

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.

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 Unimaoously

Motion to Amend MACSS: Designation from Support to Action
Mottion 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 Unamously.

Commented [KS9]: MASS Recommendation

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 [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

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 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

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

Commented [KS18]: MCASE Recommendation

Commented [KM19]: Changed back Group

Commented [KM20]: Additional change from Group to Project

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

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

Motion as Amended Passed Unanimously

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 [KM28]: MAEMSP 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**

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

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

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.

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

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

Commented [KS45]: 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 [KS46]: DASC: Per recommendation of MCASE DASC representatives to consolidate and Make for contemporary special education funding resolutions.

Commented [KS47]: 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

...

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 1mb 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

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.**

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

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

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

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

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

...

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)

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, 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

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

Commented [KS58]: META Recommendation

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.

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

Commented [KS63]: MACSS Recommendation