

BEFORE THE SUPERINTENDENT OF PUBLIC INSTRUCTION
OF THE STATE OF MONTANA

In the matter of the amendment of)	AMENDED NOTICE OF PUBLIC
ARM 10.10.301, 10.10.301B through)	HEARING ON PROPOSED
10.10.301D, 10.10.304, 10.10.311,)	AMENDMENT AND REPEAL
10.10.319, 10.10.320, 10.10.504,)	
10.10.613, 10.10.614, 10.15.101,)	
10.16.3817, 10.20.102, 10.20.104,)	
10.20.105, 10.21.101H, 10.22.102,)	
10.22.104, and 10.23.102 and the)	
repeal of ARM 10.30.405 pertaining)	
to school finance)	

TO: All Concerned Persons

1. On March 4, 2016, the Superintendent of Public Instruction published MAR Notice No. 10-10-127 pertaining to the public hearing on the proposed amendment and repeal of the above-stated rules at page 363 of the 2016 Montana Administrative Register, Issue Number 5.

2. On May 5, 2016, at 9:00 a.m. the Superintendent of Public Instruction will hold a public hearing in the Superintendent's conference room, 1227 11th Avenue, Helena, Montana, to consider the proposed amendment and repeal of the above-stated rules.

3. The Superintendent of Public Instruction will make reasonable accommodations for persons with disabilities who wish to participate in this rulemaking process or need an alternative accessible format of this notice. If you require an accommodation, contact the Office of Public Instruction no later than 5:00 p.m. on April 29, 2016 to advise us of the nature of the accommodation that you need. Please contact Beverly Marlow, Office of Public Instruction, P.O. Box 202501, Helena, Montana, 59620-2501; telephone (406) 444-3172; fax (406) 444-2893; or e-mail bemarlow@mt.gov.

4. The Superintendent of Public Instruction has determined it is reasonable and necessary to amend the original notice of public hearing on proposed amendment and repeal to establish a deadline for changes to the October enrollment count for purposes of calculating guarantee tax base aid ratios.

5. The rules to be amended from the original notice are as follows:

10.20.102 CALCULATION OF AVERAGE NUMBER BELONGING (ANB)

(1) through (3) remain as proposed.

(4) The official count of enrolled students, as defined in ARM 10.15.101, is taken on the first Monday in October and the first Monday in February, or the next school day if those dates do not fall on a school day. Changes to the October

enrollment count will not be accepted after December 31 except in cases of significant reporting error, as determined by the Superintendent of Public Instruction.

(a) through (17) remain as proposed.

10.20.104 ANTICIPATED UNUSUAL ENROLLMENT INCREASE - ANB CALCULATION (1) through (4)(b) remain as proposed.

(c) If the ANB recalculated in (a) based on the actual October enrollment is less than the ANB calculated in (3)(d), ~~ANB is recalculated in accordance with ARM 10.20.102(16)(a)(i), using actual enrollment as of the first Monday in February in place of the anticipated enrollment.~~

(d) ~~If the ANB recalculated in (c) based on the actual February enrollment equals or exceeds the ANB calculated in (3)(d), the anticipated unusual enrollment increase materialized and the district is entitled to the increased BASE funding and entitlements approved by the Superintendent of Public Instruction in (2)(e).~~

(e) ~~If the ANB recalculated in (c) based on the actual February enrollment is less than the ANB calculated in (3)(d), the anticipated unusual enrollment increase did not materialize and the Superintendent of Public Instruction makes the following adjustments:~~

(i) and (ii) remain as proposed.

6. All other rules as amended and repealed in the original notice of public hearing remain as proposed.

7. Concerned persons may submit their data, views, or arguments either orally or in writing at the hearing. Written data, views, or arguments may also be submitted to: Beverly Marlow, Office of Public Instruction, P.O. Box 202501, Helena, Montana, 59620-2501; telephone (406) 444-3172; fax (406) 444-2893; or e-mail beanmarlow@mt.gov, and must be received no later than 5:00 p.m., May 6, 2016.

/s/ Ann Gilkey
Ann Gilkey
Rule Reviewer

/s/ Denise Juneau
Denise Juneau
Superintendent of Public Instruction

Certified to the Secretary of State March 28, 2016.