"Putting Montana Students First!"
67th LEGISLATURE WRAP-UP FROM THE OFFICE OF PUBLIC INSTRUCTION

MESSAGE FROM THE SUPERINTENDENT

Thank you, Montana Legislators, for your dedication to building a better Montana during this 67th Legislative session and putting Montana students first in your home districts throughout the interim. As a fellow legislator of 12 years following my 23 year public school teaching career, I appreciate your commitment to adequately funding Montana schools, offering all of Montana’s students new educational opportunities this session all under the lens of school safety during this uncertain time.

As my third legislative session as Montana’s elected Superintendent of Public Instruction comes to a close, it has been my great honor to work alongside each of you. My team of experts here at the Office of Public Instruction (OPI) have compiled informational updates regarding education legislation outcomes. We are also providing you with an update on major activities within OPI, the State Board of Land Commissioners, and last but not least the federal Covid-19 relief funds awarded to Montana in the Elementary and Secondary School Emergency Relief Act (ESSER) I, II, and III and Emergency Assistance for Nonpublic Schools (EANS).

The OPI is charged with implementing the Administrative Rules of Montana (ARM) adopted by the Montana Board of Public Education. Included in these rules are Chapter 55 (Accreditation), Chapter 57 (Educator Licensure) and Chapter 58 (Educator Preparation Programs). The OPI is currently in the research and review phase to recommend updated language for each of the three chapters. The goal of the updated rules will be to provide more flexibilities while still maintaining high quality educators and schools for Montana’s students. During April and May, the agency will be soliciting feedback from stakeholders via a survey and focus groups to inform the revision process. Please visit OPI’s website for up-to-date information on the process, and how you can provide feedback.

Thank you for joining me in putting Montana students first this legislative session!

Blessings to you and your families,

Elsie Arntzen
State Superintendent

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**Education in Montana**

For a full overview of education in Montana, visit the [OPI's website](#):

- A quality public education system is a value enshrined in Article X of Montana's Constitution.

- Funding for education is the single largest appropriation from Montana’s general fund; 43% of a school’s funding is derived from the state, and this year that equates to $2.6 Billion.

- Montana currently has 826 public schools within 401 school districts.

- Montana’s public school enrollment as of 2020 is 145,598; Montana’s home-school enrollment is 9,868; and enrollment in private schools is 7,600.

- Due to the Coronavirus, the Montana Office of Public Instruction received federal waivers for the school nutrition program for the 2020-21 and summer of 2021 school year. These waivers provide funding for every public school and community-partner sponsor of the free and reduced-price lunch program.

- Due to the Coronavirus, the Montana Office of Public Instruction successfully applied for and received waivers for the 2019-2020 school year to suspend federally mandated assessment federal assessment waivers for the 2019-2020 school year. The OPI applied for federal assessment waivers for the 2020-21 school year but was declined. As a result, the test was shortened, the medical waivers were granted and the mandated 95% participation was waived.

- Student demographics: white 78.1%, American Indian 10.8%; Hispanic 5.2%; other 5.9%.

- Schools with 50 or less students make up 40% of the schools in Montana.

- The graduation rate for Montana high school students in 2020 was 85.95%; and the graduation rate from Montana’s Native American high school seniors has continued to rise with 68.27% graduating in 2020.

- Montana has approximately 16,000 licensed K-12 educators.

- The average student to teacher ratio in Montana is 13 to 1.


- In Spring of 2020 OPI received and distributed $41,295,230 in federal COVID relief funds to Montana schools (ESSER I).

- In January 2021 OPI received $170,099,465 in addition federal COVID relief funds to be distributed to Montana schools (ESSER II).

- In March 2021, the OPI received $382,019,236 of federal COVID relief funds to be distributed to Montana Schools (ESSER III).

- In March of 2021 OPI also received $19,816,931 under the Emergency Assistance for Non-Public Schools (EANS) to be distributed to Montana private and home schools.
Superintendent Arntzen’s Initiatives to Make Montana Proud:

- Family, student, and community engagement
- Safety, Mental Health, and Suicide Prevention

- Celebrating teacher excellence and extending leadership opportunities
- Teacher Retention and Recruitment

- Closing achievement gaps
- Improving math and reading with a focus on middle schools.

- STEM, CTE, and workforce development emphasis beginning in middle school
- Expanding industry, military, and post secondary partnerships
The Board of Public Education

Mission Statement:
The Montana Constitution created and empowered the Board of Public Education to supervise, serve, maintain, and strengthen Montana’s system of free quality public elementary and secondary schools.

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The OPI’s Capitol Connections:

Education Caucus Meetings
Education Caucus meetings were held in Room 335 every other Tuesday of the session at 7:00AM. The meetings focused on legislation collaboration between the OPI, legislators, and other educational organizations.

Tribal Education Caucus Meetings
The Tribal Education Caucus met virtually via zoom at 4:00 PM each Thursday of the session. Attendees discussed and identified opportunities for education issues facing Montana Tribal communities. OPI experts in American Indian culture and heritage shared on available resources, current opportunities and informational presentations in support of Native American students.

Weekly Meetings with Legislative Pages
Every Tuesday morning from 8:00 to 8:30AM, Superintendent Arntzen met with Legislative Pages over hot apple fritters in Room 335 at the Montana capitol sharing about her role as State Superintendent and listening to the Pages’ experiences in education and civic service.
Superintendent Arntzen’s Additional Capitol Events:

- December 30th Superintendent Arntzen hosted the ABC’s of School Funding webinar here: [http://opi.mt.gov/Leadership/Finance-Grants/School-Finance/About-School-Finance](http://opi.mt.gov/Leadership/Finance-Grants/School-Finance/About-School-Finance)

- January 4th Superintendent Arntzen was sworn into her second term at the state capitol.

- January 4th Superintendent Arntzen held a virtual Safely Reopening Schools Panel.

- January 28th Superintendent Arntzen attended Governor Gianforte’s State of the State Address

- February 11th Superintendent Arntzen delivered the 2021 State of Education Address.

- March 26th Superintendent Arntzen hosted a Montana Ready Rotunda Event, promoting industry partnerships with organizations like the Montana Contractors Association and the Montana Equipment Dealers Association’s “Build Montana” Program and the Montana Chamber of Commerce’s Youth Entrepreneurship Program.

- March 31st Superintendent Arntzen displayed a video documentary honoring Women Leaders in Montana Government, created by the OPI’s Digital Communications Team.

- Superintendent Arntzen hosted a National ROTC scholarship presentation ceremony in the Old Supreme Court for two Montana High School seniors, Claire Downing and Logan Vandenburg.

- April 16th Superintendent Arntzen coordinated a Governor’s Proclamation with Governor Gianforte, proclaiming April as Month of the Military Child and April 16th Purple Up Day.

(Superintendent Arntzen with the two Naval Reserve Officers’ Training Corps Scholarship recipients.)
Montana Military Interstate Children’s Compact Commission
2020 Purple Star Award Recipients

Principal Joel Auers  Principal Kim Ray  Principal Tara Rosipal
Glacier High School  Loy Elementary  North Middle School
375 Wolfpack Way  501 57th Street North  2601 8th Street NE
Kalispell, MT 59901  Great Falls, MT 59405  Great Falls, MT 59404

Principal Kerry Parsons  Principal Healey Glessner
CMR High School  Valley Christian School
228 17th Avenue NW  2526 Sunset Lane
Great Falls, MT 59404  Missoula, MT 59804

Purple Up! For Military Kids
Red + White + Blue = Purple
Friday, April 16, 2021

Military members and military-connected families make many sacrifices for the security and safety of our nation, specifically military-connected children during their K-12 careers. April is designated as the Month of the Military Child or “Purple Up! For Military Kids.”

Please join me in celebrating our military children and families this month by wearing the enclosed purple ribbon or a purple item of clothing on Friday, April 16th, and light up social media with purple.

Stars and Stripes Initiative

As part of Superintendent Elsie Arntzen’s revitalization of the state education standards, she has unrolled the stars and stripes program in conjunction with the updated social studies curriculum.

- Honors veterans and creates strong civic engagement in the classroom
- Nearly $2,000 has been raised
- American Legion of Montana adopted the initiative at their 2020 annual meeting
- Visit http://opi.mt.gov/Leadership/Management-Operations/Office-of-the-Superintendent/Stars-Stripes-Initiative to honor our military by donating or learn more
SUPERINTENDENT’S AWARDS FOR INFLUENCE IN EDUCATION

Rep. Seth Berglee
Joliet

Sen. Bob Keenan
Big Fork

Rep. David Bedey
Hamilton

Sen. Dan Salomon
Ronan

Rep. Fred Anderson
Great Falls

Rep. Llew Jones
Conrad

(L to R: Rep. Tom Welch, Sen. Jeff Welborn, Mr. Trent Gibson, Rep. Ken Walsh and Superintendent Arntzen Front Row: Montana Youth Challenge Academy Cadets following the bill signing for HB 556 authorizing alternative diplomas.)
Montana Hope Awards

Montana Teach Awards

Montana Learn Awards

Montana Ready Awards

Rep. Neil Duram, Eureka
Rep. Sue Vinton, Billings
Rep. Bob Phalen, Glendive
Rep. Ross Fitzgerald, Fairfield
Rep. Jonathan Windy Boy, Box Elder
Rep. Katie Zolnikov, Billings
Rep. Marta Bertoglio, Clancy
Rep. Ken Walsh, Twin Bridges
The Native American Caucus:

From Left to Right:

1st Row: Sen. Susan Webber (Browning), Sen. Mike Fox (Hays), Sen. Jason Small (Busby), Sen. Shane Morigeau (Missoula)


### General Fund Budget Overview:

**OPI Funding in HB2 as of 4/15/2021**

#### Program 6: State Level Expenditures

<table>
<thead>
<tr>
<th></th>
<th>FY 2022</th>
<th>FY 2023</th>
<th>Total</th>
</tr>
</thead>
<tbody>
<tr>
<td>Starting Point</td>
<td>10,842,279</td>
<td>10,842,279</td>
<td>21,684,558</td>
</tr>
<tr>
<td>Statewide Present Law Adjustments</td>
<td>390,196</td>
<td>404,845</td>
<td>795,041</td>
</tr>
<tr>
<td>Fully Fund Audiological Services</td>
<td>25,460</td>
<td>36,129</td>
<td>61,589</td>
</tr>
<tr>
<td>Vacancy Savings</td>
<td>113,317</td>
<td>113,604</td>
<td>226,921</td>
</tr>
<tr>
<td>CTE FTE for HB351/HB387</td>
<td>86,764</td>
<td>86,827</td>
<td>173,591</td>
</tr>
<tr>
<td>SWPLA Fixed Cost Reductions</td>
<td>(2,501)</td>
<td>(4,026)</td>
<td>(6,527)</td>
</tr>
<tr>
<td>Move FFA to Funding for CTSO to Program 9</td>
<td>(53,000)</td>
<td>(53,000)</td>
<td>(106,000)</td>
</tr>
<tr>
<td>Reduce GF Budget for State Share Holiday</td>
<td>(129,075)</td>
<td>0</td>
<td>(129,075)</td>
</tr>
<tr>
<td>NRIS/GIS State Fixed Costs</td>
<td>517</td>
<td>517</td>
<td>1,034</td>
</tr>
<tr>
<td>MTDA Additional Titles (OTO)</td>
<td>130,000</td>
<td>0</td>
<td>130,000</td>
</tr>
<tr>
<td>MTDA Indian Language Titles (OTO)</td>
<td>80,000</td>
<td>0</td>
<td>80,000</td>
</tr>
<tr>
<td>MTDA Inflationary Increase for Technology</td>
<td>29,895</td>
<td>30,120</td>
<td>60,015</td>
</tr>
<tr>
<td>MT Indian Language Preservation (OTO)</td>
<td>750,000</td>
<td>750,000</td>
<td>1,500,000</td>
</tr>
<tr>
<td><strong>HB 2 for OPI Program 6</strong></td>
<td><strong>12,263,852</strong></td>
<td><strong>12,207,295</strong></td>
<td><strong>24,471,147</strong></td>
</tr>
</tbody>
</table>

The Subcommittee increased general fund FTE by 1.0 for Transformational Learning/Advanced Opportunities

#### Program 9: Funds distributed to school districts

<table>
<thead>
<tr>
<th></th>
<th>FY 2022</th>
<th>FY 2023</th>
<th>Total</th>
</tr>
</thead>
<tbody>
<tr>
<td>Starting Point</td>
<td>845,956,741</td>
<td>845,956,741</td>
<td>1,691,913,482</td>
</tr>
<tr>
<td>K-12 BASE Aid Inflationary Increase</td>
<td>14,289,819</td>
<td>54,959,895</td>
<td>69,249,714</td>
</tr>
<tr>
<td>NRD K12 Facilities Payment (Major Maintenance)</td>
<td>2,336,000</td>
<td>2,070,000</td>
<td>4,406,000</td>
</tr>
<tr>
<td>Comprehensive School &amp; Community Treatment</td>
<td>2,235,578</td>
<td>0</td>
<td>2,235,578</td>
</tr>
<tr>
<td>State Transformational Learning Aid</td>
<td>2,123,916</td>
<td>2,155,760</td>
<td>4,279,676</td>
</tr>
<tr>
<td>State Advanced Opportunities Aid</td>
<td>1,673,558</td>
<td>2,547,973</td>
<td>4,221,531</td>
</tr>
<tr>
<td>In-State Treatment Appropriation Increase</td>
<td>309,107</td>
<td>336,276</td>
<td>645,383</td>
</tr>
<tr>
<td>State Tuition Appropriation Increase</td>
<td>157,956</td>
<td>152,251</td>
<td>310,207</td>
</tr>
<tr>
<td>At Risk Inflationary Increase</td>
<td>84,630</td>
<td>231,804</td>
<td>316,434</td>
</tr>
<tr>
<td>National Board Certification Stipends</td>
<td>75,000</td>
<td>100,000</td>
<td>175,000</td>
</tr>
<tr>
<td>State Lands Block Grants</td>
<td>75,000</td>
<td>75,000</td>
<td>150,000</td>
</tr>
<tr>
<td>CTE State Match</td>
<td>(500,000)</td>
<td>(500,000)</td>
<td>(1,000,000)</td>
</tr>
<tr>
<td>Separate CTSO Funding Move FFA to Funding for CTSO</td>
<td>553,000</td>
<td>553,000</td>
<td>1,106,000</td>
</tr>
<tr>
<td>Indian Language Immersion Program</td>
<td>48,500</td>
<td>48,500</td>
<td>97,000</td>
</tr>
<tr>
<td>School Safety Grants</td>
<td>100,000</td>
<td>100,000</td>
<td>200,000</td>
</tr>
<tr>
<td><strong>HB 2 for OPI Program 9</strong></td>
<td><strong>869,518,805</strong></td>
<td><strong>908,787,200</strong></td>
<td><strong>1,778,306,005</strong></td>
</tr>
</tbody>
</table>

**HB 2 Total for OPI**

<table>
<thead>
<tr>
<th></th>
<th>FY 2022</th>
<th>FY 2023</th>
<th>Total</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>881,782,567</td>
<td>920,994,495</td>
<td>1,802,777,152</td>
</tr>
</tbody>
</table>
The Land board oversees DNRC's management of Trust Land Resources
- 5.2 Million Surface Acres
- 6.2 Million Mineral Acres

<table>
<thead>
<tr>
<th>Activity</th>
<th>2020</th>
</tr>
</thead>
<tbody>
<tr>
<td>Active Timber Sales</td>
<td>64</td>
</tr>
<tr>
<td>Current Oil &amp; Gas Leases</td>
<td>4,298</td>
</tr>
<tr>
<td>Current Coal Leases</td>
<td>31</td>
</tr>
<tr>
<td>Current Ag/Grazing Leases</td>
<td>8,926</td>
</tr>
<tr>
<td>Active Residential Leases</td>
<td>517</td>
</tr>
<tr>
<td>Active Commercial Leases</td>
<td>123</td>
</tr>
<tr>
<td>Cabin Sites Sold</td>
<td>41</td>
</tr>
<tr>
<td>Rights of Way Processed</td>
<td>238</td>
</tr>
<tr>
<td>Active Land Use Licenses</td>
<td>764</td>
</tr>
<tr>
<td>Land Banking Sites Sold</td>
<td>12</td>
</tr>
<tr>
<td>Tree Seedlings Planted</td>
<td>326,926</td>
</tr>
<tr>
<td>Timber Harvested (MMBF)</td>
<td>45.3</td>
</tr>
</tbody>
</table>

**Revenues – Common Schools:**
- Leases, Bonuses & Timber Sales: $39,436,000 (approx.)
- Mineral royalties & Right of Way: $23,575,800 (approx.)

**Source** – Montana Department of Natural Resources and Conservation
Annual Report Fiscal Year 2020
Trust Lands Management Division
Montana schools have received three waves of funding from the federal government to combat the effects of COVID-19. The funding has come through the Department of Education under the umbrella of the Elementary and Secondary School Emergency Relief (ESSER) program. The three bills that appropriated this funding and the amount allocated to Montana for ESSER are:

<table>
<thead>
<tr>
<th>Act</th>
<th>Date Passed</th>
<th>MT ESSER Allocation</th>
</tr>
</thead>
<tbody>
<tr>
<td>Coronavirus Aid, Relief, and Economic Security Act (CARES)</td>
<td>March, 2020</td>
<td>$ 41,295,230</td>
</tr>
<tr>
<td>Coronavirus Response and Relief Supplemental Appropriations Act (CRRSA)</td>
<td>December, 2020</td>
<td>$170,099,465</td>
</tr>
<tr>
<td>American Rescue Plan Act (ARPA)</td>
<td>March, 2021</td>
<td>$382,019,236</td>
</tr>
</tbody>
</table>

These three funding streams are referred to as ESSER I, ESSER II, and ESSER III. For each grant, ninety percent of the funds must be allocated directly to school districts. An amount equal to one half percent of the grant amount can be used by the OPI for administration of the grant. The remaining nine and one half percent is assigned to the OPI to be used where it can do the most good in public schools to combat the pandemic. For ESSER I this determination was done by the agency, but for ESSER II and ESSER III, the general uses of the grant funds were addressed by the legislature. The OPI worked with MT PEC, the education advocates organizations in Montana, to arrive at a consensus recommendation to the legislature for these uses. The consensus recommendation was accepted by the Joint Education Subcommittee and included in HB 630 and HB 632 as shown in the following table:

**ESSER Funding Summary for Montana K-12 Public Schools**

<table>
<thead>
<tr>
<th></th>
<th>ESSER I</th>
<th>ESSER II /HB 630</th>
<th>ESSER III /HB 632</th>
<th>Total</th>
</tr>
</thead>
<tbody>
<tr>
<td>Basic Allocation to School Districts</td>
<td>37,165,707</td>
<td>153,089,519</td>
<td>343,817,312</td>
<td>534,072,538</td>
</tr>
<tr>
<td>Special Education - Related Services</td>
<td>3,000,000</td>
<td>0</td>
<td>0</td>
<td>0</td>
</tr>
<tr>
<td>Supplemental Allocation to School Districts</td>
<td>593,402</td>
<td>3,400,000</td>
<td>3,400,000</td>
<td>7,393,402</td>
</tr>
<tr>
<td>Allocation to Other Educational Institutions</td>
<td>30,000</td>
<td>120,000</td>
<td>120,000</td>
<td>270,000</td>
</tr>
<tr>
<td>Special Needs Allocation</td>
<td>0</td>
<td>2,500,000</td>
<td>0</td>
<td>2,500,000</td>
</tr>
<tr>
<td>Targeted Support to School Districts</td>
<td>0</td>
<td>1,200,000</td>
<td>0</td>
<td>1,200,000</td>
</tr>
<tr>
<td>Education Leadership in Montana</td>
<td>0</td>
<td>939,449</td>
<td>555,234</td>
<td>1,494,683</td>
</tr>
<tr>
<td>OPI Database Modernization</td>
<td>0</td>
<td>8,000,000</td>
<td>5,475,248</td>
<td>13,475,248</td>
</tr>
<tr>
<td>Administration</td>
<td>206,476</td>
<td>850,497</td>
<td>1,910,096</td>
<td>2,967,069</td>
</tr>
<tr>
<td>State Learning Loss</td>
<td>0</td>
<td>0</td>
<td>19,100,962</td>
<td>19,100,962</td>
</tr>
<tr>
<td>State Summer Enrichment</td>
<td>0</td>
<td>0</td>
<td>3,820,192</td>
<td>3,820,192</td>
</tr>
<tr>
<td>State Afterschool Programs</td>
<td>0</td>
<td>0</td>
<td>3,820,192</td>
<td>3,820,192</td>
</tr>
<tr>
<td>Other</td>
<td>299,645</td>
<td>0</td>
<td>0</td>
<td>0</td>
</tr>
<tr>
<td><strong>TOTAL</strong></td>
<td>41,295,230</td>
<td>170,099,465</td>
<td>382,019,236</td>
<td>593,413,931</td>
</tr>
</tbody>
</table>

The end of the grant period is extended with each grant. For ESSER I, the funds must be spent by September, 2022. For ESSER II, the funds must be spent by September, 2023. For ESSER III, the funds must be spent by September, 2024. All three grants require the funds be spent “to prevent, prepare for, and respond to coronavirus.” In addition each grant has allowable uses that are broad and permissive, allowing discretion on the part of school districts to fund those projects most needed in their district.

HB 630 also contains language that restricts the ability of school districts to file for budget increases due to enrollment increases in FY 2022 and FY 2023. However, HB 630 also allows districts to use ESSER funding in place of the BASE Aid that would have been awarded without the new restriction.

**Emergency Assistance for Non-Public Schools (EANS)**

In ESSER I, public schools had to go through the equitable share process used in federal Title I funding to determine how much of the funding should go to non-public schools for the benefit of low income children at these schools. For ESSER II and ESSER III, the equitable share process was discontinued. In its place, Congress authorized Emergency Assistance for Non-Public Schools. CRRSA allocated $12.8M to Montana, and ARPA added $12.1M. For this program, the OPI has set up a system whereby non-public schools can apply to the OPI directly for these funds. The allowable uses for the funds are similar to public schools. In Montana home school children are considered to be part of the non-public school population.
Changes to the Every Student Succeeds Act (ESSA) Accountability System
During the 2020-2021 School Year

On March 30, 2020, Montana OPI received a waiver from the U.S. Department of Education (USED) for specific assessment and accountability requirements for the 2019-2020 school year. The OPI applied for the waiver due to extraordinary circumstances created by the COVID-19 pandemic and resulting school closures. The waiver cancelled assessments in the 2019–2020 school year, suspended the accountability system, and removed specific elements related to assessments and accountability on the report card.

The waiving of these requirements, as well as the continued implications of COVID-19, have impacted how Montana has been able to implement its Consolidated State Plan under the Every Student Succeeds Act (ESSA) in the 2020-2021 school year. Thus, in February 2021, the Department created a streamlined process to request waivers for accountability, school identification, and related reporting requirements under the Elementary and Secondary Education Act of 1965, as amended by ESSA.

Montana applied and was granted these accountability and school identification waivers on March 26, 2021. They provide relief from the impact of COVID-19 on the accountability system for the 2020-2021 school year. In particular, they waive the requirements to:

- Measure progress toward long-term goals and measurement of interim progress;
- Meaningfully differentiate, on an annual basis, all public schools, including by adjusting the Academic Achievement indicator based on a participation rate below 95 percent;
- Identify schools for comprehensive, targeted, and additional targeted support and improvement based on data from the 2020-2021 school year; and
- Report provisions related to accountability based on data from the 2020-2021 school year.

While the OPI is waiving accountability requirements, we are committed to providing technical assistance and professional learning to our schools to support transparency and reporting needs for students, families, and educators. The OPI will continue to maintain or improve transparency in reporting to parents and the public on student achievement and school performance in school year 2020-2021, including the achievement of subgroups of students. The OPI will make publicly available chronic absenteeism data on State and local report cards. The OPI will collect school data on opportunity to learn indicators to the greatest extent possible. This includes location of learning (e.g., in-person, fully remote, hybrid), level of access to technology, Internet availability and capacity, presence and access of instruction, curriculum, and professional development, and levels of student engagement. Additionally, the OPI will continue to collect data on graduation rates, college and career success indicators, attendance, and access to qualified educators data. This opportunity to learn data will be made public to ensure that the OPI and school districts can make informed decisions on resources and support for schools.
All schools identified for comprehensive, targeted, and additional targeted support and improvement will not only revise and implement the required annual Continuous School Improvement Plan (CSIP) based on the comprehensive needs assessment but will receive additional support from OPI improvement specialists for acceleration and renewal initiatives aligned to state and federal funding. Specific strategies for comprehensive schools include: building school board efficiency through a school board coach; providing wraparound services to students and their families (e.g., mental and physical health services, mentoring); engaging students in school improvement through youth voice and advocacy work; supporting culturally responsive practices, particularly for American Indian communities; implementing systemic literacy and math improvements; and use of the Montana Early Warning System to identify students at risk of dropping out of school, apply targeted interventions based on student needs, and track interventions over time to determine if the interventions are working.

The OPI will identify comprehensive, targeted, and additional targeted support and improvement schools using data from the 2021-2022 school year in the fall of 2022 to ensure school identification resumes as quickly as possible. Overall, under ESSA, the OPI will continue to advocate for school communities and students, recognizing that the changes this year for accountability, identification, and reporting do not preclude Montana from submitting amendments or additional waivers to gain greater flexibility in the future.
FEDERAL COVID RELIEF DOLLARS

ESSER I  
Elementary and Secondary School Emergency Relief  
$41,295,230

ESSER II  
Elementary and Secondary School Emergency Relief  
$170,099,465

ESSER III  
Elementary and Secondary School Emergency Relief  
$382,019,236

EANS  
Emergency Assistance for Non-Public Schools  
$19,816,431

Total Funds = $613,230,362
Overview of Budget and Policy Priorities:

HB 15: Implement K-12 Inflation
Sponsored by Representative Fred Anderson of Great Falls

Signed by the Governor. BASE Aid plus legislation (HB15) provides an inflationary addition for school equity – BASE Aid. The BASE Aid calculation determines the state share of funding for Montana K-12 public schools and accounts for 69% of school district’s general fund budget. Signed into law on February 25, 2021, the BASE Aid distributions to Montana’s public schools are $827 million for the next year, and $866 million for the 2022-23 school year.

HB 46: Revise special education funding
Sponsored by Representative David Bedey of Hamilton

Signed by Governor. Related to HB15, Superintendent Arntzen testified on behalf of HB46 to make public funding for special needs students more predictable. Specifically, the bill advocates for including the special education allowable cost payment in the state’s BASE Aid funding formula. When combined with HB 15, this represents a 4.07% inflationary increase over the biennium for Montana schools, a critical increase to support all Montana’s students.

HB 25 and HB 206: Revise education laws related to tuition and in-state treatment
HB25 was sponsored by Representative Moffie Funk of Helena
HB206 was sponsored by Representative David Bedey of Hamilton

House Bill 25 and House Bill 206 are related to clarifying and providing funding to in-state residential treatment for at risk students. Superintendent Arntzen has publicly supported both bills as necessary to help one of Montana's vulnerable student populations.

HB 181:
Sponsored by Katie Zolnikov of Billings

HB 181 transfers the Broadband for Public Schools Program from the Department of Commerce to the OPI, the agency that works the most with schools. HB 181 is currently in committee.
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67th LEGISLATIVE SESSION EDUCATION BILLS

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**PLEASE NOTE:** This document contains a listing of bills relating to K-12 education that were considered by the Montana Legislature during the 2021 Legislative Session as of April 24th 2021. A complete legislative summary with full analysis of passed education legislation will be compiled and distributed in June 2021.

Total number of bills in Education is 141 for the 67th Legislative Session.
LEGISLATION AFFECTING K-12 EDUCATION

APPROPRIATIONS (7)

HB 2 -
General Appropriations Act
Rep. Jones

HB 3 – PASS
Supplemental Appropriations Act
Rep. Bedey

HB 4 -
Appropriations by Budget
Rep. Bartel

HB 15 – PASS
BASE Aid K-12 Inflation
Rep. Anderson

HB 630 -
Appropriate CARES II funds, supplemental, and temporarily revise ed fund
Rep. Bedey

HB 632 –
Implement receipt of and appropriate federal stimulus and COVID recovery funds
Rep. Garner

HB 671 –
Implement provisions of HB2 – Section E – education
Rep. Bedey

ELECTIONS (2)

HB 107 - FAIL
Revise mill levy election laws
Rep. Marshall

SB 15 – PASS
Revise election laws related to disabled electors
Sen. Ellis
EMPLOYMENT RELATIONS (11)

HB 13 – PASS
State employee pay plan
Rep. Dooling

HB 59 – FAIL
Revise funding provisions in PERS
Rep. Hamilton

HB 81 – PASS
Generally revise laws on administration of MERA retirement systems
Rep. Hamilton

HB 88 – PASS
Generally revise administration of TRS
Rep. Bertoglio

HB 143 – PASS
Provide incentives for increasing starting teacher pay, generally revise school funding laws
Rep. Jones

HB 186 - FAIL
Generally revise laws related to teacher certification
Rep. Kerns

HB 317 – FAIL
Generally revise state employee laws related to travel expenses
Rep. Marshall

HB 403 – PASS
Create “grow your own” teacher grant program
Rep. Running Wolf

SB 16 – FAIL
Confirm Governor’s appointee to the Public Employee’s Retirement System Board Sen. Kary

SB 188 - FAIL
Revise school teacher retirement with pension
Sen. Lang

SB 228 – FAIL
Generally revise employee union laws
Sen. Hertz
FACILITIES (5)

HB 5 -
Long-range building appropriations
Rep. Jones

HB 181 – PASS
Reauthorizing the E-rate broadband program
Rep. Zolnikov

HB 192 – PASS
Providing for school capital improvement accounts
Rep. Reksten

HB 422 – FAIL
Authorize municipalities to operate broadband utilities
Rep. Kortum

SB 42 - FAIL,
Allow use of school major maintenance funds for lead remediation
Sen. Boland

GOVERNANCE (26)

HB 192 – PASS
Providing for school capital improvement accounts
Rep. Reksten

HB 422 – FAIL
Authorize municipalities to operate broadband utilities
Rep. Kortum

HB 343 - FAIL
Generally revise laws to dentistry and dental hygiene
Rep. Gillette

HB 344 – FAIL
Revising laws relating to designation of public health facilities
Rep. Gillette

HB 371 – FAIL
Revise qualifications to serve as a superintendent of public instruction
Rep. Bedey

HB 441 - FAIL
Revise age requirements for election judges
Rep. Kortum
HB 462 – PASS
Revise driver license laws for foster children
Rep. Stromswold

HB 484 - FAIL
Require state programs to participate in a health information exchange Rep. Gillette

HB 492 - FAIL
Protecting children on the Internet Act
Rep. Tshida

HB 499 – PASS
Revise child abuse and neglect laws regarding reasonable efforts
Rep. Trebas

HB 540 – FAIL
Revise high school and elementary school district laws
Rep. Berglee

HB 543 – PASS
Revise laws related to school instruction on the Constitution and pledge
Rep. Phalen

HB 556 – PASS
Provide alternative means of earning high school diploma
Rep. Walsh

SB 4 – PASS
Extend the missing Indigenous Person Task Force
Sen. Small

SB 18 – PASS
Establish graduation requirements for educationally disrupted youth
Sen. Salomon

SB 42 – FAIL
Allow use of school major maintenance funds for lead remediation
Sen. Boland

SB 94 – FAIL
Establishing Indigenous Peoples Day
Sen. Weber

SB 199 – PASS
Provide for the Montana Local Food Choice
Sen. Hertz
**SB 206** – PASS
Revise report publication date for teacher loan forgiveness program
Sen. Sweeney

**SB 259** - FAIL
Restrict governmental entity from interfering with parental rights
Sen. Manzella

**SB 297** -
Connect MT Act to establish broadband deployment
Sen. Ellsworth

**SB 298** – FAIL
Establish right of conscience laws for K-12 public education
Sen. Regier

**SB 323** - FAIL
Generally revise Montana Administrative Procedure Act
Sen. Friedel

**SR 43** – FAIL
Confirm Governor's appointee to Board of Public Education
Sen. Salomon

**SR 44** – PASS
Confirm Governor's appointee to Board of Public Education
Sen. Salomon

**SR 83** – PASS
Confirm Governor's appointee to Board of Public Education
Sen. Salomon

**HIGHER EDUCATION (19)**

**HR 6** – FAIL
Resolution opposing MUS requiring COVID vaccination
Rep. Kerns

**HB 67** – PASS
Generally revise community college funding laws
Rep. Jones

**HB 100** – PASS
Revise community college audit requirements
Rep. Hayman
HB 129 – PASS
Revise the Family Education Savings Account
Rep. Bedey

HB 179 – PASS
Generally revise laws related to community colleges
Rep. Bedey

HB 262 – FAIL
Expand exemption from collections to include student loans
Rep. Farris-Olsen

HB 626 – FAIL
Revise nonresident nonbeneficiary student reimbursement for tribal colleges
Rep. Running Wolf

HB 654 - FAIL
Increase funding for higher education
Rep. Olsen

SB 25 – PASS
Revise duties of Education Interim Committee regarding MUS
Sen. Salomon

SB 46 – FAIL
Increase MUS-RP supplemental contribution to TRS
Sen. Lynch

SB 110 – PASS
Revise state employee and U-system health plan laws for temp state share holiday
Sen. Osmundson

SB 124 – FAIL
Revise laws related to student loans
Sen. Morigeau

SB 243 – PASS
Create presumption of domicile for students who join Montana National Guard
Sen. Bennett

SB 247 – PASS
Generally revise alcohol state property/postsecondary education
Sen. Boldman
SJ 15 – PASS
Approve organization of Bitterroot Valley community college district
Sen. Ellsworth

SR 2 – FAIL
Approve organization of Bitterroot Valley Community College district
Sen. Ellsworth

SR 42 – PASS
Confirm Governor appointees to Board of Regents of Higher Education
Sen. Salomon

SR 45 – FAIL
Confirm Governor appointee to Board of Regents of Higher Education
Sen. Salomon

SR 73 – PASS
Confirm Governor’s appointee to the Board of Regents
Sen. Salomon

HEALTH AND SAFETY (23)

HB 27 – FAIL
Authorize school districts to create “handle with care” programs
Rep. Funk

HB 70 – PASS
Revise state suicide prevention program
Rep. Homland/Funk

HB 78 - FAIL
Require certain employees to report suspected child abuse and neglect
Rep. Mercer

HB 105 - PASS
Generally revise unlawful transactions with children laws
Rep. Marshall

HB 112 – PASS
Require interscholastic athletes to participate under gender assigned at birth
Rep. Fuller

HB 171 – PASS
Adopt the Montana Abortion-Induction Risk Protocol Act
Rep. Greef
HB 227 - FAIL
Establish student mental health screening pilot program
Rep. Dunwell

HB 250 - FAIL
Revise immunization requirements for pharmacists
Rep. C. Knudsen

HB 291 – PASS
Requiring coverage of amplification devices, service for kids with hearing loss
Rep. Funk

HB 332 - FAIL
Revise school laws related to vaccines
Rep. Hill

HB 339 - FAIL
Require child support cooperation for food stamp eligibility
Rep. Fleming

HB 369 - FAIL
Support school-based prevention programs
Rep. Caferro

HB 377 - FAIL
Revise criminal penalties for certain threats of violence
Rep. McKamey

HB 415 - FAIL
Prohibit discrimination based on vaccination status
Rep. Carlson

HB 467 - FAIL
Revise public education laws to ban lunch shaming
Rep. Karjala

HB 557 – FAIL
Revise missing persons laws
Rep. Windy Boy

SB 16 - FAIL
Allow minors to consent to emergency shelter and services
Sen. Gross
SB 17 – PASS
Clarify minors’ ability to disaffirm contracts for housing is restricted
Sen. Gross

SB 72 - PASS
Revise school laws to participation in extracurricular activities
Sen. Reiger

SB 74 - PASS
Revise school laws relating to participation in extracurricular activities
Sen. Salomon

SB 157 - PASS
Generally revise laws related to school athletics
Sen. Hinebaugh

SB 248 - PASS
Establish student-athlete rights and protections
Sen. Boldman

SB 282 - FAIL
Assert right of parent to direct child healthcare
Sen. Manzella

SCHOOL FINANCE (23)

HB 16 - FAIL
Allow 3 and 4 year-olds with disabilities in ANB calculations
Rep. Anderson

HB 32 - PASS
Repeal ending fund balance limits for school districts
Rep. Vinton

HB 33 - PASS
Clarify school funding related to anticipated enrollment increase
Rep. Vinton

HB 46 - PASS
Includes SPED funding in BASE Aid formula
Rep. Bedey

HB 69 - FAIL
Eliminate reduced-price co-pays for school meals
Rep. McKamey
HB 147 - FAIL
Establish Montana hunters and angler community fund
Rep. France

HB 159 - PASS
Revise Governor’s power to spend certain unanticipated federal funds
Rep. Jones

HB 233 - PASS
Revise funding for students with disabilities
Rep. Anderson

HB 279 -
Revise laws related to tax credits scholarship and innovation education programs
Rep. Berglee

HB 303 -
Revise business equipment tax laws: Business Investment Grows (BIG) Act
Rep. Kassmier

HB 329 - FAIL
Establish the Students with Special Needs Opportunity Act
Rep. Vinton

HB 372 - FAIL
Eliminate business equipment tax
Rep. Ler

HB 404 - FAIL
Generally revise education funding relating to oil and gas distribution
Rep. Patelis

HB 454 - PASS
Revise school tuition laws
Rep. Ricci

HB 465 - FAIL
Limit school district superintendent salaries
Rep. Kerns

HJ 6 - PASS
Provide for study of natural resources trust fund
Rep. Fern
**SB 22** - PASS
Clarify amount of support for state-level CTSO programs
Sen. Salomon

**SB 23** - PASS
Eliminate state school flexibility account
Sen. Salomon

**SB 24** - PASS
Allow nonoperating school districts to retain oil gas revenue
Sen. Salomon

**SB 75** - PASS
Revise school funding laws related to unforeseen emergencies
Sen. Salomon

**SB 95** - FAIL
Revise school funding inflationary adjustment
Sen. McClafferty

**SB 293** - FAIL
Revising property ta laws related to electric generation
Sen. Pope

**SB 342** - FAIL
Generally revise laws related to preschool programs
Sen. O'Brien

**STATE LANDS (7)**

**HB 22** - PASS
Allow in-kind services for easements on state land for military facilities
Rep. Garner

**HB 49** - PASS
Revise recording fees to support county and state land information accounts
Rep. Bedey

**HB 131** - PASS
Generally revise state cabin leasing laws
Rep. Bedey

**HB 352** - FAIL
Revise laws related to conservation easements
Rep. Hinkle
HB 418 - FAIL
Establish the Public Lands Access Act
Rep. Gunderson

SB 270 - PASS
Revise valuation of commodities on state lands
Sen. Hoven

SB 305 - PASS
Revise and extend state lands reimbursement block grant for schools
Sen. Lang

TEACHING AND LEARNING (13)
HB 25 - FAIL
Clarifying funding for education of children in residential care
Rep. Funk

HB 68 - PASS
Provide early school enrollment for children of relocated military
Rep. Bertoglio

HB 89 - PASS
Revise transformational learning program
Rep. McKamey

HB 166 - FAIL
Expanding the transformational learning program to include magnet schools
Rep. Fern

HB 185 - FAIL
Revise laws related to basic instructional program in high schools
Rep. Kerns

HB 219 - FAIL
Create computer coding student employment program
Rep. Windy Boy

HB 282 - PASS
Revise labor laws relating to employment of minors
Rep. Anderson

HB 286 - FAIL
Revise laws related to Montana Digital Academy
Rep. Windy Boy
HB 328 - PASS
Create guidelines regarding early childhood education services
Rep. Keogh

HB 392 - FAIL
Generally revise language immersion laws
Rep. Windy Boy

SB 99 - PASS
Establish parameters for K-12 human sexuality education
Sen. Smith

SB 109 - PASS
Revise laws related to gifted and talented education
Sen. Salomon

SB 300 -
Generally revise laws related to driver education
Sen. Glimm

TRANSPORTATION (5)
HB 207 - PASS
Generally revise school bus safety laws
Rep. Duram

HB 256 - PASS
Revise child restraint laws
Rep. Binkley

HB 267 -
Improve school bus safety laws
Rep. Duram

HB 300 - PASS
Generally revise school transportation laws
Rep. Schillinger

HB 350 - FAIL
Generally revise school bus laws
Rep. Putnam
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