



**OPI’s Legislative Priorities**  
December 2024

A Promise is a Promise: Base Aid Requirement

**K-12 BASE Aid**

The total BASE aid to be distributed to school districts is estimated to be \$1,039.444 billion in FY 2026 and \$1,097.861 billion in FY 2027. BASE Aid is funded first by the guarantee account and second from the school equalization and property tax reduction account (SEPTR) with the balance funded from the state general fund. Funding increases are predominantly driven by changes to ANB and inflation of 3.00% in FY 2026 and 3.00% in FY 2027 as required by section §20-9-326, MCA.

<u>Component</u>	<u>FY 2026</u>	<u>FY2027</u>	<u>Biennium</u>
<u>Direct State Aid</u>	<u>\$9,590,096</u>	<u>\$23,054,581</u>	<u>\$32,644,677</u>
<u>Special Education Payment</u>	<u>\$358,330</u>	<u>\$1,784,654</u>	<u>\$2,142,984</u>
<u>GTB - School General Fund</u>	<u>(\$8,965,645)</u>	<u>\$5,056,934</u>	<u>(\$3,908,711)</u>
<u>GTB - School Retirement</u>	<u>\$6,975,206</u>	<u>\$34,585,154</u>	<u>\$41,560,360</u>
<u>Quality Educator</u>	<u>\$871,424</u>	<u>\$2,440,110</u>	<u>\$3,311,534</u>
<u>Indian Ed for All</u>	<u>\$55,093</u>	<u>\$146,140</u>	<u>\$201,233</u>
<u>Close Achievement Gap</u>	<u>\$143,042</u>	<u>\$289,230</u>	<u>\$432,272</u>
<u>Data for Achievement</u>	<u>\$53,504</u>	<u>\$140,903</u>	<u>\$194,407</u>
<u>State Audit Fees</u>	<u>\$15,000</u>	<u>\$15,000</u>	<u>\$30,000</u>
<b>Total</b>	<b><u>\$9,096,052</u></b>	<b><u>\$67,512,705</u></b>	<b><u>\$76,608,757</u></b>

- **Guarantee Account:** The Guarantee Account (§20-9-622, MCA) is a state special revenue account dedicated to school funding. It receives revenue generated from common school state land and the subsequent interest on the Common School trust account.
- **ANB:** Average Number Belonging- A student count used for school funding purposes. It is the formula based on factors that include enrollment on two count dates, PIR days, and an average school year of 180 days. ANB used to determine ANB based entitlements as well as calculate school BASE and maximum general fund budgets §20-9-311, MCA.

**OPI Legislative Ideas**

**These pieces of legislation are part of the Hope, Teach, Learn, Ready banner.**

- Pupil/parental data privacy
- Apply open meeting laws to public associations:
  - Ensure that meetings and records of education membership organizations and associations are open to public.

- **Special Education Savings Accounts fixes**
  - Expand eligibility to allow homeschool children to participate in the program.
  - Clarify language regarding full time/part time enrollment.
  - Establish sustainability of the program.
- **Allow schools to facilitate access to chaplains for students**
  - Allow students the freedom to utilize volunteer chaplains in school through a school board adopted policy for mental health support and other purposes. Require parental notification and permission.
- **Paraprofessional pathways**
  - Create a specialist license for paraprofessionals. This would require collaborating with the Board of Public Education under §20-4-102 MCA and updating §20-4-106 MCA.
  - Increasing the capacity of Montana’s paraprofessionals and creating pathways for advancement in the field of special education, ultimately impacting the issue of recruitment and retention of qualified educators serving Montana’s students with disabilities.
- **Notifications for sexual instruction for parents**
  - Provide efficiency and clarity regarding requirements for human sexuality instruction in § 20-7-120, MCA, and identify a remedy for violation of those requirements.
- **TEACH Act**
  - **Amend TEACH ACT to align reporting dates to AIM reporting**
    - Move reporting dates to align with already required federal reporting deadlines for CTE and graduation rates.
  - **Make tele-educators eligible**
    - Bill would amend § 20-9-327(3), MCA, to allow districts with contracted teachers (e.g., remote education) to receive the quality educator payment.
- **Privacy Protection for Investigative Integrity**
  - Provide privacy protections for active licensure discipline investigations by providing a public records request exception for materials obtained by OPI and BPE during the course of an active licensure discipline investigation under § 20-4-110, MCA.
- **Cultural Public Charter School**
  - Specifically define a cultural public charter school in § 20-6-803, MCA, and expand the public charter school approval process in § 20-6-805, MCA, to include cultural public charter schools for the Board of Public Education’s consideration. This legislation would build on the ideas proposed by Rep. Windy Boy in HB 394 (2023) by including language passed through HB 214 (2023 Session) into the public charter school processes passed in HB 549 (2023 Session).
- **Textbook content alignment to state standards**
  - Provides that a text book dealer must prove that the textbook content aligns with the Board of Public Education’s content standards when issuing a textbook dealer license under § 20-7-604, MCA.
- **Public Charter School fixes**
  - Align the opening process for new public charter schools.
  - Pupil enrollment language clarity for partial enrollment.
  - LC290 – Education Interim Committee Bill request from BPE.
- **Tuition reserve fund**

- Allow schools to reserve up to 20% in a tuition reserve fund to allow for more flexibility for future tuition budget development.
- **Require current contact information for licensees and applicants, and allow service of process via mail**
  - Provide that licensed teachers must notify the Superintendent of Public Instruction of any change of address within 30 days, as is routinely required by other Montana regulatory agencies, under § 20-4-103, MCA, and that any notice to a licensee may be served at the licensee's address on file at the Office of Public Instruction under § 20-4-110, MCA.
- **Strengthen background check requirements in schools**
  - Require a background check for all volunteers and employees of a school district who spend regular or significant with students before they can perform any duties on school grounds.

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