



DISTRICT TO DISTRICT

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Putting Montana Students First **A+**

TRANSPORTATION

HB 355 – Revise Laws Related to School District Transportation

- Payment for the new bus will not begin until the bus standards are updated to reflect the changes in law.
- A workgroup has been established and will hold a minimum of two meetings.

TRANSPORTATION

HB 355 – Revise Laws Related to School District Transportation

- Administrative Rule (ARM) updates require approval from the Board of Public Education.
- Expected implementation date is 7/1/2018.

TRANSPORTATION

HB 355 – Revise Laws Related to School District Transportation

- Vehicle standards will be posted on the OPI webpage.
- Once available, districts will be notified about the new bus standards via the e-mail notification system.

TRANSPORTATION

Mandatory Driver Training

- Effective August 5, 2017, drivers are required to receive a minimum of 15 hours of training per school/fiscal year.
- Training requirements have been incorporated into the bus standards:
http://opi.mt.gov/pdf/PupilTransport/17BusStandards_Proposed.pdf
- Retain proof of training for audit.

TRANSPORTATION

Criminal Background Checks for Drivers

- Criminal background checks must be obtained prior to initial employment and performed annually.
- Districts may require their own background checks, per district policy.

TRANSPORTATION

Criminal Background Checks for Drivers

➤ If the district does not currently have a process for obtaining background checks, contact the Department of Justice (DOJ) for assistance.

Mailing address: Montana Criminal Records

PO Box 201403

Helena, MT 59620-1403

Email: dojitsdpublicrecords@mt.gov

Phone: (406) 444-3625

TRANSPORTATION

Medical Examiner's Certificate (MEC)

- The MEC is valid for 15 days. Drivers must provide a copy of to the Motor Vehicle Division (MVD) within 14 days of receipt. The information is sent to the OPI directly from the DOJ and entered into the Transportation program.

Note: Failure to keep the MEC status current will result in the downgrade of a CDL license to a base, Class D license.

TRANSPORTATION

Medical Examiner's Certificate (MEC)

- Responsibility to keep the MEC current rests with the driver, but a district that operates buses with a driver who has failed to maintain their certification will not be paid for the time that driver was not current.
- To verify the status of any driver, contact the MVD at (406) 444-3244.

DISTRICT AGREEMENTS

Two types of district agreements in law:

- Interlocal Cooperative Agreements – 20-9-703, MCA
- Multi-District Agreements – 20-3-363, MCA

INTERLOCAL COOPERATIVE AGREEMENTS

- Two or more school districts or a district and a public entity enter into an agreement to provide a specific service or activity.
- All expenditures made from the Interlocal Cooperative Fund (82).
- Transfers in support of the fund from the district's General Fund (01), budgeted funds other than the Retirement Fund (14) or Debt Service Fund (50) and any non-budgeted fund.
- One entity is “prime” and the other is “cooperating”.

INTERLOCAL COOPERATIVE AGREEMENTS

Limitations:

- Expenditures limited to those permitted by law and within the final budget for the budgeted fund from which the transfer was made.
- Expenditures from the Miscellaneous Programs Fund (15) require OPI approval.

INTERLOCAL COOPERATIVE AGREEMENTS

Benefits:

- May include other school districts or other public entities as either a coordinating or cooperating agency.

INTERLOCAL COOPERATIVE AGREEMENTS

Specific Examples Authorized in Law:

- Joint Interstate School Agreements
- Running Start Program
- MT Youth ChalleNGe
- Job Corps

MULTI-DISTRICT AGREEMENTS

- Two or more school districts enter into an agreement to perform any services, activities, and undertakings of the participating districts.
- Provide for joint funding, operation and maintenance in mutually agreeable terms.

MULTI-DISTRICT AGREEMENTS

- All expenditures made from the Interlocal Cooperative Fund (82).
- Transfers in support of the fund from the district's General Fund (01), budgeted funds other than the Retirement Fund (14) or Debt Service Fund (50), non-budgeted funds other than the Compensated Absence Fund (21).

MULTI-DISTRICT AGREEMENTS

Requirements:

- Agreement approved by the boards of trustees of all participating districts;
- Must contain a provision specifying the terms upon which a district may exit the multidistrict cooperative;
- Maximum term of the agreement is 3 years; and
- Prime and cooperating districts (same as the Interlocal Cooperative Agreements).

MULTI-DISTRICT AGREEMENTS

Limitations:

- Transfers from the General Fund (01) may not exceed the amount of direct state aid in support of the district's General Fund (01).
- If transfers are made from a fund supported by a non-voted levy the district may not increase that levy to restore funds transferred.
- Expenditures limited to those permitted by law and within the final budget for the budgeted fund from which the transfer was made.

TUITION AGREEMENTS

Every student who is not a resident of the district must have a signed attendance agreement to be counted for ANB

- Parent/guardian or district completes the attendance agreement
- Agreement is approved by the District of Choice
- The District of Choice sends the agreement to the District of Residence
- The District of Residence either approves or acknowledges the agreement and returns it to the District of Choice
- A copy is sent to the county superintendent(s)

Note: Only the first three are required, unless the District of Residence is responsible for tuition and/or transportation.

TUITION AGREEMENTS

State Paid Tuition Agreements:

- Students placed in group or foster homes outside the District of Residence.
- State pays maximum regular education tuition rate (FP-14) and special education tuition rate, if qualified (FP-14A).
- Must fill out the forms completely to qualify for payment.

TUITION AGREEMENTS

State Paid Tuition Agreements:

- District of Residence is determined by the physical address of the parent/guardian or the address of the court that terminated parental rights.
- Group home managers may only sign in place of the parent/guardian when the student is placed by that parent/guardian into a group home.

TUITION AGREEMENTS

Option C Rates:

- Must get approval from the OPI before applying an Option C Rate (even if the OPI is not paying the tuition cost).
 - Send program description and complete budget
- Need to get Option C approval *prior to* the start of the school year.

FOSTER CARE CHANGES

New Elementary and Secondary Education Act (ESSA) requirements allow students to remain in their school of origin, even if they are living in another district.

FOSTER CARE CHANGES

Residency of the student is determined by the address of the parent/guardian or the court that terminated parental rights.

- If the student is a resident of the district, but living with a foster family outside the district, the student is not eligible for state-paid tuition.

FOSTER CARE CHANGES

- Transportation costs are negotiated between the Department of Public Health and Human Services (DPHHS) and the school district.
- If the student is not a resident of the attending district, or becomes a non-resident student, the state will then pay tuition.

FUND TRANSFERS

What's Allowed?

➤ Transfer Matrix (Interfund Transfers Spreadsheet)

Finance & Grants/School Finance/Accounting/Spreadsheets

FUND TRANSFERS

Budgeted to Budgeted:

- Allowed if money is spent on its original purpose (with hearing) or an election is held to approve use for another purpose; and
- Notify the OPI, county superintendent and county treasurer within 30 days of transfer.

FUND TRANSFERS

Budgeted to Non-Budgeted:

- Not allowed (unless otherwise specified in law).
- No transfers from Retirement (14) or Debt Service (50).
- No transfers to or from the General Fund (01).

FUND TRANSFERS

Non-Budgeted to Non-Budgeted:

- Allowed as long as funds are not restricted by law (hearing required);
- State in resolution how transfer will improve efficiency of spending; and
- Notify the OPI, county superintendent and county treasurer within 30 days of transfer.

FUND TRANSFERS

Exceptions:

- Improvements to school safety and security.

20-9-236, MCA

- ✓ Transfer state and local revenue from any budgeted or non-budgeted fund, other than Retirement (14) or Debt Service (50), to the Building Reserve Fund.
- ✓ The amount transferred cannot exceed the district's estimated cost of improvements.

FUND TRANSFERS

Exceptions:

- Interlocal Cooperative and Multi-District Agreement Transfers.

20-9-703 and 20-3-363, MCA

- ✓ Transfer revenue from any budgeted or non-budgeted fund, other than Retirement (14) or Debt Service (50) to the Interlocal Cooperative Fund (82).

FUND TRANSFERS

Closing Funds:

- Tuition Fund (13) – to the Miscellaneous Programs Fund (15).
- Non-Operating Fund (19) – all funds closed to this fund when the district enters non-operating status – except for Debt Service (50) and the Miscellaneous Programs Fund (15).
- Debt Service Fund – to the General (01), Technology (28), or Building Reserve (61) Funds.
- Litigation Reserve Fund (27) – to the General Fund (01).
- Bus Depreciation Fund (11) – any fund.

SCHOOL ELECTIONS

General Reminders:

- Print calendar to keep track of dates (check for changes in law)
 - ✓ 135-40 days before for candidate filing
 - ✓ 70 days before for passage of the election resolution
 - ✓ 60 days before for mail ballot election
 - ✓ 30 days before for ballot certification
- Handbook available for reference (check for changes in law)
- Relationship with County Election Administrator (no matter who is running the election)

SCHOOL ELECTIONS

Important Changes for 2018 school elections:

➤ HB 83

- ✓ Late registration is the responsibility of the county election office – coordinate with them on notice of late registration
- ✓ Notice of election must include where and how late registrants may obtain a ballot

➤ HB 103

- ✓ Must publish a notice stating where and how absentee ballots may be obtained (between 2 and 10 days before the election) – can combine with the regular school election notice ONLY if the notice is published ON the 10th day before the election.
- ✓ The district must use materials supplied by the Secretary of State for the training of election judges.

➤ HB 287

- ✓ Should stabilize the number of absentee voters in school elections – no longer required to reauthorize status.

QUESTIONS?

