

1 HOUSE BILL NO. 28

2 INTRODUCED BY ROSE

3
4 A BILL FOR AN ACT ENTITLED: "AN ACT REQUIRING THE SUPERINTENDENT OF PUBLIC INSTRUCTION,
5 UPON REQUEST AND IN COMPLIANCE WITH STATE AND FEDERAL CONFIDENTIALITY LAWS, TO
6 DISCLOSE REQUIRED STUDENT ASSESSMENT DATA FOR COMPARISON PURPOSES; AMENDING
7 SECTION 20-3-106, MCA; AND PROVIDING AN IMMEDIATE EFFECTIVE DATE."

8
9 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:

10
11 **Section 1.** Section 20-3-106, MCA, is amended to read:

12 **"20-3-106. Supervision of schools -- powers and duties.** The superintendent of public instruction
13 has the general supervision of the public schools and districts of the state and shall perform the following
14 duties or acts in implementing and enforcing the provisions of this title:

15 (1) resolve any controversy resulting from the proration of costs by a joint board of trustees under
16 the provisions of 20-3-362;

17 (2) issue, renew, or deny teacher certification and emergency authorizations of employment;

18 (3) negotiate reciprocal tuition agreements with other states in accordance with the provisions of
19 20-5-314;

20 (4) serve on the teachers' retirement board in accordance with the provisions of 2-15-1010;

21 (5) approve or disapprove the orders of a high school boundary commission in accordance with
22 the provisions of 20-6-311;

23 (6) approve or disapprove the opening or reopening of a school in accordance with the provisions
24 of 20-6-502, 20-6-503, 20-6-504, or 20-6-505;

25 (7) approve or disapprove school isolation within the limitations prescribed by 20-9-302;

26 (8) generally supervise the school budgeting procedures prescribed by law in accordance with the
27 provisions of 20-9-102 and prescribe the school budget format in accordance with the provisions of
28 20-9-103 and 20-9-506;

29 (9) establish a system of communication for calculating joint district ~~revenues~~ revenue in
30 accordance with the provisions of 20-9-151;

1 (10) approve or disapprove the adoption of a district's budget amendment resolution under the
2 conditions prescribed in 20-9-163 and adopt rules for an application for additional direct state aid for a
3 budget amendment in accordance with the approval and disbursement provisions of 20-9-166;

4 (11) generally supervise the school financial administration provisions as prescribed by 20-9-201(2);

5 (12) prescribe and furnish the annual report forms to enable the districts to report to the county
6 superintendent in accordance with the provisions of 20-9-213(5) and the annual report forms to enable the
7 county superintendents to report to the superintendent of public instruction in accordance with the
8 provisions of 20-3-209;

9 (13) approve, disapprove, or adjust an increase of the average number belonging (ANB) in
10 accordance with the provisions of 20-9-313 and 20-9-314;

11 (14) distribute BASE aid and special education allowable cost payments in support of the BASE
12 funding program, in accordance with the provisions of 20-9-331, 20-9-333, 20-9-342, 20-9-346, 20-9-347,
13 and 20-9-366 through 20-9-369;

14 (15) provide for the uniform and equal provision of transportation by performing the duties
15 prescribed by the provisions of 20-10-112;

16 (16) approve or disapprove an adult education program for which a district proposes to levy a tax
17 in accordance with the provisions of 20-7-705;

18 (17) request, accept, deposit, and expend federal money in accordance with the provisions of
19 20-9-603;

20 (18) authorize the use of federal money for the support of an interlocal cooperative agreement in
21 accordance with the provisions of 20-9-703 and 20-9-704;

22 (19) prescribe the form and contents of and approve or disapprove interstate contracts in
23 accordance with the provisions of 20-9-705;

24 (20) approve or disapprove the conduct of school on a Saturday or on pupil-instruction-related days
25 in accordance with the provisions of 20-1-303 and 20-1-304;

26 (21) recommend standards of accreditation for all schools to the board of public education and
27 evaluate compliance with the standards and recommend accreditation status of every school to the board
28 of public education in accordance with the provisions of 20-7-101 and 20-7-102;

29 (22) collect and maintain a file of curriculum guides and assist schools with instructional programs
30 in accordance with the provisions of 20-7-113 and 20-7-114;

1 (23) establish and maintain a library of visual, aural, and other educational media in accordance with
2 the provisions of 20-7-201;

3 (24) license textbook dealers and initiate prosecution of textbook dealers violating the law in
4 accordance with the provisions of the textbooks part of this title;

5 (25) as the governing agent and executive officer of the state of Montana for K-12 vocational
6 education, adopt the policies prescribed by and in accordance with the provisions of 20-7-301;

7 (26) supervise and coordinate the conduct of special education in the state in accordance with the
8 provisions of 20-7-403;

9 (27) administer the traffic education program in accordance with the provisions of 20-7-502;

10 (28) administer the school food services program in accordance with the provisions of 20-10-201,
11 20-10-202, and 20-10-203;

12 (29) review school building plans and specifications in accordance with the provisions of 20-6-622;

13 (30) prescribe the method of identification and signals to be used by school safety patrols in
14 accordance with the provisions of 20-1-408;

15 (31) provide schools with information and technical assistance for compliance with the student
16 assessment rules provided for in 20-2-121 and collect and summarize the results of the student assessment
17 for the board of public education and the legislature;

18 (32) upon request and in compliance with confidentiality requirements of state and federal law,
19 disclose for comparison purposes all school district student assessment data for any test required by the
20 board of public education;

21 ~~(32)~~(33) administer the distribution of guaranteed tax base aid in accordance with 20-9-366 through
22 20-9-369; and

23 ~~(33)~~(34) perform any other duty prescribed from time to time by this title, any other act of the
24 legislature, or the policies of the board of public education."

25
26 **NEW SECTION. Section 2. Effective date.** [This act] is effective on passage and approval.

27 -END-

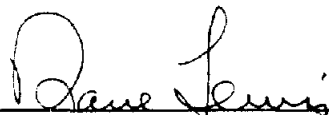
STATE OF MONTANA - FISCAL NOTE


Fiscal Note for HB0028, as introduced

DESCRIPTION OF PROPOSED LEGISLATION: A act requiring the Superintendent of Public Instruction, upon request and in compliance with state and federal confidentiality laws, to disclose required student assessment data for comparison purposes.

ASSUMPTIONS:

1. The Office of Public Instruction currently gathers student assessment data at the direction of the Board of Public Education (Rule 10.56.101, ARM).
2. The current practices of the office of public instruction include:
 - a) Collecting and compiling the statewide test results and annually providing a statewide summary of the data.
 - b) Not comparing districts on the basis of a single, district average score.
 - c) Assisting districts to compare their local scores with the state and national norms by providing a report back to districts that includes a copy of the statewide summary and their own reported scores so that they have the opportunity to verify their data and use the results locally.
 - d) Protecting the privacy rights of students, as required by the Family Educational Rights and Privacy Act (FERPA), by limiting access to data files that contain individually identifiable information.
 - e) Responding to requests for the student assessment data in compliance with statutes, rules, and confidentiality requirements set out in law.
 - f) Assisting districts to expand the assessment tools that are used to ensure and improve the effectiveness of the instructional program.
3. HB 28 applies only to student assessment data collected and maintained by OPI and not data retained in local school records nor to specialized reports.
4. OPI will continue to comply with the confidentiality requirements of state and federal law and the administrative rules of the Board of Public Education.
5. In order to make student assessment data more usable for researchers and policy makers, OPI will simplify file formats and aggregate data where appropriate to protect privacy. 0.2 FTE will be needed to build and maintain the public data files and respond to requests for data and assistance with using the data. The position is estimated to be a Grade 14 Research Specialist at a cost of \$6,400 (salary and benefits of \$31,835 x 0.2 FTE).
6. OPI will respond to requests for student assessment data by providing electronic files to the requestor along with a set of instructions and guidelines for understanding the data elements. Assuming no more than 50 requests annually for these data files, OPI will incur minimal expenses related to the production and distribution of diskettes and instructions.


DAVE LEWIS, BUDGET DIRECTOR DATE 1-7-97
Office of Budget and Program Planning


JOHN "SAM" ROSE, PRIMARY SPONSOR DATE
Fiscal Note for, HB0028, as introduced

HB 28

Fiscal Note for HB0028, as introduced

Page 2

(continued)

FISCAL IMPACT:

<u>Expenditures:</u>	<u>FY98</u>	<u>FY99</u>
	<u>Difference</u>	<u>Difference</u>
FTE	0.2	0.2
Personal Services	\$6,400	\$6,400
 <u>Revenues:</u>		
General Fund	\$6,400	\$6,400

EFFECT ON COUNTY OR OTHER LOCAL REVENUES OR EXPENDITURES: None

LONG-RANGE EFFECTS OF PROPOSED LEGISLATION: None.

TECHNICAL NOTES: The Board of Public Education has responsibility for adopting rules for student assessment under section 20-2-121(13),MCA. The Board currently adopts administrative rules governing the availability and distribution test results.

APPROVED BY COM ON EDUCATION

1 HOUSE BILL NO. 28

2 INTRODUCED BY ROSE

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 5 AND THE TRUSTEES OF A SCHOOL DISTRICT, UPON REQUEST AND IN COMPLIANCE WITH STATE AND
 6 FEDERAL CONFIDENTIALITY LAWS, TO DISCLOSE REQUIRED STUDENT ASSESSMENT DATA ~~FOR~~
 7 COMPARISON PURPOSES TO INTERESTED PARTIES; AMENDING ~~SECTION~~ SECTIONS 20-3-106 AND
 8 20-3-324, MCA; AND PROVIDING AN IMMEDIATE EFFECTIVE DATE."

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9 provisions of 20-3-209;
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13 funding program, in accordance with the provisions of 20-9-331, 20-9-333, 20-9-342, 20-9-346, 20-9-347,
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16 prescribed by the provisions of 20-10-112;
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18 in accordance with the provisions of 20-7-705;
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20 20-9-603;
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28 evaluate compliance with the standards and recommend accreditation status of every school to the board
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- 6 (25) as the governing agent and executive officer of the state of Montana for K-12 vocational
7 education, adopt the policies prescribed by and in accordance with the provisions of 20-7-301;
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9 provisions of 20-7-403;
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12 20-10-202, and 20-10-203;
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15 accordance with the provisions of 20-1-408;
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17 assessment rules provided for in 20-2-121 and collect and summarize the results of the student assessment
18 for the board of public education and the legislature;
- 19 (32) upon request and in compliance with confidentiality requirements of state and federal law,
20 disclose for comparison purposes TO INTERESTED PARTIES all school district student assessment data for
21 any test required by the board of public education;
- 22 ~~(32)~~(33) administer the distribution of guaranteed tax base aid in accordance with 20-9-366 through
23 20-9-369; and
- 24 ~~(33)~~(34) perform any other duty prescribed from time to time by this title, any other act of the
25 legislature, or the policies of the board of public education."

26

27 **SECTION 2. SECTION 20-3-324, MCA, IS AMENDED TO READ:**

28 **"20-3-324. Powers and duties.** As prescribed elsewhere in this title, the trustees of each district
29 shall:

30 (1) employ or dismiss a teacher, principal, or other assistant upon the recommendation of the

1 district superintendent, the county high school principal, or other principal as the board considers
2 necessary, accepting or rejecting any recommendation as the trustees in their sole discretion determine,
3 in accordance with the provisions of Title 20, chapter 4;

4 (2) employ and dismiss administrative personnel, clerks, secretaries, teacher aides, custodians,
5 maintenance personnel, school bus drivers, food service personnel, nurses, and any other personnel
6 considered necessary to carry out the various services of the district;

7 (3) administer the attendance and tuition provisions and otherwise govern the pupils of the district
8 in accordance with the provisions of the pupils chapter of this title;

9 (4) call, conduct, and certify the elections of the district in accordance with the provisions of the
10 school elections chapter of this title;

11 (5) participate in the teachers' retirement system of the state of Montana in accordance with the
12 provisions of the teachers' retirement system chapter of Title 19;

13 (6) participate in district boundary change actions in accordance with the provisions of the districts
14 chapter of this title;

15 (7) organize, open, close, or acquire isolation status for the schools of the district in accordance
16 with the provisions of the school organization part of this title;

17 (8) adopt and administer the annual budget or a budget amendment of the district in accordance
18 with the provisions of the school budget system part of this title;

19 (9) conduct the fiscal business of the district in accordance with the provisions of the school
20 financial administration part of this title;

21 (10) establish the ANB, BASE budget levy, over-BASE budget levy, additional levy, operating
22 reserve, and state impact aid amounts for the general fund of the district in accordance with the provisions
23 of the general fund part of this title;

24 (11) establish, maintain, budget, and finance the transportation program of the district in
25 accordance with the provisions of the transportation parts of this title;

26 (12) issue, refund, sell, budget, and redeem the bonds of the district in accordance with the
27 provisions of the bonds parts of this title;

28 (13) when applicable, establish, financially administer, and budget for the tuition fund, retirement
29 fund, building reserve fund, adult education fund, nonoperating fund, school food services fund,
30 miscellaneous federal programs fund, building fund, lease or rental agreement fund, traffic education fund,

1 impact aid fund, and interlocal cooperative agreement fund in accordance with the provisions of the other
2 school funds parts of this title;

3 (14) when applicable, administer any interlocal cooperative agreement, gifts, legacies, or devises
4 in accordance with the provisions of the miscellaneous financial parts of this title;

5 (15) hold in trust, acquire, and dispose of the real and personal property of the district in
6 accordance with the provisions of the school sites and facilities part of this title;

7 (16) operate the schools of the district in accordance with the provisions of the school calendar part
8 of this title;

9 (17) establish and maintain the instructional services of the schools of the district in accordance
10 with the provisions of the instructional services, textbooks, vocational education, and special education
11 parts of this title;

12 (18) establish and maintain the school food services of the district in accordance with the provisions
13 of the school food services parts of this title;

14 (19) make reports from time to time as the county superintendent, superintendent of public
15 instruction, and board of public education may require;

16 (20) retain, when considered advisable, a physician or registered nurse to inspect the sanitary
17 conditions of the school or the general health conditions of each pupil and, upon request, make available
18 to any parent or guardian any medical reports or health records maintained by the district pertaining to the
19 child;

20 (21) for each member of the trustees, visit each school of the district not less than once each
21 school fiscal year to examine its management, conditions, and needs, except trustees from a first-class
22 school district may share the responsibility for visiting each school in the district;

23 (22) procure and display outside daily in suitable weather on school days at each school of the
24 district an American flag that measures not less than 4 feet by 6 feet;

25 (23) provide that an American flag that measures approximately 12 inches by 18 inches be
26 prominently displayed in each classroom in each school of the district, except in a classroom in which the
27 flag may get soiled. This requirement is waived if the flags are not provided by a local civic group.

28 (24) adopt and administer a district policy on assessment for placement of any child who enrolls
29 in a school of the district from a nonpublic school that is not accredited, as required in 20-5-110; ~~and~~

30 (25) upon request and in compliance with confidentiality requirements of state and federal law,

1 disclose to interested parties school district student assessment data for any test required by the board of
2 public education; and

3 ~~(25)(26)~~ perform any other duty and enforce any other requirements for the government of the
4 schools prescribed by this title, the policies of the board of public education, or the rules of the
5 superintendent of public instruction."

6

7 **NEW SECTION. Section 3. Effective date.** [This act] is effective on passage and approval.

8

-END-

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20-3-324, MCA; AND PROVIDING AN IMMEDIATE EFFECTIVE DATE."

**THERE ARE NO CHANGES IN THIS BILL AND IT WILL NOT BE
REPRINTED. PLEASE REFER TO SECOND READING COPY
(YELLOW) FOR COMPLETE TEXT.**

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1 district superintendent, the county high school principal, or other principal as the board considers
2 necessary, accepting or rejecting any recommendation as the trustees in their sole discretion determine,
3 in accordance with the provisions of Title 20, chapter 4;

4 (2) employ and dismiss administrative personnel, clerks, secretaries, teacher aides, custodians,
5 maintenance personnel, school bus drivers, food service personnel, nurses, and any other personnel
6 considered necessary to carry out the various services of the district;

7 (3) administer the attendance and tuition provisions and otherwise govern the pupils of the district
8 in accordance with the provisions of the pupils chapter of this title;

9 (4) call, conduct, and certify the elections of the district in accordance with the provisions of the
10 school elections chapter of this title;

11 (5) participate in the teachers' retirement system of the state of Montana in accordance with the
12 provisions of the teachers' retirement system chapter of Title 19;

13 (6) participate in district boundary change actions in accordance with the provisions of the districts
14 chapter of this title;

15 (7) organize, open, close, or acquire isolation status for the schools of the district in accordance
16 with the provisions of the school organization part of this title;

17 (8) adopt and administer the annual budget or a budget amendment of the district in accordance
18 with the provisions of the school budget system part of this title;

19 (9) conduct the fiscal business of the district in accordance with the provisions of the school
20 financial administration part of this title;

21 (10) establish the ANB, BASE budget levy, over-BASE budget levy, additional levy, operating
22 reserve, and state impact aid amounts for the general fund of the district in accordance with the provisions
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24 (11) establish, maintain, budget, and finance the transportation program of the district in
25 accordance with the provisions of the transportation parts of this title;

26 (12) issue, refund, sell, budget, and redeem the bonds of the district in accordance with the
27 provisions of the bonds parts of this title;

28 (13) when applicable, establish, financially administer, and budget for the tuition fund, retirement
29 fund, building reserve fund, adult education fund, nonoperating fund, school food services fund,
30 miscellaneous federal programs fund, building fund, lease or rental agreement fund, traffic education fund,

1 impact aid fund, and interlocal cooperative agreement fund in accordance with the provisions of the other
2 school funds parts of this title;

3 (14) when applicable, administer any interlocal cooperative agreement, gifts, legacies, or devises
4 in accordance with the provisions of the miscellaneous financial parts of this title;

5 (15) hold in trust, acquire, and dispose of the real and personal property of the district in
6 accordance with the provisions of the school sites and facilities part of this title;

7 (16) operate the schools of the district in accordance with the provisions of the school calendar part
8 of this title;

9 (17) establish and maintain the instructional services of the schools of the district in accordance
10 with the provisions of the instructional services, textbooks, vocational education, and special education
11 parts of this title;

12 (18) establish and maintain the school food services of the district in accordance with the provisions
13 of the school food services parts of this title;

14 (19) make reports from time to time as the county superintendent, superintendent of public
15 instruction, and board of public education may require;

16 (20) retain, when considered advisable, a physician or registered nurse to inspect the sanitary
17 conditions of the school or the general health conditions of each pupil and, upon request, make available
18 to any parent or guardian any medical reports or health records maintained by the district pertaining to the
19 child;

20 (21) for each member of the trustees, visit each school of the district not less than once each
21 school fiscal year to examine its management, conditions, and needs, except trustees from a first-class
22 school district may share the responsibility for visiting each school in the district;

23 (22) procure and display outside daily in suitable weather on school days at each school of the
24 district an American flag that measures not less than 4 feet by 6 feet;

25 (23) provide that an American flag that measures approximately 12 inches by 18 inches be
26 prominently displayed in each classroom in each school of the district, except in a classroom in which the
27 flag may get soiled. This requirement is waived if the flags are not provided by a local civic group.

28 (24) adopt and administer a district policy on assessment for placement of any child who enrolls
29 in a school of the district from a nonpublic school that is not accredited, as required in 20-5-110; and

30 (25) upon request and in compliance with confidentiality requirements of state and federal law,

1 disclose to interested parties school district student assessment data for any test required by the board of
2 public education; and

3 ~~(25)(26)~~ perform any other duty and enforce any other requirements for the government of the
4 schools prescribed by this title, the policies of the board of public education, or the rules of the
5 superintendent of public instruction."

6

7 ~~NEW SECTION. Section 3. Effective date. (This act) is effective on passage and approval.~~

8

-END-

1 HOUSE BILL NO. 28

2 INTRODUCED BY ROSE

3

4 A BILL FOR AN ACT ENTITLED: "AN ACT REQUIRING THE SUPERINTENDENT OF PUBLIC INSTRUCTION
 5 AND THE TRUSTEES OF A SCHOOL DISTRICT, UPON REQUEST AND IN COMPLIANCE WITH STATE AND
 6 FEDERAL CONFIDENTIALITY LAWS, TO DISCLOSE REQUIRED STUDENT ASSESSMENT DATA FOR
 7 COMPARISON PURPOSES TO INTERESTED PARTIES; AND AMENDING ~~SECTION~~ SECTIONS 20-3-106 AND
 8 20-3-324, MCA; ~~AND PROVIDING AN IMMEDIATE EFFECTIVE DATE.~~"

9

10 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:

11

12 **Section 1.** Section 20-3-106, MCA, is amended to read:

13 **"20-3-106. Supervision of schools -- powers and duties.** The superintendent of public instruction
 14 has the general supervision of the public schools and districts of the state and shall perform the following
 15 duties or acts in implementing and enforcing the provisions of this title:

16 (1) resolve any controversy resulting from the proration of costs by a joint board of trustees under
 17 the provisions of 20-3-362;

18 (2) issue, renew, or deny teacher certification and emergency authorizations of employment;

19 (3) negotiate reciprocal tuition agreements with other states in accordance with the provisions of
 20 20-5-314;

21 (4) serve on the teachers' retirement board in accordance with the provisions of 2-15-1010;

22 (5) approve or disapprove the orders of a high school boundary commission in accordance with
 23 the provisions of 20-6-311;

24 (6) approve or disapprove the opening or reopening of a school in accordance with the provisions
 25 of 20-6-502, 20-6-503, 20-6-504, or 20-6-505;

26 (7) approve or disapprove school isolation within the limitations prescribed by 20-9-302;

27 (8) generally supervise the school budgeting procedures prescribed by law in accordance with the
 28 provisions of 20-9-102 and prescribe the school budget format in accordance with the provisions of
 29 20-9-103 and 20-9-506;

30 (9) establish a system of communication for calculating joint district ~~revenues~~ revenue in

1 accordance with the provisions of 20-9-151;

2 (10) approve or disapprove the adoption of a district's budget amendment resolution under the
3 conditions prescribed in 20-9-163 and adopt rules for an application for additional direct state aid for a
4 budget amendment in accordance with the approval and disbursement provisions of 20-9-166;

5 (11) generally supervise the school financial administration provisions as prescribed by 20-9-201(2);

6 (12) prescribe and furnish the annual report forms to enable the districts to report to the county
7 superintendent in accordance with the provisions of 20-9-213(5) and the annual report forms to enable the
8 county superintendents to report to the superintendent of public instruction in accordance with the
9 provisions of 20-3-209;

10 (13) approve, disapprove, or adjust an increase of the average number belonging (ANB) in
11 accordance with the provisions of 20-9-313 and 20-9-314;

12 (14) distribute BASE aid and special education allowable cost payments in support of the BASE
13 funding program, in accordance with the provisions of 20-9-331, 20-9-333, 20-9-342, 20-9-346, 20-9-347,
14 and 20-9-366 through 20-9-369;

15 (15) provide for the uniform and equal provision of transportation by performing the duties
16 prescribed by the provisions of 20-10-112;

17 (16) approve or disapprove an adult education program for which a district proposes to levy a tax
18 in accordance with the provisions of 20-7-705;

19 (17) request, accept, deposit, and expend federal money in accordance with the provisions of
20 20-9-603;

21 (18) authorize the use of federal money for the support of an interlocal cooperative agreement in
22 accordance with the provisions of 20-9-703 and 20-9-704;

23 (19) prescribe the form and contents of and approve or disapprove interstate contracts in
24 accordance with the provisions of 20-9-705;

25 (20) approve or disapprove the conduct of school on a Saturday or on pupil-instruction-related days
26 in accordance with the provisions of 20-1-303 and 20-1-304;

27 (21) recommend standards of accreditation for all schools to the board of public education and
28 evaluate compliance with the standards and recommend accreditation status of every school to the board
29 of public education in accordance with the provisions of 20-7-101 and 20-7-102;

30 (22) collect and maintain a file of curriculum guides and assist schools with instructional programs

1 in accordance with the provisions of 20-7-113 and 20-7-114;

2 (23) establish and maintain a library of visual, aural, and other educational media in accordance with
3 the provisions of 20-7-201;

4 (24) license textbook dealers and initiate prosecution of textbook dealers violating the law in
5 accordance with the provisions of the textbooks part of this title;

6 (25) as the governing agent and executive officer of the state of Montana for K-12 vocational
7 education, adopt the policies prescribed by and in accordance with the provisions of 20-7-301;

8 (26) supervise and coordinate the conduct of special education in the state in accordance with the
9 provisions of 20-7-403;

10 (27) administer the traffic education program in accordance with the provisions of 20-7-502;

11 (28) administer the school food services program in accordance with the provisions of 20-10-201,
12 20-10-202, and 20-10-203;

13 (29) review school building plans and specifications in accordance with the provisions of 20-6-622;

14 (30) prescribe the method of identification and signals to be used by school safety patrols in
15 accordance with the provisions of 20-1-408;

16 (31) provide schools with information and technical assistance for compliance with the student
17 assessment rules provided for in 20-2-121 and collect and summarize the results of the student assessment
18 for the board of public education and the legislature;

19 (32) upon request and in compliance with confidentiality requirements of state and federal law,
20 disclose for comparison purposes TO INTERESTED PARTIES all school district student assessment data for
21 any test required by the board of public education;

22 ~~(32)~~(33) administer the distribution of guaranteed tax base aid in accordance with 20-9-366 through
23 20-9-369; and

24 ~~(33)~~(34) perform any other duty prescribed from time to time by this title, any other act of the
25 legislature, or the policies of the board of public education."

26
27 **SECTION 2. SECTION 20-3-324, MCA, IS AMENDED TO READ:**

28 "20-3-324. **Powers and duties.** As prescribed elsewhere in this title, the trustees of each district
29 shall:

30 (1) employ or dismiss a teacher, principal, or other assistant upon the recommendation of the

1 district superintendent, the county high school principal, or other principal as the board considers
2 necessary, accepting or rejecting any recommendation as the trustees in their sole discretion determine,
3 in accordance with the provisions of Title 20, chapter 4;

4 (2) employ and dismiss administrative personnel, clerks, secretaries, teacher aides, custodians,
5 maintenance personnel, school bus drivers, food service personnel, nurses, and any other personnel
6 considered necessary to carry out the various services of the district;

7 (3) administer the attendance and tuition provisions and otherwise govern the pupils of the district
8 in accordance with the provisions of the pupils chapter of this title;

9 (4) call, conduct, and certify the elections of the district in accordance with the provisions of the
10 school elections chapter of this title;

11 (5) participate in the teachers' retirement system of the state of Montana in accordance with the
12 provisions of the teachers' retirement system chapter of Title 19;

13 (6) participate in district boundary change actions in accordance with the provisions of the districts
14 chapter of this title;

15 (7) organize, open, close, or acquire isolation status for the schools of the district in accordance
16 with the provisions of the school organization part of this title;

17 (8) adopt and administer the annual budget or a budget amendment of the district in accordance
18 with the provisions of the school budget system part of this title;

19 (9) conduct the fiscal business of the district in accordance with the provisions of the school
20 financial administration part of this title;

21 (10) establish the ANB, BASE budget levy, over-BASE budget levy, additional levy, operating
22 reserve, and state impact aid amounts for the general fund of the district in accordance with the provisions
23 of the general fund part of this title;

24 (11) establish, maintain, budget, and finance the transportation program of the district in
25 accordance with the provisions of the transportation parts of this title;

26 (12) issue, refund, sell, budget, and redeem the bonds of the district in accordance with the
27 provisions of the bonds parts of this title;

28 (13) when applicable, establish, financially administer, and budget for the tuition fund, retirement
29 fund, building reserve fund, adult education fund, nonoperating fund, school food services fund,
30 miscellaneous federal programs fund, building fund, lease or rental agreement fund, traffic education fund,

1 impact aid fund, and interlocal cooperative agreement fund in accordance with the provisions of the other
2 school funds parts of this title;

3 (14) when applicable, administer any interlocal cooperative agreement, gifts, legacies, or devises
4 in accordance with the provisions of the miscellaneous financial parts of this title;

5 (15) hold in trust, acquire, and dispose of the real and personal property of the district in
6 accordance with the provisions of the school sites and facilities part of this title;

7 (16) operate the schools of the district in accordance with the provisions of the school calendar part
8 of this title;

9 (17) establish and maintain the instructional services of the schools of the district in accordance
10 with the provisions of the instructional services, textbooks, vocational education, and special education
11 parts of this title;

12 (18) establish and maintain the school food services of the district in accordance with the provisions
13 of the school food services parts of this title;

14 (19) make reports from time to time as the county superintendent, superintendent of public
15 instruction, and board of public education may require;

16 (20) retain, when considered advisable, a physician or registered nurse to inspect the sanitary
17 conditions of the school or the general health conditions of each pupil and, upon request, make available
18 to any parent or guardian any medical reports or health records maintained by the district pertaining to the
19 child;

20 (21) for each member of the trustees, visit each school of the district not less than once each
21 school fiscal year to examine its management, conditions, and needs, except trustees from a first-class
22 school district may share the responsibility for visiting each school in the district;

23 (22) procure and display outside daily in suitable weather on school days at each school of the
24 district an American flag that measures not less than 4 feet by 6 feet;

25 (23) provide that an American flag that measures approximately 12 inches by 18 inches be
26 prominently displayed in each classroom in each school of the district, except in a classroom in which the
27 flag may get soiled. This requirement is waived if the flags are not provided by a local civic group.

28 (24) adopt and administer a district policy on assessment for placement of any child who enrolls
29 in a school of the district from a nonpublic school that is not accredited, as required in 20-5-110; ~~and~~

30 (25) upon request and in compliance with confidentiality requirements of state and federal law,

1 disclose to interested parties school district student assessment data for any test required by the board of
2 public education; and

3 ~~(25)~~(26) perform any other duty and enforce any other requirements for the government of the
4 schools prescribed by this title, the policies of the board of public education, or the rules of the
5 superintendent of public instruction."

6

7 ~~NEW SECTION. Section 3. Effective date. (This act) is effective on passage and approval.~~

8

-END-