscal responsibility should not take effect until adequate resources are provided to the school districts.

Designation: Support

CONTINUITY OF LEADERSHIP

SAM believes and research has confirmed that continuity of school and district leadership is essential for the continuous improvement of educational quality. SAM supports legislation and practice which will require multi-year superintendent contracts after the initial year of service, provide for longer multi-year contracts for superintendents, link superintendent evaluations to the accomplishment of district goals, and institute a mediation system to help solve problems between a board and its superintendent.

Designation: Support

COOPERATION IN EDUCATION PROGRAMS

Education costs are a continuing concern. SAM urges the state to continue to encourage the use of cost effective and educationally effective cooperative efforts, programs and services among educational institutions and state agencies which serve children.

Designation: Support

DEVELOPMENT OF CURRICULUM

SAM supports ~~OPI's~~ **the board of public education** ongoing development of model curriculum, materials, and assessments aligned to National and State adopted Content, Program and Performance Standards. This development will be done collaboratively with national content area organizations and state education leadership associations.

Designation: Support

EDUCATION OF COMMUNITIES AND LEGISLATORS

SAM supports an ongoing community forum to inform and educate all stakeholders, including legislators, about PK-12 education in our local communities.

Designation: Support

LICENSURE

SAM believes that it is the responsibility of the State Board of Public Education to determine the rules and regulations for the consistency of licensing of teachers and administrators with the advice of the Certification Standards and Practices Advisory Council (CSPAC). The Office of Public Instruction shall administer and continuously review the licensing of teachers and administrators and not permit any endorsement issued to be eliminated. SAM reviews and remains involved in the regulation of related service providers licensed through the Department of Labor and Industry. Licensure of professional educators is required to offer services in Montana schools.

Designation: Support

Commented [KM69]: Motion to Amend MAEMSP: Strike and replace language. Substitute Motion MAEMSP: Strike OPI. Motion Passed Unanimously

Passed as amended unanimously.

Commented [KS70]: MAEMSP Recommendation

MONTANA DIGITAL ACADEMY

SAM supports the Montana Digital Academy and ~~restore~~ restoration of full funding by the state to guarantee equitable access to educational curriculum.

Designation: **Support Action**

MONTANA HIGH SCHOOL ASSOCIATION

SAM supports the Montana High School Association concept and opposes the Montana High School Association becoming a part of the Office of Public Instruction or an agency of the State Legislature.

Designation: Support

NON-PUBLIC SCHOOLS AND HOME SCHOOLS

SAM supports legislation that strengthens the accountability of non-public schools and home schools in Montana.

Designation: Support

SCHOOL IMPROVEMENT

SAM recognizes and encourages efforts to support school improvement and acknowledges that several models can be viable approaches to educational improvement. SAM believes that such efforts must not detract from the educational quality, equity, and funding available to the other students in the state. Furthermore, SAM strongly opposes the arbitrary removal of the school administrator(s) as a means of school improvement.

Designation: Support

SPECIAL EDUCATION ADMINISTRATIVE RULE MAKING

SAM supports state administrative rules for the Individuals with Disabilities Education Act (IDEA) that do not exceed the requirements in the federal laws and rules.

Designation: Support

STUDENT CAREER PREPARATION

SAM recognizes the importance of the development of career/technical skills and strong work ethics in all students. SAM supports the formation of career preparation and school-to-work programs in partnership with other agencies, post-secondary institutions, and business. SAM expects that public schools will be fully involved in all planning and implementation of these programs.

Designation: Support

DATABASE SYSTEMS

SAM supports the use of a secure statewide data warehouse that the Office of Public Instruction uses for the maintenance of student academic records and longitudinal data. SAM further supports the completion of the State **Data Base Database** Modernization project undertaken by the OPI beginning in 2021.

Commented [KM71]: Motion to Amend MACSS: Language revision
Motion passed Unimaously

Motion to Amend MACSS: Designation from Support to Action
Mottion Failed

Passed as Amended.

Commented [KS72]: MACSS Recommendation

grammatical issue

Commented [KS73]: MACSS Recommendation

Commented [KM74]: Motions to Amend MASS: Editorial change to Database.
Motion Passed Unanimously

Passed as amended Unanimously.

Commented [KS75]: MASS Recommendation

Designation: Support

EDUCATOR AND EDUCATION STAFF RECRUITMENT AND RETENTION

SAM affirms that teacher and administrator retention and recruitment are keys to quality education. It supports efforts to support mentoring and to fund incentives for recruitment and retention of staff. Districts are faced with an increasing need to compete with other states for a shrinking pool of qualified candidates. The legislature must address current laws, administrative rules, and funding support to provide districts the flexibility to retain personnel and to compete for new candidates. SAM further affirms that staff supporting the education of Montana's children are critical to maintaining and sustaining high quality education programs. SAM supports incentivizing strategies for recruitment and retention efforts of all school personnel.

Designation: Action

TEACHER EDUCATION

SAM recognizes the growing level of diverse educational needs of students. SAM urges Montana's teacher education programs to better prepare teachers to competently address the diverse educational needs of all students.

Designation: Support

PUBLIC SCHOOL EMPLOYEE HEALTH INSURANCE

SAM will seek legislative changes to find a method for relief to health insurance costs.

Designation: Action

REGIONAL SERVICE AGENCY STRUCTURE AND GOVERNANCE DEFINED IN LAW

SAM will work in collaboration with other public education advocacy groups in developing necessary guidelines, policies, structures and other resources to assist school districts in establishing/structuring/implementing regional service center areas to maximize efficiencies and optimize resources under existing law.

Designation: Support

SUPPORT OF TRAINING FOR FEDERAL ~~E-RATE~~ TECHNOLOGY AND FACILITIES REIMBURSEMENT

SAM will support a model for training for ~~E-Rate~~ **federal funding reimbursement** applications and submittal **for technology and facilities** to leverage expertise to ensure every district in Montana is taking advantage of the Federal ~~E-Rate~~ funding.

Designation: Support

LOCAL CONTROL ISSUES

CENSORSHIP

Commented [KS76]: PK: contemporary language for a variety of federal efforts to fund technology and facilities

SAM reaffirms its position to oppose any legislative action that removes local control of written, printed, and/or electronically transmitted publications by students.

Designation: Support

COLLECTIVE BARGAINING

SAM supports the position that the direction of collective bargaining should be retained at state and local levels in a manner that does not mitigate the policy-making authority of local boards of trustees. Collective bargaining should be limited to salary, hours, fringe benefits, and directly related financial conditions of employment and grievance procedures. Arbitration should be limited to matters of contract interpretation and should not be used to settle a negotiation impasse. Collective bargaining legislation and/or contracts should include adequate provisions for the resolution of unfair practices and provide for adequate protection of employer and employee rights.

Designation: Support

COUNTY SUPERINTENDENTS

SAM affirms that counties should have a qualified county superintendent.

Designation: Support

LEAD TEACHER/COMMITTEE OF TEACHERS

SAM believes that all teachers should have the benefit of working with effective administrators. SAM opposes the concepts of a lead teacher or a committee of teachers as a substitute for the school administrator. Small rural schools with nine or fewer FTE licensed staff and without a licensed superintendent as per 10.55.705(1) fall under the office of the county superintendent to provide administrative services.

Designation: Support

PROFESSIONAL RELATIONS

SAM will endeavor to work cooperatively with staff and educational associations on issues of common concern. Through a joint, cooperative effort the organization will continue striving to improve education in the state of Montana.

Designation: Support

SCHOOL BOARD RELATIONS

SAM believes that school administrators and their school trustees share a commitment and a responsibility to work cooperatively toward a common goal of developing effective educational programs for Montana youth. To achieve this goal, it is imperative that trustees and administrators foster and nurture a sense of trust and respect individually and collectively for each other. Full and open communication is essential between them if their common goal is to be attained. If trustees and administrators are to succeed in their efforts to provide the best educational opportunity for students, they must strive to understand and appreciate their respective leadership roles.

Designation: Support

EMERGENCY SITUATIONS

SAM believes that local control is vital to a local educational agency's (LEA) ability to maintain and direct the educational wellbeing of our schools at the local level in Montana. Local control is essential to ensure continuity of services in our communities for all publicly educated students in Montana, especially in emergency situations, such as a pandemic.

Designation: Support

FUNDING ISSUES

FEDERAL PROGRAMS

Federally funded programs should be written in language that ensures easy understanding, minimum paperwork, maximum student-to-teacher contact and interaction, and which allows for local districts to expend allocated funds on eligible students in a manner which they, the local districts, feel most beneficial. It is incumbent on local boards and their administrators to ~~insure~~ ensure that the intent of federal programs is properly implemented and that programs are managed with fiscal and educational integrity.

To enable Montana schools to benefit from various sources of federal funding, SAM supports legislative efforts to pool applications and reporting requirements for receipt of these federal funds.

To ensure equitable funding to all Montana students, SAM supports formula grants instead of competitive grants. SAM will encourage our federal and state legislators to work to this end.

Designation: Support

FUNDING OF PK-12

SAM believes that educational opportunities should continue to be based on equal opportunity, equity and adequacy in funding and therefore supports the following:

- state funding for schools should be 100% of the BASE budget for the school district general fund budget;
- all federal and state programs be fully funded (no unfunded mandates);
- all components of state funding be increased on a yearly basis to reflect the effect of inflation;
- funding of public alternative educational programs;
- maintaining, stabilizing and/or increasing state and federal funding for existing PK-12 programs.
- the state general fund will not be supplanted with educationally targeted federal funds.

Designation: Support

NON-PUBLIC AND HOME SCHOOL FUNDING (PK-12)

SAM opposes any legislation or initiatives, which would allow for vouchers, tuition tax credits, tax savings accounts, or any other funding plans for any non-public and home PK-12 schools.

Designation: Action

RETIREMENT SYSTEM

Commented [KM77]: Motion to Amend MASS: insure to ensure
Passed Unanimously

Passed as Amended Unanimously

Commented [KS78]: MASS Recommendation

Commented [KM79]: Remove comma – without amendment - editorial

Commented [KS80]: MACSS recommendation

Extra comma

SAM supports efforts to protect the integrity of current retirement systems. SAM supports efforts to make the system more equitable for career administrators, hard to fill positions and to provide creative ways to retain senior administrators without benefit reduction.

Designation: Support

TAXES

SAM supports the position that the Legislature should enact a balanced taxing system for the state of Montana. The financial investment in public education should be based upon equitable and appropriate taxes, and opposes funding formulas shifting the burden onto the local taxpayers.

Designation: Support

TECHNOLOGY

SAM believes technology is now and will forever be an integral part of our culture and presents ever changing challenges and opportunities for our students. Schools throughout Montana struggle to finance critical technology infrastructure. Educational services requiring technology are not available to all Montana Students. Therefore, SAM will support:

- Administrative, operational and learning process change at the federal, state, district and school levels must be addressed strategically where goals, resources and timing for improvement are managed cohesively.
- Baseline funding for supportive technology infrastructure should be addressed by a variety of methods that include; mechanisms that account for life cycle cost of ownership, technology that is driven by changes in classroom and/or curricular needs, and operational technology related to business function necessary to run a school district (i.e. State reporting, security systems, telecommunications, etc). Districts would be encouraged to fund additional infrastructure and capabilities as demanded by their environments.
- Technology education for administrators, staff, technologists and students is timely, relevant, and compulsory.
- The management of technology requires a baseline of understanding and education. School administrators and leaders need support in specific process and technology implementation management.
- Technology planning, implementation and support functions, requiring specialized skills and knowledge, are accomplished by professional staff or contracted consultants according to specific district business models.

Designation: ~~Action~~ Support

Commented [KM81]: Motion to Amend MAESP: Designation from Action to Support
Motion Passed 39-5

UNFUNDED MANDATES

SAM opposes any legislation that mandates services, programs, or processes without providing full funding.

Designation: Support

CERTIFIED TAXABLE VALUATION

Commented [KS82]: MAEMSP Recommendation

SAM supports efforts to strengthen notification and accountability for all state and county agencies involved in establishing taxable valuation of school district taxing jurisdictions. Once taxable valuation of the taxing jurisdiction is certified, all stakeholders must be notified.

SAM supports requiring that if there is a change to a county taxable valuation after the certification is approved, the Montana Department of Revenue shall notify all affected school districts within seven (7) days of the change.

SAM supports efforts to strengthen accountability for entities responsible for errors in reporting taxable value changes made past the certification date.

Designation: Support

K-12 Vision ~~Group~~ Project

SAM specifies the following ongoing process for convening the K-12 Vision ~~Group~~ Project, 2013-2023 2027

BE IT RESOLVED, that SAM take the following position with regard to school the K-12 Vision ~~Group~~ **Project** and funding of Montana’s schools:

8. SAM will continue to participate in the K-12 Vision ~~Group~~ **Project** on an ongoing basis through the 2023 Legislative Session to provide continuing guidance and recommendations aligned with the “Vision for Public Education in Montana” developed by the K-12 Vision ~~Group~~ **Project** in 2012. The work of the K-12 Vision ~~group~~ **Project** shall be designed to culminate with consensus recommendations regarding the definition of the basic system of free quality schools that is scheduled to be reviewed by the Legislature during the 2021 Legislative Session pursuant to 20-9-309, MCA.
9. The membership of the K-12 Vision ~~Group~~ **Project** will continue to include trustees, business managers, teachers and administrators representing all MTSBA caucus groups and shall be annually revised and/or renewed prior to November 1, to incorporate nominations from the School Administrators of Montana (SAM), Montana School Boards Association (MTSBA), Montana Rural Education Association (MREA), **Montana Federation of Public Employees** (MFPE), Montana Association of School Business Officials (MASBO), and Montana Quality Education Coalition (MQEC).
10. SAM shall extend the opportunity for full collaborative partnerships in facilitating the ongoing work of the K-12 Vision ~~Group~~ **Project** to MTSBA, MFPE, MREA, MQEC and MASBO.
11. SAM supports that MTSBA shall facilitate the K-12 Vision ~~Group’s~~ **Project’s** work using knowledge-based decision making processes, emphasizing careful, deliberate and comprehensive analysis of issues, the use of open dialogue (the purpose of which is to inform) prior to deliberation (the purpose of which is to decide), pursuit of insight regarding what the involved groups’ members want, need and prefer, and consideration of the ethical implications of our choices and mitigation of disadvantage to certain aspects of the respective groups’ members that might be caused by recommendations made by the K-12 Vision ~~Group~~ **Project**.
12. SAM and Affiliate Associations shall seek to collaborate with and inform legislators from both political parties as well as key representatives of the offices of the Governor, the Board of Public Education and the Superintendent of Public Instruction of the progress and ongoing work of the K-12 Vision ~~Group~~ **Project** to ensure open communications and the availability of legislative and executive branch perspectives regarding such work.
13. SAM and Affiliate Associations shall start to engage other external stakeholders outside of public education circles to increase awareness of the work of the K-12 Vision ~~Group~~ **Project** and to identify common interests and goals and opportunities for collaboration. There should be no static identification of “outside interest” groups but rather a process for highlighting broad public awareness of the work of the K-12 Vision ~~Group~~ **Project** and emphasizing an open invitation for the public to weigh in on such work. This might be accomplished, for example, through a combination of public opinion polling, facilitated community dialogue, outreach to business, higher education and other community leaders and

Commented [KS83]: DASC: Revising new name to K-12 Vision Project as adopted March 10, 2022.

Commented [KM84]: Motion to Amend MASS: Year to 2027 and the changes to the Project from Group. Passed Unanimously

Motion to approve as Amended Passed Unanimously

Commented [KS85]: MASS Recommendation

Commented [KS86]: MCASE Recommendation

Commented [KM87]: Changed back Group

Commented [KM88]: Additional change from Group to Project

public awareness campaigns. The key will be to ensure that we generate broad public support for the recommendations of the K-12 Vision ~~Group~~ **Project** over time.

14. The work of the K-12 Vision ~~Group~~ **Project** shall be focused on the following:
- a. A global look at the current funding formula for schools with an eye toward determining how the formula could be simplified, made more responsive to need, equitable and adequate to allow schools throughout the state to provide the basic system of free quality schools as that term is defined in 20-9-309, MCA. Specifics to be reviewed as part of the global look at the formula shall include:
 - v. Whether the formula sufficiently promotes local control. If not, recommendations should be developed regarding how the formula could be improved to better vest authority in the elected trustees to make financial decisions.
 - vi. Review of weighting adjustments in current formula and identification of possible enhancements. This inquiry shall include analysis of what other states do to account for economies of scale and address needs of school systems in different circumstances.
 - vii. Whether the current formula is sufficiently responsive to the educationally-relevant factors identified in 20-9-309, MCA, including:
 - 1. the number of students in a district;
 - 2. the needs of isolated schools with low population density;
 - 3. the needs of urban schools with high population density;
 - 4. the needs of students with special needs, such as a child with a disability, an at-risk student, a student with limited English proficiency, a child who is qualified for services under 29 U.S.C. 794, and gifted and talented children;
 - 5. the needs of American Indian students; and
 - 6. the ability of school districts to attract and retain qualified educators and other personnel.
 - viii. Recommendations regarding how the varying challenges experienced by different school districts throughout the state of Montana can be met to ensure that the needs of every child can be met.
 - ix. Whether there is a practical way to better predict and incorporate relevant inflation into the formula that is based on the predominant expenditures of school districts.
 - c. As part of its work in identifying a simple, adequate, equitable and rational funding formula, the K-12 Vision ~~Group~~ **Project** shall undertake the following:
 - i. Review of the differential that exists between current funding and funding necessary to meet the definition of the basic system of free quality schools under 20-9-309, MCA.
 - ii. Revenue necessary to eliminate the differential;
 - iii. A long range plan to eliminate the differential; and
 - iv. A communications plan to create the political will to accomplish the elimination of the differential.

Designation: Support

New Position 2022

Funding Issues

INFRASTRUCTURE AND SCHOOL FACILITIES (SUBMITTED BY MAEMSP)

SAM recognizes the importance of our public schools as the hub of many Montana communities. SAM supports Federal and State legislative action that would provide Local Education Agency's (LEA's) with the monetary means to support and maintain state of the art schools and school facilities to ensure all Montana students are equipped with the skills and knowledge to be college and career ready.

Designation: Support

Commented [KM89]: DASC: The types of support include -- This monetary support could come in the form of low cost interest programs, matching grants programs, along with targeted State and Federal dollar funding bills.

Commented [KM90]: Motion to Amend MASS: Add Designation of Support Passed Unanimously

Motion as Amended Passed Unanimously

Commented [KS91]: MASS Recommendation

RESOLUTIONS Approved by SAM Delegate Assembly 6-10-22

Proposed Resolutions are in font colors by Affiliate: MASS, MASSP, MAEMSP, META, MACSS, MCASE
Edits – **Red Bold Underline** for additions and ~~Strikeout~~ for deletions with Comments included

RESOLUTIONS

(From this point forward School Administrators of Montana shall be referred to as SAM)

(Understanding Resolution nomenclature: #99/03/08/10/18-01 is a system of numbering that indicates this resolution was first considered by the SAM Delegate Assembly in 1999 as the 1st new resolution that year (99/xx/-01), and that the resolution was revised in 2003, 2008, 2010, and 2018 (xx/03/08/10/18-xx))

Resolution #99/03/08/10/18/21/22-01 - ~~REQUIRED ATTENDANCE~~

WHEREAS, school laws of Montana do not adequately address attendance accountability for students; and

WHEREAS, student non-attendance adversely affects student learning, impedes adequate yearly progress, and jeopardizes future academic success; and

BE IT RESOLVED, that SAM supports legislative action ensuring consistent statewide guidelines be established concerning excessive student absences, beginning with school enrollment through a student's graduation; and

BE IT FURTHER RESOLVED, that SAM supports **clear enforcement through** partnering with all **applicable appropriate agencies and officials** to locate and enroll students not previously enrolled **and those with excessive absences**; and

BE IT FURTHER RESOLVED, that SAM supports enhanced flexibility for **enrolled students'** **attendance engagement and participation**; and

BE IT FINALLY RESOLVED, that SAM supports initiatives aimed at keeping students engaged and enrolled through graduation.

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

Resolution #99/12-02 – FINGERPRINTING, BACKGROUND AND REFERENCE CHECKS

WHEREAS, the safety of our students is of paramount importance; and

WHEREAS, school districts across the nation are seeing increased incidents of violent behavior and abuse;

BE IT RESOLVED, that SAM supports the development of an effective state-funded program for consistent, timely and comprehensive background and reference checks and fingerprinting of school employees and volunteers who have unsupervised contact with students.

Commented [KM92]: Motion to Amend MACSS: Language Revisions orange font in 2 places.
Amendment Passed Unanimously

Motion to Amend MASS: Language revision blue font
Amendment Passed Unanimously

Motion to Amend MACSS: Designation change from Support to Action.
Amendment **Failed** 8-36

Motion to approve as twice amended Passed Unanimously

Commented [KS93]: MACSS recommendation

Commented [KS94]: MASS Recommendation

Commented [KM95]: MACSS recommendation

Designation: Support

Resolution #99/02/06/07/16/17/22-08 – SCHOOL BASED MENTAL HEALTH SERVICES

WHEREAS, disruptive, dangerous, and aggressive behaviors to self and others are occurring at increasing rates in our school communities due to a variety of factors; and

WHEREAS, economic conditions of families and society where adequate mental health services are not provided, families are not eligible for adequate insurance coverage, or determined ineligible for mental health services under existing state guidelines obligate school districts to provide greater attention and resources to students with mental health needs; and

WHEREAS, mental health services remain unfunded within communities and school districts, school districts are using educational resources to provide minimal health services to students with identified needs; and

WHEREAS, there has been a history of inadequate state funding for mental health programs for students with mental health needs in community and school based programs; and

WHEREAS, there exists a significant need for comprehensive services, including community and interagency coordination to meet the needs of children with mental health needs within the school setting; and

WHEREAS, there exists a significant need for a continuum of services including community support, outpatient day and residential treatment, and acute care services with transition support between schools and mental health agencies to meet the mental health needs of children within the state;

BE IT RESOLVED, that SAM supports new state funding for Montana residential/educational services for children with mental health needs; and

BE IT FURTHER RESOLVED, that SAM urges the State of Montana continue to support and provide funding for school based mental health services; and

BE IT FINALLY RESOLVED, that SAM supports new state funding for a continuum of mental health services for students in addition to existing state and federal programs without reducing dollars from the state education general fund.

Designation: Action

Resolution #00/15/16/18/19/21-09 – BOARD/ADMINISTRATIVE TEAM PROFESSIONAL LEARNING

WHEREAS, schools, like all institutions, need continuous renewal to fulfill their mission of educating all children to high levels of achievement; and

WHEREAS, SAM strongly supports and recommends high-quality, state funded instruction each year for the school board/administrative team; and

WHEREAS, SAM believes that the board/administrative team will become more effective when board members and the administrative team participate together in leadership renewal;

Commented [KM96]: Motion to Amend MAEMSP: Language strike out
Passed Unanimously
Motion as Amended Passed Unanimously

Commented [KM97]: MAESMP Amendment

Commented [KM98]: MAEMSP Amendment

BE IT RESOLVED, that SAM supports board/administrative teams professional learning through SAM/MT-PEC or equivalent training opportunities.

Designation: Support

Resolution #00/03/05/14/15/16/18/21-10- ANB FUNDING FOR 19 YEAR OLDS

WHEREAS, the state does not provide funding to support high school services for students who turn 19 years of age on or before September 10th; and

WHEREAS, children often do not enter school until they are older than the present minimum age requirement, therefore attaining their 19th birthday on or before September 10th even though they have progressed 1 grade each year; and

WHEREAS, exchange students from other countries are funded; and

WHEREAS, HB 233 (2021) provided ANB funding for students 19 years or older but under 21 on or before September 10 with IDEA identified developmental disabilities, have not graduated, and have a transition plan developed; and

WHEREAS, delay in student's progression through school may be a result of illness, accident, participation in foreign exchange program, academic difficulties, disabilities; and

WHEREAS, research shows that all students learn at varying rates;

BE IT RESOLVED, that SAM supports funding for all 19-year-old students as determined by the ANB formula, only if adequate additional funding is provided beyond the services already allocated to support schools.

Designation: Support

Resolution #01/03/06/08/09/10/14/16/19-01 – FUNDING

WHEREAS, Montana continues to seek avenues for equitable and adequate revenue distribution for PK-12 education; and

WHEREAS, schools need to set levies, hold elections, hire staff, set academic schedules and make numerous educational decisions in the early spring; and

WHEREAS, the ability to carry over unencumbered funds would eliminate minuscule levy elections conducted by districts to maintain prior year budgeting authority;

BE IT RESOLVED, that SAM supports school funding be on two year cycles corresponding to the off years of the regular legislative session; and

BE IT FURTHER RESOLVED, that SAM supports the development of a statewide economic plan to generate and distribute revenue needed to provide adequate and equitable funding levels for PK-12 education; and

BE IT FURTHER RESOLVED, that SAM supports requiring the legislature to allocate at a minimum the amount budgeted for PK-12 education in the prior session or special session; and

BE IT FURTHER RESOLVED, that SAM supports legislation to allow districts to carryover unencumbered prior year funds without affecting budget maximums; and

BE IT FURTHER RESOLVED, that SAM believes that the MTDA (Montana Digital Academy) funding sources shall come from the state legislature and not from the individual district; and

BE IT FURTHER RESOLVED, that SAM supports funding of state special education allowable costs as a part of the school funding formula, with the additional allocation adjusted to meet the needs of special education cooperatives and inflationary increases applied to this component of the funding formula; and

BE IT FURTHER RESOLVED, that SAM supports continued funding of full time kindergarten.

BE IT FINALLY RESOLVED, that SAM supports additional and continued funding for early childhood education programs.

Designation: Action

Resolution #01/03/14-02 – RETIREMENT

WHEREAS, school administrators and teachers are leaving Montana education after 25 years of enrollment in the TRS system to take jobs in other occupations and states, allowing them to collect full retirement from Montana TRS and at the same time collect another salary; and

WHEREAS, Montana faces a serious shortage of administrators, teachers and related service providers; and

WHEREAS, an ever-increasing percentage of administrators, teachers and related service providers are eligible to retire and leave education in Montana;

WHEREAS, districts having Retirement Reserves cut from 35% to 20% has caused issues for systems facing a large number of retirees and caused cash balance issues for many districts;

BE IT RESOLVED, that SAM supports the return of Retirement Reserves percentages to the pre-2013 levels;

BE IT FURTHER RESOLVED, that SAM supports changes in TRS – (1) For the legislature to create an actuarially sound system, (2) to grant a change from 1.67% to 2% per year rates for retirement occurring after 30 years of creditable service with appropriate funding sources, (3) to establish an additional funding mechanism to grant retirees the ability to reenter education at up to a full salary without loss of benefits.

Designation: Support

Resolution #01/18/20-04 – PERMISSIVE FUNDING FOR HIGH IMPACT COSTS

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

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: Action

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;

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;

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.

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 #02/12/14-03 – VOUCHERS, TUITION TAX CREDITS, TAX SAVINGS ACCOUNTS AND CHARTER SCHOOLS (OTHER THAN AS DEFINED IN ARM 10-55-604)

WHEREAS, vouchers, tuition tax credits and charter schools detract from the goal of comprehensive improvement of public schools, do not enhance public and non-public school competition, and do not significantly impact student achievement levels; and

WHEREAS, voucher programs do not cover the full tuition costs of many schools, thus preventing true choice for many parents and students; and

WHEREAS, the acceptance or use of public funds by private and parochial institutions would threaten the unique mission of these schools by requiring every recipient of public funds to abide by the same laws, rules, and regulations as public schools; and

WHEREAS, non-public schools ultimately determine which students will be admitted and/or removed from their rolls therefore increasing discrimination; and

WHEREAS, vouchers, tuition tax credits and charter schools are prohibitively expensive, require taxpayers to finance the tuition costs of students attending private and parochial schools, and remove funds from public schools;

BE IT RESOLVED, that SAM will oppose the use of vouchers, tuition tax credits, tax savings accounts and charter schools in any form.

Designation: Action

Resolution #03/15/22-01 - SPECIAL EDUCATION FUNDING

WHEREAS, the percentage of state support for earmarked special education general fund expenditures has declined at a rate significantly greater than has the rate of state support for the total general fund budget **creating which creates a significant gap in funding between regular education and special education funding**; and

WHEREAS, the original intent of Congress was to fund special education at the 40% level of the national average for pupil expenditure; and

WHEREAS, the lack of state fiscal support for mandated special education services **has been wholly inadequate and** has effectively decrease(s) the amount of general funds available to support general education programming **and places a disproportionate financial burden upon local tax-payers; and**

Commented [KS99]: DASC: Per recommendation of MCASE DASC representatives to consolidate and Make for contemporary special education funding resolutions.

Commented [KM100]: Motion to Amend MCASE: language change
Passed Unanimously

Motion to Amend MAEMSP: language in 2nd to last Be it resolved.
Passed Unanimously

Motion Passed as twice Amended Unanimously

Commented [KS101]: MCASE Recommendation

WHEREAS, inadequate State funding of mandated special education services negatively impacts the education of all students by effectively decreasing the amount of general funds available to support general education programming;

BE IT RESOLVED; that SAM urges the legislature and state officials to avoid state appropriations that may suggest discriminatory funding practices between special education and regular education; and

BE IT RESOLVED, that SAM supports full state and federal funding for mandated special education services for students with disabilities with parallel increases to ANB funding based on the current formula;

BE IT FURTHER RESOLVED, that SAM supports legislation to allow school districts to increase their budget caps to provide for the disproportionate costs associated with educating students with special needs; and

BE IT FURTHER RESOLVED, that SAM will ~~prioritize support of~~ legislative action to increase the monetary investment for such mandated special education services by applying additional state funding without reducing payments for the Instructional Services Block Grant, Related Services Block Grant, and the Disproportionate Cost Reimbursement.

Commented [KM102]: MAEMSP Amendment

Commented [KM103]: MAEMSP Amendment

BE IT FINALLY RESOLVED, that SAM supports efforts to fully fund IDEA at its originally intended levels and to allow flexibility in maintenance of effort requirements.

Designation: Action

~~Resolution #03/06/11/16/17/21/22-02~~ **ADDITIONAL FUNDING FOR MANDATED SPECIAL EDUCATION SERVICES**

~~**WHEREAS**, the state provides inadequate funding to support the mandated services required of schools for students with disabilities placing a disproportionate financial burden upon local tax payers;~~

~~**BE IT RESOLVED**, that SAM supports full state and federal funding for mandated special education services for students with disabilities with parallel increases to ANB funding based on the current formula;~~

~~**BE IT FINALLY RESOLVED**, that SAM will prioritize support of legislative action to increase the monetary investment for such mandated special education services by applying additional state funding without reducing payments for the Instructional Services Block Grant, Related Services Block Grant, and the Disproportionate Cost Reimbursement.~~

Commented [KS104]: DASC: Per recommendation of MCASE DASC representatives to consolidate and Make for contemporary special education funding resolutions.

Commented [KS105]: DASC: Per recommendation of MCASE DASC representatives to consolidate and Make for contemporary special education funding resolutions.

Designation: Support

Resolution #03/04/06/14-03 – INSTRUCTIONAL TIME AND SCHOOL IMPROVEMENTS

WHEREAS, quality instruction is best provided by regularly assigned classroom teachers; and

WHEREAS, school improvement demands coordinated efforts amongst numerous professional staff members; and

WHEREAS, current efforts for school improvement require staff members to be removed from primary teaching or administrative duties; and

WHEREAS, the absence of regularly assigned, certified staff results in a loss of continuity in classroom academic progress, as well as, building and district leadership; and

BE IT RESOLVED, that SAM promotes additional pupil instruction related (PIR) hours fully funded by the state be added to the school calendar for the purpose of school improvement.

Designation: Support

Resolution #03/05/06/10/16-05 - COOPERATING PROFESSIONAL LEARNING

WHEREAS, quality new professional teachers and related service professionals are in high demand; and

WHEREAS, teachers and related service professionals who work in the role of the cooperating or supervisory teacher and related service professionals for a student teacher and related pre-service professionals are currently without specific cooperative professional learning; and

WHEREAS, individuals pursuing an education career are deserving of a strong student teaching and related pre-service experience;

BE IT RESOLVED, that SAM encourages Montana teacher and related service professional education programs to involve specific professional learning and/or pre-requisite study and adequate compensation and/or college credit for cooperating or supervisory teachers and related service professionals.

Designation: Support

Resolution #03/05/15-06 – HOME SCHOOLS

WHEREAS, SAM believes a free public education is the cornerstone of American democracy; and

WHEREAS, alternative options such as home schooling have been authorized by state legislation; and

WHEREAS, Montana has a very liberal law concerning home schooling. This creates situations that are not consistent with a quality education as defined by the State Constitution; and

WHEREAS, the law enables families to avoid the schooling of the child or provide only minimal schooling; and

WHEREAS, it is difficult to place home school students at the proper level in the public system;

BE IT RESOLVED, that SAM supports legislation that strengthens the accountability of home schools in Montana; and

BE IT FURTHER RESOLVED: Resources and authority should be provided to make certain that those who exercise these options are held strictly accountable for the academic achievement of children on a quarterly basis.

Designation: Support Action

Resolution #03/05/14-08 – FEDERAL PROGRAM RETIREMENT FUNDING

Commented [KS106]: MASSP Recommendation

Commented [KM107]: MASSP withdraws Amendment

BE IT RESOLVED, that SAM supports legislation allowing retirement costs for those district and cooperative employees paid through federal funds to be paid from the district’s retirement fund.

Designation: Support

Resolution #04/14/16/19/22-02 – EARLY CHILDHOOD PROGRAMS

WHEREAS, high quality early childhood programs contribute to later academic and social success; and

WHEREAS, many of Montana students do not have access to quality early childhood programs;

BE IT RESOLVED, that SAM supports the development of additional and continued fully funded public early childhood programs in Montana; and

BE IT FURTHER RESOLVED, that SAM supports the development of high standards for both early childhood programs and early childhood teacher quality.

Designation: Support Action

Commented [KM108]: Motion to Amend MACSS: Designation from Support to Action Motion Passed
Motion Passed as Amended Unanimously

Resolution #04/14/16/22-03 – SUMMER AND/OR AFTER SCHOOL PROGRAMS

WHEREAS, many schools are offering summer school programs and/or after school programs to provide more learning time for students; and

WHEREAS, research has shown that extended learning time increases achievement;

BE IT RESOLVED, that SAM supports additional state and/or federal funding to schools that offer summer and/or after school programming to its students; and

BE IT FURTHER RESOLVED, that SAM supports additional state and county funding for student transportation and school nutrition programs for schools that offer summer and/or after school programs.

Commented [KS109]: MACSS recommendation

Commented [KM110]: Motion to Amend MASS: Language changes Motion Passed Unanimously
Motion Passed as Amended Unanimously

Designation: Support

Commented [KS111]:
Commented [KS112R111]: MASS Recommendation

Resolution #05/09-03 – CARL PERKINS AND HIGH SCHOOL CAREER AND TECHNICAL REFORM FUNDING

WHEREAS, the Carl D. Perkins Career and Technical Education Improvement Act is an essential component of funding for quality career and technical education in Montana high schools; and

WHEREAS, the administration and Congress are looking at ways of involving the federal government in reforming the nation’s high schools by moving the ESEA model into high schools; and

WHEREAS, current ESEA funding for Title programs in secondary schools is at inadequate and proportionately low levels; and

WHEREAS, SAM is fully supportive of, and committed to, high school improvement;

BE IT RESOLVED, that SAM opposes efforts to eliminate or reduce funding Carl Perkins programs for Montana Schools; and

BE IT FURTHER RESOLVED, that SAM supports significant federal and state resources for the development of long-term strategies and systemic improvement of high school career and technical reform efforts.

Designation: Support

Resolution #06-02 – PARENT INFORMATION RESOURCE CENTERS

WHEREAS, there exists a significant need to provide parents with information resources to help their children be successful in school; and

WHEREAS, some households within our communities may lack the awareness, knowledge and/or confidence to support effectively students’ social-emotional, academic and physical needs at times; and

WHEREAS, school districts from across the state would benefit from the ability to provide ongoing and consistent parent resources/information such as conflict management, health and nutrition information, homework/study skills strategies, and time management;

BE IT RESOLVED, that SAM urges the State of Montana to support and restore funding for Parent Information Resource Centers that would provide parents with effective strategies in meeting the emotional, academic and physical needs of their children.

Designation: Support

Resolution #08/12-01 – EDUCATIONAL SERVICES FOR DETAINED STUDENTS

WHEREAS, there are students detained in detention/treatment centers that may or may not be enrolled in a school district; and

WHEREAS, the school district in which the student or his or her parents reside is responsible for educational expenses;

BE IT RESOLVED, that SAM supports state financial responsibility for educational services of detained students in detention/treatment centers.

Designation: Support

Resolution #10/16/19-01 – UNIFIED RECRUITMENT & RETENTION

WHEREAS, Montana has significant difficulty in recruiting and retaining highly qualified teachers and related service professionals in general and special education; and

WHEREAS, Montana has historically experienced difficulty in the recruitment and retention of low incidence professional positions, such as speech pathologists, school psychologists, occupational therapists,

physical therapists, sign language interpreters and other professional staff necessary for the provision of a Free Appropriate Public Education (FAPE) under the Individual with Disabilities Education Act (IDEA) and Every Student Succeeds Act (ESSA); and

WHEREAS, Montana has historically experienced difficulty in the recruitment and retention of general education professional positions necessary to provide instructional service which meet accreditation standards; and

WHEREAS, school districts currently spend a significant amount of resources including time and money on the recruitment and retention of low incidence personnel; and

WHEREAS, a unified collaborative effort towards statewide recruitment and retention would be more cost effective and efficient; and

WHEREAS, recruitment and retention of highly qualified/low incidence positions is difficult due to the geographic isolation of many communities of Montana; and

WHEREAS, Office of Public Instruction has worked collaboratively with Montana Council of Administrators of Special Education on the recruitment and retention of highly qualified/low incidence personnel; and

WHEREAS, Montana continues to have chronic shortages;

BE IT RESOLVED: That SAM supports the implementation of a unified recruitment and retention program designed to address current personnel shortages in both general and special education.

Designation: Action

Resolution #10/16/19/22-03 – ~~MEDICAL~~ MARIJUANA REGULATIONS

WHEREAS, SAM has always supported safe, secure, drug free school efforts;

BE IT RESOLVED, that SAM supports drug free schools and drug-free work place policies that prohibit the use of ~~medical~~ marijuana on school grounds, at school events, or any activity involving schools or students.

Designation: Support

Resolution #11/14-01– ADMINISTRATOR EVALUATION

WHEREAS, school administrators are an important factor in a quality education; and

WHEREAS, each school is unique; and

WHEREAS, administrative evaluation is a valuable piece of professional growth;

BE IT RESOLVED, that SAM supports an evaluation process that is adopted at the local level based on multiple measures.

Commented [KS113]: DASC: Remove "medical" because of new state marijuana regulations. May want to discuss further implications on safe and healthy school environments related to drug free schools.

BE IT RESOLVED, that SAM does not support the use of state-wide student assessment scores in administrator evaluation.

Designation: Support

Resolution #12/13/15-01 – PRINCIPAL/ASSISTANT PRINCIPAL ASSIGNMENT

WHEREAS, SAM believes and research has confirmed that continuity of school level leadership is essential for the continuous improvement of educational quality;

BE IT RESOLVED, that SAM supports legislation and practice which will recognize a principal/assistant principal's years of service in regard to maintaining salary and cost of living raises and benefits; and

BE IT FINALLY RESOLVED, in the event of reassignment without cause; service, salary and benefits will remain the same and progress as cost of living increases rise.

Designation: Support

Resolution #12/13/16-03 – SCHOOL PRIVATIZATION WITH PUBLIC FUNDS LEGISLATION

BE IT RESOLVED, that SAM take the following positions with regard to school privatization legislation of any kind by the Legislature; and

BE IT FURTHER RESOLVED, that SAM work to ensure that elected school boards in member school districts are empowered to innovate and adapt public school offerings to best meet the needs of students and to fully develop the educational potential of each student in the public schools as envisioned by the Constitutional framers in writing Article X, Section 1 of the Montana Constitution; and

BE IT FURTHER RESOLVED, that SAM work to ensure continued supervision and control of all publicly funded PK-12 education in Montana by existing school boards in current member districts who are subject to popular election to ensure that publicly-funded PK-12 education remains accountable to citizens in each community through oversight by volunteer elected trustees; and

BE IT FURTHER RESOLVED, that SAM oppose any attempts to fund private PK-12 education, including sectarian and non-sectarian private schools and home schools through public means and that SAM interpret "public means" to include but not necessarily be limited to any appropriation, tax credit, tax deduction, voucher or any other financial incentive or construct mandated or allowed by law or proposed in any bill or initiative. Guidance on SAM's position and efforts are to be derived from but not limited to the language of Article X, Section 6 (Aid prohibited to sectarian schools) and applicable interpretations of this provision by the Montana Supreme Court and other courts interpreting similar language in their respective state constitutions; and

BE IT FURTHER RESOLVED, that SAM work to ensure that any school choice legislation be limited only to public schools and comply with and afford every student in every public school with all constitutional rights specified in Article X of the Montana Constitution and access to a public education that complies with the definition of the basic system of free quality schools adopted by the Legislature in 20-9-309, MCA;

BE IT FINALLY RESOLVED, that SAM actively and vigorously opposes any legislation failing to meet the standards set forth above and pursue enforcement of the constitutional provisions referenced in this resolution through any lawful means.

Constitutional References:

Section 1. *Educational goals and duties. (1) It is the goal of the people to establish a system of education which will develop the full educational potential of each person. Equality of educational opportunity is guaranteed to each person of the state.*

Section 6. *Aid prohibited to sectarian schools. (1) The legislature, counties, cities, towns, school districts, and public corporations shall not make any direct or indirect appropriation or payment from any public fund or monies, or any grant of lands or other property for any sectarian purpose or to aid any church, school, academy, seminary, college, university, or other literary or scientific institution, controlled in whole or in part by any church, sect, or denomination.*

Section 8. *School district trustees. The supervision and control of schools in each school district shall be vested in a board of trustees to be elected as provided by law.*

Designation: Action

Resolution #13/15/21-01 – CAPITAL FACILITY NEEDS

BE IT RESOLVED, that SAM pursue continued and expanded state funding for capital facility needs in districts across the state of Montana to match and leverage local support for maintaining quality, safe, healthy, and educationally appropriate school facilities that meet the needs of 21st Century learning. The resolution should include support for technology costs within the definition of capital facility needs. The resolution should encourage energy efficiency, quality materials, and the general concept of sustainability. In addition, we encourage state support to match local building reserves so that school districts will be able to maintain facilities.

We encourage state support maintaining local control, and ensuring full funding for programs such as the state Facility Guaranteed Mill per ANB funding, as well as new initiatives that might be developed in the future.

We believe that this resolution is important to the needs of students in districts across the state of Montana.

Designation: Action

Resolution #13/14/18-02 – 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, that 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 Accreditation is determined that takes into consideration the unique nature of Montana’s smallest schools and protects a student’s right to privacy.

Designation: Support

Commented [KM114]: MAEMSP Recommendation

Commented [KM115]: MAEMSP Withdraws Amendment

Resolution #13/14/15-03 – MORE EFFICIENT AND EFFECTIVE GOVERNANCE OF SCHOOL DISTRICTS

WHEREAS, school districts have learned from experience that there are many areas of statute and rule that do not allow for flexibility **or in-efficient** operations at the local level. School elections, student discipline, and open meeting laws are examples of areas of policy that have been reviewed and improved for the benefit of school districts, and

Commented [KS116]: MASS Recommendation (remove space)

Commented [KM117]: Space will be struck - editorial

WHEREAS, as a matter of equity, school districts who contract for transportation services should be treated the same as districts who own their buses and are exempt from state fuel taxes, and

WHEREAS, School districts should be able to utilize the best available technology and use cost-effective means in meeting the requirement to store records, but currently operate under restrictions imposed by statute and by the Local Government Records Committee, and

BE IT RESOLVED, that SAM, in the interest of more efficient and effective governance, the optimization of resources, as well as enhancements to and revival of local control, call on SAM membership to engage in discussions at the local board table related to efficiencies, optimization of resources efforts, and identification of implementation barriers to create efficiencies, and bring them to the attention of SAM, the Montana Public Education Center (MT-PEC) and the legislature for the establishment of appropriate laws to allow districts to become as efficient and effective as possible.

Designation: Support

Resolution #13/14/17/19/22-04 – FEDERAL ISSUES IMPORTANT TO MONTANA

BE IT RESOLVED, that SAM will work with the Montana Congressional Delegation in support of full federal funding of special education (IDEA) and Every Student Succeeds Act (ESSA); and

BE IT FURTHER RESOLVED, that SAM will work with the Montana Congressional Delegation to ensure that the USAC E-rate **and other technology and facility programs that are federally funded, funding program** stays-fully funded to ensure equitable and adequate bandwidth **and access** to every student; and

Commented [KS118]: DASC: revisions to add technology and facility programs that are federally funded.

BE IT FURTHER RESOLVED, that SAM supports Net Neutrality; and

BE IT FURTHER RESOLVED, that SAM will communicate with the Montana Congressional Delegation regarding our continued opposition to school vouchers in any form; and

BE IT FURTHER RESOLVED, that SAM will work with the Montana Congressional Delegation during the reauthorization of any education legislation in support of adequate funding and to ensure that the implementation of the federal legislation is reasonable for Montana school districts; and

BE IT FURTHER RESOLVED, that SAM support a stronger voice for rural education at the federal level that includes the establishment of an Office of Rural Education Policy within the U.S. Department of Education to recognize the unique challenges facing rural schools and that federal policies should balance the needs of urban and rural school districts; and

BE IT FURTHER RESOLVED, that SAM will communicate with the Montana Congressional Delegation regarding the concern of Montana school districts over a drop in federal funding for important programs

such as Title I and other Title programs, Carl Perkins, Impact Aid, and Medicaid Reimbursement, and the impact these reductions could have on local and state funding of current education priorities; and

BE IT FURTHER RESOLVED, that SAM will advocate for maintenance of local supervision and control over federal funds allocated to Montana’s public schools and oppose provisions in federal/national legislation, regulation or other standards that would denigrate local control of Montana’s public schools; and

BE IT FURTHER RESOLVED, that SAM supports formula funding and opposes competitive grant programs at the federal level; and

BE IT FINALLY RESOLVED, that SAM will support additional federal resources for capital or operational programs only to the extent that these programs are not unfunded mandates or under-funded programs.

Designation: Support

Resolution #13/16/17-07 – PROFESSIONAL LEARNING

WHEREAS, the Montana Board of Public Education has adopted Montana Content Standards; and

WHEREAS, funding for implementation of the Montana Content Standards is inadequate; and

WHEREAS, mandatory state assessments are in place; and

WHEREAS, Chapter 55 Accreditation Standards require teacher and principal evaluation systems;

BE IT RESOLVED, that SAM supports additional state funding for the training of teachers and administrators for the implementation of the Montana Content Standards, state assessments, and the Montana Educator Performance Appraisal System (EPAS) State Models for Teacher and Administrator Evaluation.

Designation: Support

Resolution #14-04 – FUNDING SPECIAL EDUCATION COOPERATIVE INFRASTRUCTURE

WHEREAS, a large majority of school districts, 81%, participate in special education cooperatives owing in a large part to a very sparsely distributed population; and

WHEREAS, increasing frequency, intensity, and investments of special education services require a robust cooperative infrastructure necessary to assure our students in rural schools equal access to special education services and quality education; and

WHEREAS, school laws of Montana do not adequately address funding the basic entitlement of Cooperatives in order to establish the appropriate infrastructure necessary for rural students to have equal access to special education services and quality education;

BE IT RESOLVED, that SAM supports legislative action ensuring the development of the full educational potential of each person;

BE IT FURTHER RESOLVED, that SAM supports legislative action to increase the monetary investment in Cooperative infrastructure including means to recruit and retain highly qualified personnel in rural areas; and

BE IT FINALLY RESOLVED, that SAM supports legislative action to ensure educational infrastructure is equitably and adequately funded across all Montana administrative units.

Designation: Action

~~Resolution #15/17/21/22-01 – SPECIAL EDUCATION FUNDING, CLOSING THE GAP (2021 LEGISLATIVE SESSION HB 46)~~

~~WHEREAS~~, review of recent legislative funding increases for K-12 education will clearly show there has been, and continues to be a significant “gap” between increases in revenue provided general education versus increases provided special education; and

~~WHEREAS~~, historically, state and federal legislative increases in funding for special education services have been infrequent and wholly inadequate. This lack of additional revenue places increasing pressure on districts to use local revenue to fund special education services; and

~~WHEREAS~~, because districts and cooperatives are receiving inadequate increases in special education revenue, the effect on districts includes reducing services to special education children placing districts at risk of failing to provide FAPE (Free Appropriate Public Education), places special education in the position of “competing” for local funding with general education, sports, and other activities, and places an increasing burden on local tax payers;

~~BE IT RESOLVED~~, that SAM will work with their educational partners, the Office of Public Instruction, Governor’s office, and the Congressional delegation to “close the gap” in funding increases for general education versus special education.

~~Designation: Action~~

Resolution #15-08 – KINDERGARTEN AS PART OF COMPULSORY EDUCATION

WHEREAS, kindergarten is a very important building block in a child's education;

WHEREAS, kindergarten has a more educational focus with specific content standards;

BE IT RESOLVED, that students should begin their compulsory education with attendance in kindergarten;

BE IT FURTHER RESOLVED, that SAM supports that kindergarten is part of a child’s compulsory education in the State of Montana.

Designation: Support

Resolution #16-02 – STATE TRANSPORTATION REIMBURSEMENT FOR ACADEMIC SUMMER SCHOOL

WHEREAS, the challenges of academic improvement are not limited to a 180 day school year; and

Commented [KS119]: DASC: Per recommendation of MCASE DASC representatives to consolidate and Make for contemporary special education funding resolutions.

Commented [KS120]: DASC: Per recommendation of MCASE DASC representatives to consolidate and Make for contemporary special education funding resolutions.

WHEREAS, current law allows provision of education throughout the year, computed on the basis of minimum aggregate hours of instruction, without any limitation to the number of days on which such instruction is provided; and

WHEREAS, significant research exists supporting the value of expanded and year round learning opportunities in addressing achievement gaps and preventing summer learning loss; and

WHEREAS, the needs of students in poverty to have access to quality classroom instruction are further limited by the current 180 day limit on state transportation reimbursement under MCA 20-10-145; and

WHEREAS, the current organization of schools statewide is limited by geography, and

WHEREAS, the education system in Montana is constantly adapting to the changing demographics of the student population in our state; and

WHEREAS, the use of State Transportation reimbursement is expressly prohibited by the criteria set forth in MCA 20-10-145; and

WHEREAS, Montana school districts use all possible resources to be able to offer extended learning opportunities to their students, and

WHEREAS, communities should have the right to determine how, when, and upon what terms education is provided through their public schools; and

WHEREAS, current law penalizes communities that choose to organize their school calendar over the summer months by prohibiting state transportation reimbursement;

BE IT RESOLVED, that academic summer programs would be approved by the local trustees under the policy for student enrollment for exceptional circumstances before requesting reimbursement.

BE IT RESOLVED, that any additional county transportation reimbursement be approved by the county transportation committee;

BE IT RESOLVED, that state transportation reimbursement should be aligned with any and all viable pupil instruction, including non-aggregate hour calculations for summer school instruction; and

BE IT FURTHER RESOLVED, that the SAM supports academic improvement through extended learning opportunities for all Montana's publicly educated students that would remove the 180 day limit on state transportation reimbursement as cited in MCA 20-10-145.

Designation: Support

Resolution #16-05 – CHANGE COMPULSORY ENROLLMENT AGE FROM 7 TO 6 YEARS OLD

WHEREAS, it is well-documented that students who are provided a formal education at an earlier age have greater successes throughout their schooling; and

WHEREAS, several initiatives have been put forth in an effort to get students into schools at an early age, Montana law currently only requires compulsory enrollment at the age of 7; and

WHEREAS, this makes it difficult for schools to ensure that students are attending school. Moreover, as Montana law caps funding for students at the age of 19, compulsory enrollment beginning at 7 creates situations where students may “age out” of school, causing the potential for dropouts;

BE IT RESOLVED, that Montana Code Section 20-5-102, be amended to change the compulsory enrollment age from 7 to 6 years.

Designation: Support

Resolution #16/17/21-06 – 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

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

Resolution #16/21/22-07 – ADEQUATE FUNDING FOR MANDATED SPECIAL EDUCATION SERVICES [2021 LEGISLATIVE SESSION HB 46]

WHEREAS, IDEA, as federal law, mandates a free appropriate public education for children with disabilities, ages 3-21. (Title I, B, 612, a, 1, A) with provision for State level statutory language to limit services to children with disabilities ages 18-21 (Title I, B, 612, a, 1, B, ii); and

WHEREAS, most Montana school districts limit attendance to age 19, mandated special education services in the State typically address the needs of children with disabilities ages 3-19; and

WHEREAS, inadequate State funding of mandated special education services negatively impacts the education of all students by effectively decreasing the amount of general funds available to support general education programming;

BE IT RESOLVED, that SAM will prioritize adequate funding of mandated special education services; and

BE IT FURTHER RESOLVED, that SAM will prioritize support of legislative action for statutory language that includes the special education appropriation in the group of education appropriations subject to the mandatory inflationary increase; and

BE IT FURTHER RESOLVED, that SAM will prioritize support of legislative action to increase monetary investment in Cooperative infrastructure without reducing payments for the Instructional Services Block Grant, Related Services Block Grant, and the Disproportionate Cost Reimbursement; and

BE IT FURTHER RESOLVED, that SAM recognizes proposals for new program entitlements for students outside the current age range of State funded educational programs may negatively impact funding consideration for mandated special education services; and

BE IT FINALLY RESOLVED, that SAM will prioritize support of legislative action for inflationary increases for special education and increased monetary investment in Cooperative infrastructure above advocacy efforts for new program entitlements for students outside the current age range of State funded educational programs.

Designation: Action

Resolution #16/17/19/21-08 – ANB ALLOCATION FOR TECHNOLOGY HARDWARE UPGRADES

WHEREAS, every school district in Montana strives to provide a quality education for every student that culminates in college and career readiness; and

WHEREAS, every school district in Montana is united in the belief that all students deserve to be successful; and

WHEREAS, every school district in Montana is striving to provide 21st Century learning opportunities and needed skills; and

Commented [KS121]: DASC: Per recommendation of MCASE DASC representatives to consolidate and Make for contemporary special education funding resolutions.

Commented [KS122]: DASC: Per recommendation of MCASE DASC representatives to consolidate and Make for contemporary special education funding resolutions.

Commented [KM123]: Motion to Amend MAEMSP: Designation change from Action to Support
Motion **Failed** – stays as an Action Designation
Motion Passed without amendment

WHEREAS, every school district in Montana is funded through a variety of sources, but primarily by the average number of students in attendance or ANB, and

WHEREAS, technology touches all aspects of education including the business operations, curriculum resources and assessments. Together these have become a significant burden on technology budgets; and

WHEREAS, schools are having difficulties in funding for technology and funding is not equitable across the state for upgrading, maintaining, and supporting technology hardware in schools; and

WHEREAS, a basic allocation per student, (e.g. Data Achievement (MCA 20-9-325)), would bring a constant revenue that school districts would support refreshing technology hardware on at least a five year cycle (industry standard). A basic annual allocation of \$50 per student over a five year span would generate \$250; which may not cover the complete cost of hardware for a student, but enough that a district can do more effective and efficient planning; and

BE IT RESOLVED, that the SAM hereby requests increased state funding for technology by appropriating \$50 per student each year for technology hardware.

BE IT FURTHER RESOLVED, that SAM supports an increase in funding beyond the services already allocated to support schools.

Designation: [Action-Support](#)

Commented [KS124]: MAEMSP Recommendation

Resolution #16/17/20/22-09 – SUPPORT OF ADEQUATE BANDWIDTH FOR SCHOOLS

WHEREAS, blended classrooms that integrate technology and rich media resources have become essential in the 21st Century classroom; and

WHEREAS, U.S. Department of Education and State Education Technology Directors Association recommendations require 1Mbps per student to ensure a media rich learning environment; and

WHEREAS, many rural schools in the state cannot meet basic bandwidth requirements for state mandated online testing; and

WHEREAS, Montana represents one of the largest sectors of entrepreneurial activity in the country, demonstrating that our students will need access to digital resources to compete globally in careers and college upon graduation; and

WHEREAS, decisions on appropriate bandwidth speeds and service are best made by the administration and trustees of local school districts;

BE IT RESOLVED, the legislators will work with the Governor's office, ~~Education Super Highway~~ [Connect K12 \(formerly Education Super Highway\)](#), META, and SAM ensure a minimum of 1mbs per student for all Montana public education students.

Commented [KS125]: DASC: updated language to indicate Education Super Highway merging with Connect K12.

BE IT FURTHER RESOLVED, SAM and the State of Montana will explore supporting PK-20 connectivity consortiums to allow schools to tie into the State University systems for connectivity to University classrooms and other educational resources.

Designation: Action

Resolution #16/20-11 – REMOVING THE LIMIT DURATION ON TECHNOLOGY LEVY FUNDING

WHEREAS, technology is an ever evolving and necessary tool in every Montana classroom; and

WHEREAS, school districts rely on technology levies to fund the network, student and staff devices, curricular and operational software purchases, as well as training, repairs and support; and

WHEREAS, in many budget years, the general fund has to cover a significant number of those costs; and

WHEREAS, General Fund budgets in many districts are limited to the base budget given local taxpayer's avoidance of operational levies that allow districts to adopt maximum budgets, leaving District's basic operational resources too tight to meet the needs of 21st Century classrooms;

WHEREAS, limiting a technology levy's duration to 10 years, as well as District's risking a previously approved perpetual technology levy may restrict a district's ability to ensure ongoing technological integrity;

BE IT RESOLVED, section 6 will strike the 10 year maximum limitation and section 8 will be deleted from MCA 20-9-533.

Designation: Action

Resolution #18/21/22-03 – DAYLIGHT SAVINGS [2021 LEGISLATIVE SESSION SJ17, SB 254]

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 **or permanently implementing daylight savings time.**

Designation: Support

Resolution #19/20/22-01 – ALLOWING THE USE OF VIDEO EVIDENCE TO ENFORCE SCHOOL BUS STOP ARM VIOLATIONS

WHEREAS, Montana law requires drivers overtaking a school bus from either direction to stop while the school bus is operating visual flashing red signals as specified in [61-9-402 MCA](#), and the driver may not proceed until the children have entered the school bus or have alighted and reached the side of the highway or street, and until the school bus ceases operation of its visual flashing red signal; and

WHEREAS, the National Highway Traffic Safety Administration (NHTSA) notes stop arm laws are particularly challenging to enforce because violations occur randomly, as opposed to at certain times or locations, and typically must be witnessed by a law enforcement officer in order for a ticket to be issued; and

Commented [KS126]: DASC: Discussed the addition of permanent daylight savings time being better than permanent standard time.

WHEREAS, Montana school buses travel millions of miles per year on roads, highways, and streets not heavily monitored by law enforcement at all times; and

WHEREAS, Montana schools leverage technology in many ways to ensure our students safety while they are in the schools' care;

BE IT RESOLVED, that SAM will support legislative action authorizing the use of stop arm camera technology to substantiate the reporting of stop arm violations. The implementation of such technology will remain at the discretion of local trustees, not mandatory, and the cost of implementation can come from any applicable fund allowed by law including but not limited to Transportation, Bus Depreciation, and/or School Safety funds.

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

Resolution #20/22-01 SPECIAL EDUCATION FLEXIBILITY FUNDING

~~WHEREAS, an historic review of Montana and federal legislative funding increases for K-12 education clearly show there has been, and continues to be a significant "gap" between increases in revenue provided general education versus increases provided special education; and~~

WHEREAS, because LEAs are receiving inadequate increases in special education revenue, the effect on districts includes reducing services to special education children, placing districts at risk of failing to provide FAPE (Free Appropriate Public Education), places special education in the position of "competing" for local funding with general education, extra-curricular, and other activities; and

WHEREAS, The Individuals with Disabilities Education Act (IDEA) is a federal law ensuring a free and appropriate public education to children with disabilities **ages 3-21**; and as enacted (1975), is supposed to provide for 40% full funding. The federal allocation, however, has historically never exceed 16% funding for students with disabilities; and

WHEREAS, most Montana school districts limit attendance to age 19, mandated special education services in the State typically address the needs of children with disabilities ages 3-19; and

WHEREAS, SB 191, 2013 Montana Legislative Session passed the right of a district to levy in its tuition fund without a vote to pay for any costs of IDEA that are in excess of state and federal funding streams provided to the district (20-5-324; 20-7-401, MCA); and

WHEREAS, SB 191 funds are not available to all school districts or communities based on an insufficient or non-existent tax base, including but not limited to small rural communities, districts that reside within federal lands, and communities dependent on specific revenue streams such as oil, coal, etc.

WHEREAS, SB 307, 2017 Montana Legislative Session, required trustees to adopt a resolution of intent to increase non-voted levies no later than March 31 of each fiscal year (20-9-116, MCA); and

WHEREAS, the trustees of a district must adopt a final budget for the district and determine the amounts to be raised by tax levies for the district not later than August 25 (209-131, MCA); and

WHEREAS, exceptional students with significant needs transfer between districts after March 31 and prior to August 25, districts are financially obligated to meet the needs of those students, nonetheless, without fiscal planning to be in compliance with IDEA; and

WHEREAS, the tuition fund does not provide for reserves; and

Commented [KS127]: DASC: Appropriate allocation of SAM resources during the legislative session.

Commented [KS128]: DASC: Per recommendation of MCASE DASC representatives to consolidate and Make for contemporary special education funding resolutions.

Commented [KM129]: Motion to Amend MAEMSP: Remove OPI and Prioritize in various areas.
Passed Unanimously

Motion Passed as Amended Unanimously

WHEREAS, cooperative member districts are prohibited from using tuition funds, under 20-5-324 and 20-7-401, MCA, for assessment fee expenditures.

BE IT RESOLVED, that SAM will work with their educational partners ~~and the Office of Public Instruction~~ to ensure that districts will be enabled to annually reserve tuition funds to overcome potential budgetary shortfalls in the event of a transferring significant needs student into their district.

Commented [KM130]: MAEMSP Recommendation

BE IT FURTHER RESOLVED, LEAs, including cooperative member districts, may budget and utilize tuition funds for the purpose of disbursing it for cooperative assessment fees.

BE IT FURTHER RESOLVED, that SAM will ~~prioritize~~ support of legislative action for statutory language that includes the special education appropriation in the group of education appropriations subject to the mandatory inflationary increase; and

Commented [KM131]: MAEMSP recommendation

BE IT FURTHER RESOLVED, that SAM will ~~prioritize~~ support of legislative action to increase monetary investment in Cooperative infrastructure without reducing payments for the Instructional Services Block Grant, Related Services Block Grant, and the Disproportionate Cost Reimbursement; and

Commented [KM132]: MAEMSP recommendation

BE IT FURTHER RESOLVED, that SAM recognizes proposals for new program entitlements for students outside the current age-range of State-funded educational programs may negatively impact funding consideration for mandated special education services; and

BE IT FINALLY RESOLVED, that SAM will ~~prioritize~~ support of legislative action for inflationary increases for special education and increased monetary investment in Cooperative infrastructure above advocacy efforts for new program entitlements for students outside the current age-range of State funded educational programs.

Commented [KM133]: MAEMSP recommendation

Designation: Action

New Resolutions 2022

Resolution #22-01 - ~~STUDENT DATA PRIVACY~~
(SUBMITTED BY META)

Commented [KM134]: Motion to Amend META: Language revision in pink font
Amendment Passed Unanimously

WHEREAS, the state of Montana has implemented 20-7-1326 Pupil Records – online privacy protections, MCA a law mandating Montana pupil online personal information protection; and

Motion to Amend MASS and META: Designation change from Support to Action
Amendment Passed Unanimously

WHEREAS, SAM supports and believes in the essence of this law; and

Motion Passed Unanimously

WHEREAS the implementation of the MPOPIPA (Montana Pupil Online Personal Identity Protection Act) law as an unfunded mandate creates significant challenges for schools to implement the law; and

WHEREAS this law obligates local school districts to perform legal requirements without suitable staffing ~~or~~ and funding mechanisms; and

Commented [KS135]: META Recommendation

WHEREAS, there is now a National Data Privacy Agreement that schools could ascribe to; and

BE IT RESOLVED, that SAM supports the rewording of 20-7-1326 MCA so that the State of Montana recognizes the National Data Privacy Agreement as one that protects the online privacy of the students throughout the state and that schools may enter into a contract with a third party vendor who ascribe to the NDPA-- or continue using the Montana DPA.

Designated: ~~Support Action~~ ~~Support Action~~

Resolution #22-02 – ATTENDANCE CENTERS
(SUBMITTED BY MACSS)

WHEREAS, it is problematic, unclear, and causes issues pertaining to funding, transportation, supervision, and administration; and

WHEREAS, only a district/legal entity can receive base and ANB funding; and

WHEREAS, attendance centers should be under the supervision of the district administration, or if no district administration, the county superintendent of the county in which the district is located; and

~~WHEREAS, attendance centers may be established as or become private schools that are privately funded;~~

BE IT RESOLVED, that attendance centers **must be served by a district or county superintendent of the county in which they are located.** ~~cannot be served by a district or county superintendent if it they are is located in another county.~~

Designation: ~~Support Action~~

Resolution #22-03 - HI SET COMPLETION FOR 16 YEAR OLD STUDENT
(SUBMITTED BY MACSS)

WHEREAS, 16 years is a legal age for a child to discontinue attending school. (MCA 20-5-103(a))

BE IT RESOLVED, the State develop consistency in allowing these students, not in school attendance, the opportunity to take the HSE test without a Waiver, ~~but instead and~~ delete the 16 year old Waiver requirement. Thereby providing 16 year old students no longer in attendance in school, an approved path to continue their education and/or begin their career path with a document showing they have a high school equivalency.

Designation: Support

Resolution #22-04 – BUS DEPRECIATION FLEXIBILITY
(SUBMITTED BY MASS)

~~WHEREAS, safe and effective transportation of pupils is a critical part of ensuring student access to high quality public education; and~~

~~WHEREAS, school buses are the safest and most effective form of transportation of public school students; and~~

~~WHEREAS, the taxpayers' investment in school buses should be protected to ensure an effective useful life of such buses; and~~

~~WHEREAS, indoor covered parking for buses can help extend the useful life of school buses and also secure school buses against damage and theft.~~

Commented [KS136]: META Recommendation
This issue has become a much larger issue because Superintendent's are now signing insurance documents regarding Cybersecurity Insurance. These documents state that they are ensuring that ALL software/websites/apps used within the district, where student data is provided, have a signed data privacy agreement. Insurance agencies could deny coverage due to breach of contract if a software is being used without a signed agreement and the software provider is breached and student data is lost.

Commented [KS137]: MASS Recommendation

Commented [KM138]: Motion to Amend MACSS: Language revisions as indicated in orange font and purple font (rearrange Whereas and affirmative language about county location. Amendment Passed Unanimously

Motion to Amend MACSS: Designation change from Support to Action.
Passed Unanimously

Motion Passed as twice Amended Unanimously

Commented [KM139]: Amendment MACSS to move this WHEREAS to the first WHEREAS.

Commented [KM140]: Amendment MACSS offered at the table.

Commented [KS141]: MACSS Recommendation

Commented [KM142]: Motion to Amend MACSS: Language Changes in orange font. Amendment Passed Unanimously

Motion as Amended **Failed** 12-33. So **The resolution is not approved.**

Commented [KS143]: MACSS Recommendation

Commented [KS144]: DASC requests more research on this Resolution and would consider in the future.

~~**BE IT RESOLVED**, that the School Administrators of Montana seek legislation expanding the permissible imposition of the bus depreciation reserve levy and the permissible uses of the funds raised by such levy to include construction of indoor covered and secure storage and maintenance costs for such storage.~~

~~**Designation: Support**~~

Appendix

- [Minutes of SAM Delegate Assembly 2022](#)
- [SAM 2021 Legislative Session Summary](#)



School Administrators of Montana 2022 Delegate Assembly Minutes June 10, 2022

The meeting was called to order by SAM Delegate Assembly Steering Committee Chairman Rick Duncan at 8:32 AM. A roll call commenced certifying 44 delegates present. (A copy of the Delegate list is [LINKED](#) to these minutes). Following opening remarks, a review of the 67th Legislative Session, definitions for action and support designations, and the rules and procedures were provided by SAM Delegate Steering Committee Chair, Rick Duncan, and SAM Executive Director, Kirk Miller.

Delegate Assembly then commenced with consideration of School Administrators of Montana Position Statements (attached).

The SAM Delegate Assembly Steering Committee made the motion on each position. Each position motion received a second.

The following **SAM Positions** were carried as presented by vote by the Delegate Assembly with the appropriate action identified:

Title	Second	Vote
PREAMBLE	Marlin Lewis, MAEMSP	Motion passed unanimously.
CHILD ABUSE AND NEGLECT	Jack Eggensperger, MACSS	Motion passed unanimously.
CULTURAL STUDIES	Matt Lewis, MAEMSP	Motion passed unanimously.
FOCUS ON THE WHOLE CHILD	Lisa Von Bergen, MCASE	Motion passed unanimously.
SAFE, SECURE, RESPECTFUL, DRUG FREE, AND HEALTHY SCHOOLS	Stacy Lemelin, MAEMSP	Motion passed unanimously.
SCHOOL ATTENDANCE	Jack Eggensperger, MACSS	<p>Jack Eggensperger explained that MACSS wanted to add language to make the position stronger. Erin Lipkind stated that county superintendents are seeing that proper steps have not been implemented before a student has excessive absences. Matt Lewis, MAEMSP, made a motion to accept the language change. The motion passed unanimously.</p> <p>MACSS recommended a change from action to support. Jack Eggensperger made a motion to change the designation.</p> <p>Discussion: MAEMSP and MASSP stated that they do not believe this should be an action item.</p> <p>The motion failed.</p> <p>The DASC motion passed unanimously as amended.</p>

STUDENT DATA PRIVACY	Adam Toombs, META	<p>Adam Toombs, META, made a motion to change the designation from support to action. Paul Kozlowitz, META, seconded the motion.</p> <p>Discussion: META reported that cybersecurity insurance and claims could possibly be denied to districts because superintendents are signing insurance documents indicating that all software/websites/apps used within the district, are using student data appropriately.</p> <p>The designation motion failed.</p> <p>The DASC motion passed unanimously.</p>
ACCREDITATION STANDARDS	Pam Pettigrew, MCASE	The motion passed unanimously.
CONTINUITY OF LEADERSHIP	Jack Eggersperger, MACSS	The motion passed unanimously.
COOPERATION IN EDUCATION PROGRAMS	Matt Lewis, MAEMSP	The motion passed unanimously.
DEVELOPMENT OF CURRICULUM	Stacy Lemelin, MAEMSP	<p>MAEMSP made a recommendation to strike OPI from the position and replace it with the Board of Public Education.</p> <p>Marlin Lewis seconded the motion.</p> <p>Discussion: Cathy Maloney and Erin Lipkind stated that the Board of Public Education does not manage curriculum. Rob Watson stated that the Board of Public Education adopts the standards.</p> <p>MAEMSP removed the amendment and made a substitute motion to strike OPI from the statement.</p> <p>Cathy Maloney seconded the motion. The motion passed unanimously.</p> <p>The DASC motion passed unanimously as amended.</p>
EDUCATION OF COMMUNITIES AND LEGISLATORS	Julie Hornby, MAEMSP	The motion passed unanimously.
LICENSURE	Dale Olinger, MASS	The motion passed unanimously.
MONTANA DIGITAL ACADEMY	Jack Eggersperger, MACSS	<p>Jack stated that MACSS wants to make an editorial change from “restore” to “restoration of”.</p> <p>Cathy Maloney seconded the motion</p> <p>The amendment motion passed unanimously.</p>

		Erin Lipkind seconded the motion to change the designation from support to action. The amendment failed. The DASC motion passed unanimously as amended.
MONTANA HIGH SCHOOL ASSOCIATION	Marlin Lewis, MAEMSP	The motion passed unanimously.
NON-PUBLIC SCHOOLS AND HOME SCHOOLS	Paul Kozlowitz, META	The motion passed unanimously.
SCHOOL IMPROVEMENT	Matt Lewis, MAEMSP	The motion passed unanimously.
SPECIAL EDUCATION ADMINISTRATIVE RULE MAKING	Don Christman, MCASE	The motion passed unanimously.
STUDENT CAREER PREPARATION	Kathy Armstrong, MACSS	The motion passed unanimously.
DATABASE SYSTEMS	Adam Toombs, META	MASS made a motion to make an editorial change from “data base” to “database”. The motion passed unanimously. The DASC motion passed unanimously as amended.
EDUCATOR AND EDUCATION STAFF RECRUITMENT AND RETENTION	Erin Lipkind, MACSS	The motion passed unanimously.
TEACHER EDUCATION	Kim Ray, MAEMSP	The motion passed unanimously.
PUBLIC SCHOOL EMPLOYEE HEALTH INSURANCE	Adam Toombs, META	The motion passed unanimously.
REGIONAL SERVICE AGENCY STRUCTURE AND GOVERNANCE DEFINED IN LAW	Matt Lewis, MAEMSP	The motion passed unanimously.
SUPPORT OF TRAINING FOR FEDERAL TECHNOLOGY AND FACILITIES REIMBURSEMENT	Carol Phillips, META	META made a motion to substitute contemporary language for a variety of federal efforts to fund technology and facilities. The DASC motion passed unanimously as amended.
CENSORSHIP	Jack Eggenesperger, MACSS	The motion passed unanimously.
COLLECTIVE BARGAINING	Kathy Armstrong, MACSS	The motion passed unanimously.

COUNTY SUPERINTENDENTS	Jack Eggensperger, MACSS	The motion passed unanimously.
LEAD TEACHER/COMMITTEE OF TEACHERS	Julie Hornby, MAEMSP	The motion passed unanimously.
PROFESSIONAL RELATIONS	Cathy Maloney, MACSS	The motion passed unanimously.
SCHOOL BOARD RELATIONS	Stacy Lemelin, MAEMSP	The motion passed unanimously.
EMERGENCY SITUATIONS	Adam Toombs, META	The motion passed unanimously.
FEDERAL PROGRAMS	Kathy Armstrong, MACSS	MASS recommended an editorial change from “insure” to “ensure”. Dale Olinger made a motion to accept the change. The motion passed unanimously. The DASC motion passed unanimously as amended.
FUNDING OF PK-12	Wendy Hansmann, MCASE	The motion passed unanimously.
NON-PUBLIC AND HOME SCHOOL FUNDING (PK-12)	Don Christman, MCASE	The motion passed unanimously.
RETIREMENT SYSTEM	Pam Pettigrew, MCASE	The motion passed unanimously.
TAXES	Kathy Armstrong, MACSS	The motion passed unanimously.
TECHNOLOGY	Adam Toombs, META	MAEMSP made a recommendation to change the designation from action to support Jake Haynes seconded the motion. Paul Kozlowitz stated that this is the only technology position statement in the SAM package. Marlin Lewis stated that MAEMSP does not want to take permanently change the designation to support but to change the designation back to action during the next legislative session. The motion to the amendment passed. The DASC motion passed as amended. (39-5)
UNFUNDED MANDATES	Jack Eggensperger, MACSS	The motion passed unanimously.
CERTIFIED TAXABLE VALUATION	Kathy Armstrong, MACSS	The motion passed unanimously.
K-12 VISION PROJECT	Matt Lewis, MAEMSP	Kirk stated that “Group” is left in the 2012 reference because that was the original name of the project. The project year will be updated to 2023-2027

		The motion passed unanimously.
INFRASTRUCTURE AND SCHOOL FACILITIES	Carol Phillips, META	MASS made a recommendation to add a designation of support. Matt Lewis seconded the motion. The motion passed unanimously. The DASC motion with a designation of support passed unanimously.

The **SAM Resolutions** (attached) were considered in order of presentation, discussed by the delegates, and voted upon as indicated.

The SAM Delegate Assembly Steering Committee made the motion on each resolution. Each resolution motion received a second.

The following **SAM resolutions** were carried as presented by vote of the Delegate Assembly with the appropriate action identified; proposed changes to current resolutions were considered first, then newly proposed resolutions:

RESOLUTION NUMBER	TITLE	SECOND	VOTE
#99/03/08/10/18/21-01	REQUIRED ATTENDANCE	Aaron Griffin, MAEMSP	MACSS made a recommendation to change the language to strengthen the statement and add “enrolled” to provide more flexibilities. Cathy Maloney seconded the motion for amendment. The amendment passed unanimously MASS made a motion to change “attendance” to “engagement and participation”. Bob Lewandowski seconded the motion. MACSS made a motion to change the designation from support to action. Jack Eggersperger seconded the motion. Discussion took place about home school policy and the information collected by county superintendents. The motion failed (8-36).

			The DASC motion passed unanimously as amended.
#99/12-02	FINGERPRINTING, BACKGROUND AND REFERENCE CHECKS	Jack Eggensperger, MACSS	The motion passed unanimously.
#99/02/06/07/16/17-08	SCHOOL BASED MENTAL HEALTH SERVICES	Lisa Von Bergen, MCASE	MAEMSP made a motion to remove “continue” and “a continuum of”. Kathy Armstrong seconded the motion. The motion passed unanimously. The DASC motion passed unanimously as amended.
#00/15/16/18/19/21-09	BOARD/ADMINISTRATIVE TEAM PROFESSIONAL LEARNING	Matt Lewis, MAEMSP	The motion passed unanimously.
#00/03/05/14/15/16/18/21-10	ANB FUNDING FOR 19 YEAR OLDS	Cathy Maloney, MACSS	The motion passed unanimously.
#01/03/06/08/09/10/14/16/19-01	FUNDING	Marlin Lewis, MAEMSP	The motion passed unanimously.
#01/03/14-02	RETIREMENT	Kathy Armstrong, MACSS	The motion passed unanimously.
#01/18/20-04	PERMISSIVE FUNDING FOR HIGH IMPACT COSTS	Jack Eggensperger, MACSS	The motion passed unanimously.
#01/03/05/12/14/15/16/17-07	STUDENT ACHIEVEMENT AND ASSESSMENT	Kathy Armstrong, MACSS	The motion passed unanimously.
#02/12/14-03	VOUCHERS, TUITION TAX CREDITS, TAX SAVINGS ACCOUNT, AND CHARTER SCHOOLS (OTHER THAN AS DEFINED IN ARM 10-55-604)	Paul Kozlowitz, META	The motion passed unanimously.
#03/15-01	SPECIAL EDUCATION FUNDING	Wendy Hansmann, MCASE	MCASE made a recommended changing “creating” to “which creates”. Carol Phillip seconded the motion. The motion passed unanimously. MAEMSP made a motion to change “prioritize support of” to “support”. Aaron Griffin seconded the motion.

			The motion passed unanimously. The DASC motion passed unanimously as amended.
#03/06/11/1 6/17-02	ADDITIONAL FUNDING FOR MANDATED SPECIAL EDUCATION SERVICES	Jack Eggensperger, MACSS	The motion passed unanimously.
#03/04/06/1 4-03	INSTRUCTIONAL TIME AND SCHOOL IMPROVEMENTS	Carol Phillips, META	The motion passed unanimously.
#03/05/06/1 0/16-05	COOPERATING PROFESSIONAL LEARNING	Adam Toombs, META	The motion passed unanimously.
#03/05/15- 06	HOME SCHOOLS	Jack Eggensper, MACSS	MASSP made a motion to change the designation from support to action. Upon further discussion, MASSP withdrew the amendment The motion passed unanimously.
#03/05/14- 08	FEDERAL PROGRAM RETIREMENT FUNDING	Adam Toombs, META	The motion passed unanimously.
#04/14/16/1 9-02	EARLY CHILDHOOD PROGRAMS	Wendy Hansmann, MCASE	MACSS made a motion to change the designation from support to action. Cathy Maloney seconded the motion. The motion passed unanimously. The DASC motion passed unanimously as amended.
#04/14/16- 03	SUMMER/AFTER SCHOOL PROGRAMS	Adam Toombs, META	MASS made a motion to add “and school nutrition programs”. Dan Grabowska seconded the motion. The motion passed unanimously. The DASC motion passed unanimously as amended.
#05/09-03	CARL PERKINS AND HIGH SCHOOL CAREER AND TECHNICAL REFORM FUNDING	Kathy Armstrong, MACSS	The motion passed unanimously.
#06-02	PARENT INFORMATION RESOURCE CENTERS	Pam Pettigrew, MCASE	The motion passed unanimously.
#08/12-01	EDUCATIONAL SERVICES FOR DETAINED STUDENTS	Don Christman, MCASE	The motion passed unanimously.

#10/16/19-01	UNIFIED RECRUITMENT & RETENTION	Jack Eggensperger, MACSS	The motion passed unanimously.
#10/16/19-03	MEDICAL MARIJUANA REGULATIONS	Adam Toombs, META	The motion passed unanimously.
#11/14-01	ADMINISTRATOR EVALUATION	Jack Eggensperger, MACSS	The motion passed unanimously.
#12/13/15-01	PRINCIPAL/ASSISTANT PRINCIPAL ASSIGNMENT	Kathy Armstrong, MACSS	The motion passed unanimously.
#12/13/16-03	SCHOOL PRIVATIZATION WITH PUBLIC FUNDS LEGISLATION	Paul Kozlowitz, META	The motion passed unanimously.
#13/15-01	CAPITAL FACILITY NEEDS	Carol Phillips, META	The motion passed unanimously.
#13/14/18-02	ALIGNMENT OF ACCREDITATION STANDARDS AND FUNDING	Carol Phillips, META	MAEMSP made a recommendation to strike OPI but chose to remove the recommendation after further discussion.
#13/14/15-03	MORE EFFICIENT AND EFFECTIVE GOVERNANCE OF SCHOOL DISTRICTS	Carol Phillips, META	The motion passed unanimously.
#13/14/17/19-04	FEDERAL ISSUES IMPORTANT TO MONTANA	Adam Toombs, META	The motion passed unanimously.
#13/16/17-07	PROFESSIONAL LEARNING	Jack Eggensperger, MACSS	The motion passed unanimously.
#14-04	FUNDING SPECIAL EDUCATION COOPERATIVE INFRASTRUCTURE	Pam Pettigrew, MCASE	The motion passed unanimously.
#15/17-01	SPECIAL EDUCATION FUNDING, CLOSING THE GAP	Carol Phillips, META	The motion to strike the resolution passed unanimously.
#15-08	KINDERGARTEN AS PART OF COMPULSORY EDUCATION	Dale Olinger, MASS	The motion passed unanimously.
#16-02	STATE TRANSPORTATION REIMBURSEMENT FOR ACADEMIC SUMMER SCHOOL	Everett Holm, META	The motion passed unanimously.
#16-05	CHANGE COMPULSORY	Lisa Von Bergen, MCASE	The motion passed unanimously.

	ENROLLMENT AGE FROM 7 TO 6 YEARS OLD		
#16/17-06	ADDITIONAL FUNDING FOR CAREER AND VOCATIONAL/TECHNICAL EDUCATION	Jack Eggensperger, MACSS	The motion passed unanimously.
#16-07	ADEQUATE FUNDING FOR MANDATED SPECIAL EDUCATION SERVICES	Lisa Von Bergen, MCASE	The motion to strike the resolution passed unanimously.
#16/17/19/21-08	ANB ALLOCATION FOR TECHNOLOGY HARDWARE UPGRADES	Everett Holm, META	MAEMSP recommended changing from Action to Support Jack Eggensperger, MACSS seconded the motion Adam Toombs stated that districts have received an influx of ESSER funds to purchase technology resources however funds may not be available to update and maintain the technology. The motion for the designation change failed. The DASC motion passed unanimously.
#16/17/20-09	SUPPORT OF ADEQUATE BANDWIDTH FOR SCHOOLS	Adam Toombs, META	The motion passed unanimously.
#16/20-11	REMOVING THE LIMIT DURATION ON TECHNOLOGY LEVY FUNDING	Paul Kozlowitz, META	The motion passed unanimously.
#18-03	DAYLIGHT SAVINGS	Adam Toombs, META	The motion passed unanimously.
#19/20-01	ALLOWING THE USE OF VIDEO EVIDENCE TO ENFORCE SCHOOL BUS STOP ARM VIOLATIONS	Dale Olinger, MASS	The motion passed unanimously.
#20-01	SPECIAL EDUCATION FLEXIBILITY FUNDING	Wendy Hansmann, MCASE	MAEMSP recommended removing “and the Office of Public Instruction” make it more broad and removing “prioritize” due to the fact that the resolution is an action item and therefore a priority. Stacy Lemelin seconded the amendment. The amendment passed unanimously. The DASC motion passed unanimously as amended.

#22-01	Student Data Privacy	Adam Toombs, META	<p>META stated that this is an unfunded mandate so they recommended changing “or funding” to “and funding”. META also recommended adding “or continue using the Montana DPA to make it easier for districts if that is what they are currently using.</p> <p>Paul Kozlowitz seconded the motion. The motion passed unanimously.</p> <p>Both META and MASS recommended changing the designation from Support to Action.</p> <p>Adam Toombs seconded the motion to change the designation.</p> <p>The motion passed unanimously.</p> <p>The DASC motion passed unanimously as amended.</p>
#22-02	ATTENDANCE CENTERS	Adam Toombs, META	<p>MACSS made a recommendation to add “attendance centers” to the third paragraph.</p> <p>Erin stated that some school districts currently make agreements to allow students to enroll from other counties. Ex: Liberty county has a school district but has allowed enrollment from students in Toole County. The Liberty County superintendent must go to Toole County to serve the schools. It is also a strain on the special education coops that span several counties. MACSS is recommending the amendment as a way for attendance centers to stay within county lines.</p> <p>Erin Lipkind made a motion to add “Attendance Centers must be served by a district or county superintendent of the county in which they are located” and move this to the first paragraph.</p> <p>The amendment passed unanimously.</p> <p>Jack Eggenesperger, MACSS, made a motion to change the designation from Support to Action.</p> <p>The motion to change the designation passed unanimously.</p> <p>The DASC motion passed unanimously as amended.</p>

#22-03	HI SET COMPLETION 16 YEAR OLD STUDENT	Jack Eggensperger, MACSS	Jack Eggensperger made a motion to to strike “but instead” and add “and” to the second paragraph. The motion passed unanimously. The DASC motion failed 12-33. The resolution is not approved.
#22-04	BUS DEPRECIATION FLEXIBILITY	Carol Phillips, META	The DASC recommends striking this resolution. The motion to strike the resolution passed unanimously.

Delegate Assembly 2022 concluded at **11:57 AM**.

Respectfully submitted,
Kimberly Scofield
Director of Professional Learning and Member Services

SAM 2021 Legislative Session Summary

67th Montana Legislative Session



May 18, 2021

Listen to this information at [SAM 2021 Legislative Session Summary Podcast](#).

School Administrators of Montana (SAM) actively pursued advocacy on behalf of our membership on the SAM Legislative Priorities during the 67th 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 2021 Legislative Session](#) established by the SAM Delegate Assembly and the membership prior to the session.

The [SAM Legislative Update 2021](#) webpage highlights 18 SAMLN21 Updates, Podcasts, and Weekly Schedules, for ongoing information during the session.

SAM followed and advocated for (or against) 190 bills to the end of the session. These bills and their status over the course of the session are on the [SAM Bills 2021](#) webpage, see [SAM Followed Bills 5.18.21](#) to review all 190 bills. The [SAM Followed Bills Priority Status Final Report 5.18.21](#) provides a review of all of the bills sorted by SAM advocacy priority and indicates the stance taken by SAM (Proponent, Opponent, Monitor).

The SAM Legislative Network 2021 (SAMLN21) 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. [Seventy-five SAM members](#) representing every affiliate region across the state served on the SAMLN21, and through their effort accomplished the successes this session! The [SAMLN21](#) webpage references 18 SAMLN21 Lunch and Legislate Zoom calls and recordings that took place on Monday's at noon throughout the session. The SAMLN21 actively engaged in 8 "Calls to Action", with 7 of the 8 "Calls to Action" resulting in the action requested. This is great evidence of the impact of SAM "boots on the ground" advocacy during the 2021 legislative session.

The summary that follows begins with an overview of progress on [SAM Advocacy Priorities 2021 Legislative Session](#). Next is a brief 'Success by the Numbers' review of bills that were followed by SAM. Finally, "Moving Forward with Support" is outlined. 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 67th Legislative Session.

SAM Legislative Priorities

SAM followed and advocated for (or against) 190 bills to the end of the session. These bills and their status over the course of the session are on the [SAM Bills 2021](#) webpage, see [SAM Followed Bills 5.18.21](#) to review all 190 bills. The [SAM Followed Bills Priority Status Final Report 5.18.21](#) provides a review of all of the bills sorted by SAM advocacy priority and indicates the stance taken by SAM (Proponent, Opponent, Monitor). What follows is a brief discussion of Action designation bills in each of the priority areas.

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

- 14 bills addressing school funding have were introduced. SAM advocacy supported 10 bills. 8 bills passed, 2 bills failed.
- The 4 bills with SAM's action designation are ...
 - [HB 15](#) (Anderson) **Support** Implement K-12 inflation, was signed into law by the Governor on Thursday, 2/25. The \$68.6 million appropriation is included in HB 2. This bill insures the inflation of 1.5% for FY 22 and 2.57% for FY 23, be applied to the K-12 school funding formula. Great news for our schools for planning purposes. **Passed - Big Win!**
 - [HB 46](#) (Bedey) **Support** Revise Special Education Funding. This bill places the Special Ed Allowable Costs into the K-12 school funding formula, develops a methodology for calculating the costs and applies inflation on this funding formula component into the future. **Passed – Big Win.**
 - [HB 630](#) **Support** Appropriate CARES II funds, supplemental, and temporarily revise ed funding, has passed the legislature. This bill has the ESSER II funding allocation supported by SAM and MT-PEC. **Passed – Big Win.**
 - [HB 632](#) **Support** Implement receipt of and appropriate federal stimulus and COVID recovery funds. This bill has the ESSER III funding allocation supported by SAM and MT-PEC, and the amendments in place protect schools from excluding funding for health restrictions. **Passed – Big Win.**
- Please reference page 1, [SAM Followed Bills Priority Status Final Report 5.18.21](#), for a detailed look at these bills.

2. Opposition to Privatization with Public Funds (2 PP)

- 5 bills categorized as privatization with public funding were introduced. SAM advocacy opposed all 5 bills. 3 bills failed, and 2 bills passed.
- The 3 bills with SAM's action designation are ...
 - [HB 279](#) (Berglee) **Oppose** Revise laws related to tax credit scholarship and innovative education programs. This bill extends the tax credit for individuals to invest in funding individual student attendance in private (and private religious) schools as well as public schools. HB 279 increases the individual tax credit from \$150 to \$200,000, and also eliminates the accountability measures (like testing and verifying progress made by students) from the Student Scholarship Organizations that provide the scholarships for students attending private schools. Amendments clarify that donations to the public side of the bill can be targeted to go to a school district for support of innovative programs (clearly defined as the criteria passed in HB 246 – much flexibility for public schools). **Passed - Big Challenge.**
 - [HB 329](#) (Vinton) **Oppose** Establish students with special needs savings account. This bill would create a special needs education savings account program, whereby parents of a qualified special education student can sign a contract to use the funds to attend a non-public school program for services. **Failed – Big Win.**
 - [HB 633](#) (Hill) **Oppose** Establish the public charter schools act, was heard in H Education Committee on Wednesday. On 3/31, the bill was tabled in House Education Committee 6-11 vote! You made a difference! **Failed – Big Win.**
- Bills that passed impacting our schools ...
 - [SB 157](#) (Hinebauch) **Oppose** Allow nonpublic student to participate in public school extra curriculars. **Passed – Big Challenge.**
 - [SB 72](#) (Regier) Monitor Revise school laws related to participation in extracurricular activities. **Passed – Big Challenge.**
- Please reference page 1-2, [SAM Followed Bills Priority Status Final Report 5.18.21](#), for a detailed look at these bills.

3. Support Recruitment and Retention of Quality Educators (3 RR)

- 4 bills categorized as recruitment and retention were introduced. SAM advocacy supported 3 of the bills. 2 bill passed, 1 bills failed.
- The 2 bills with SAM's action designation are ...
 - [HB 143](#) (Jones) **Support** Provide incentives for increasing starting teacher pay. This bill provides \$2.5 million in state funding for school districts who meet the incentive criteria to increase the pay for early career teachers. **Passed – Big Win.**
 - [HB 403](#) (Running Wolf) **Support** Create "grow your own" teacher grant program. SAM and education partners support this bill for its innovative strategies to create grow your own programs across the state. **Passed – Big Win.**
- Please reference page 2, [SAM Followed Bills Priority Status Final Report 5.18.21](#), for a detailed look at these bills.

4. Support School Based Mental Health Services (4 MH)

- 11 bills categorized as mental health were introduced. SAM advocacy supported 2 bills. 2 bills failed. [HB 25](#) (Funk) Clarify funding for education of children in residential treatment and [HB 27](#) (Funk) Authorize school districts to create "handle with care" programs. Both bills failed to meet transmittal on 3/2.
- Please reference page 2, [SAM Followed Bills Priority Status Final Report 5.18.21](#), for a detailed look at these bills. This area of our advocacy priorities gained little traction for support in this legislative session.

5. Support Facility and Technology Infrastructure (5 FT)

- 18 bills categorized as facility and technology infrastructure were introduced. SAM advocacy supported 3 bills. 2 bills passed, 1 bill failed.
- The 2 bills with SAM's action designation are ...
 - [HB 181](#) (Zolnikov) **Support** Reauthorizing the e-rate broadband program. This bill supports broadband expansion for our schools using e-rate and match from the state. **Passed – Big Win.**
 - [SB 297](#) (Ellsworth) **Support** ConnectMT Act to establish broadband deployment. This bill has coordinating language to merge the federal funds and state funds for developing the broadband access planning for the State going forward. **Passed – Big Win.**
- Please reference pages 2-3, [SAM Followed Bills Priority Status Final Report 5.18.21](#), for a detailed look at these bills.

6. Education Policy (6 EP)

- 88 bills categorized as education policy were introduced. This category is not a priority area but allows a look at those bills that would impact policy and implementation in our schools. SAM advocacy supported 15 bills and opposed 15 bills. 16 bills passed, 14 bills failed.
- The 8 bills with SAM's action designation are ...
 - [SB 109](#) (Salomon) **Support** Revise laws related to gifted and talented education. **Passed – Big Win.**
 - [HB 185](#) (Kerns) **Oppose** Revise laws related to basic instructional program in high schools. **Failed - Big Win.**
 - [HB 465](#) (Kerns) **Oppose** Limit school district superintendent salaries. SAMLN21 Call to Action #1 on 2/22 resulted killing this bill. **Failed - Big Win.**
 - [SB 259](#) (Manzella) **Oppose** Restrict governmental entity from interfering with parental rights. **Failed - Big Win.**
 - [HB 246](#) (Bertoglio) **Support** Revise education laws to enhance local control and opportunities for pupils. **Passed – Big Win.**

- [SB 400](#) (Manzella) **Oppose** Restrict governmental entities from interfering with parental rights. This bill is nearly identical to [SB 259](#), would allow a cause of action against any party, including a school district, who a parent deems as interfering with their rights. This will, in turn, cause unnecessary expense for school districts and taxpayers in addressing these issue. **Passed - Big Challenge.**
- [HB 206](#) (Bedey) **Support** Revise education laws related to tuition and in-state treatment. This bill modifies the sections of law that establish the rate to be paid for education services for children at a children’s psychiatric hospital (CPH) or residential treatment program (RTF) and the tuition rates paid by the district of residence for a child placed in another district. **Passed - Big Win.**
- [HB 671](#) (Bedey) Implement provisions of HB2 - Section E – education. The amendment passed contains the language that resolves the challenges that put at risk the CSCT Medicaid reimbursement programs. **Passed - Big Win.**
- Please reference pages 3-8, [SAM Followed Bills Priority Status Final Report 5.18.21](#), for a detailed look at these bills.

7. Revenue and Taxation (7 RT)

- 22 bills categorized as Revenue and Taxation were introduced. SAM advocacy supported 1 bill and opposed 3 bills. 2 bills passed ([SB 305](#) SAM supported, [SB 388](#) SAM opposed), 2 bills failed ([HB 107](#) and [HB 261](#) SAM opposed).
- The 1 bill with SAM’s action designation is ...
 - [SB 388](#) (Hertz) **Oppose** Provide for infrastructure through tax increment financing. This bill expands the purposes for which tax increment financing can be used to fund infrastructure and would only exempt half the state school equalization mills. **Passed - Big Challenge.**
- [HB 2](#) (Jones) General appropriations act, amended by the Senate Free Conference Committee passed the Senate 4/28 and the House on 4/29 with much debate and [65-33](#) 3rd reading vote, transmitted to the Governor. HB 2 education portions of the appropriations bill remain in place. **Passed.**
- Please reference pages 8-9, [SAM Followed Bills Priority Status Final Report 5.18.21](#), for a detailed look at these bills.

8. Pension Laws (8 PL)

- 9 bills categorized as Pension Laws were introduced. SAM advocacy supported 1 bill and opposed 1 bill. 1 bill passed ([HJ 8](#) SAM supported), 1 bill failed ([HB 323](#) SAM opposed)
- Please reference pages 9-10, [SAM Followed Bills Priority Status Final Report 5.18.21](#), for a detailed look at these bills.

9. State Policy (9 SP)

- 19 bills categorized as State Policy were introduced. SAM advocacy supported 1 bill ([HB 435](#)). 1 bill passed ([HB 435](#) SAM supported).
- Please reference pages 10-11, [SAM Followed Bills Priority Status Final Report 5.18.21](#), for a detailed look at these bills.

Reviewing the Success in the Session on Bills followed by SAM

The SAM advocacy team (Kirk Miller and Rick Duncan) and the MT-PEC partners provided testimony on behalf of SAM 123 times (85 as proponents, 38 as opponents) on 63 different bills. All testimonies were provided virtually in following the COVID-19 health guidelines during the 2021 legislative session. See the [SAM Testimony Log 2021 Legislative Session Final Updated 4.29.21](#) to review the details.

SAM advocacy statistics on the 190 SAM Followed Bills ...

- Supported 36 bills, Opposed 24 bills and Monitored 130 bills
- 96 bills Passed, 94 bills Failed
- 60 bills followed by SAM in which we were either proponent or opponent
- Passage Rate on bills SAM supported: 27 of 36 Bills Passed (75.0%)
- Failure Rate on bills SAM supported: 9 of 36 Bills Failed (25.0%)
- Passage Rate on bills SAM opposed: 7 of 24 Bills Passed (29.1%)
- Failure Rate on bills SAM opposed: 17 of 24 Bill Failed (70.8%)
- **Big Wins** – 27 of 36 Support bills Passed (75.0%) and 17 of 24 Oppose bills Failed (70.8%). 44 of 60 bills were Big Wins (73.3%)
- **Challenges** – 9 of 36 Support bills Failed (25.0%) and 7 of 24 Oppose bills Passed (29.1%). 16 of 60 bills were Challenges (26.7%).

This data indicates that we were very effective in playing offense by having 27 of 36 bills SAM supported pass and 17 of 24 bills SAM opposed fail – 44 of 60 (73.3%) win rate on offense. This data also indicates that we were quite effective in playing defense by having 9 of 36 SAM Supported bills fail and 7 of 24 SAM Opposed bills pass – 16 of 60 (26.7%) losses on defense.

Moving Forward With Support

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. Helping our school administrators develop an understanding of the flexibility and resources resulting from the 2021 legislative session actions and allocation of COVID stabilization funds (ESSER II and ESSER III) is of highest priority. You can expect to see these professional learning opportunities at the MT-PEC After the Advocacy Virtual Event, May 24, at the SAM Administrators Institute 2021, July 26-27, and also at MCEL 2021, October 20-22. 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 2021, 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 67th Legislative Session!

Respectfully Submitted,



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

