

Unofficial Draft Copy

As of: March 7, 2002 (9:49AM)

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**** Bill No. ****

Introduced By *****

By Request of the *****

A Bill for an Act entitled: "An Act promoting cooperation between the Legislature and the Montana Board of Regents of Higher Education through the adoption of policy goals, accountability criteria, and measurement standards for the Montana university system; and recognizing the diversity of higher education in Montana and encouraging the board of regents of higher education to work cooperatively with those accredited public and private colleges and proprietary postsecondary institutions not under the control of the state to ensure educational opportunity and academic excellence in Montana."

WHEREAS, Article VIII, section 12, of the Montana Constitution vests in the Legislature the responsibility to ensure strict accountability of all revenue received and spent by the state, counties, cities, and towns and all other local governmental entities; and

WHEREAS, Article X, section 9, of the Montana Constitution vests in the Board of Regents of Higher Education the full power, responsibility, and authority to supervise, coordinate, manage, and control the Montana University System and to supervise and coordinate other public institutions assigned to it by law; and

WHEREAS, in recognition of the diversity of higher education in the state and of the contributions made by accredited public and

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private postsecondary institutions not under the control of the state, the Legislature encourages the Board of Regents to work cooperatively with Montana's community colleges, tribal colleges, private colleges and universities, and accredited proprietary postsecondary institutions to ensure that educational opportunity and academic excellence is available to all Montana citizens; and

WHEREAS, pursuant to its constitutional responsibility to ensure strict accountability of all revenue received and spent by the state, counties, cities, and towns and other local governmental entities, it is the intent of the Legislature to work with the Board of Regents in the adoption of mutually agreed upon state policy goals, accountability criteria, and measurement standards to ensure that public money invested in the Montana University System is expended in a prudent manner.

Be it enacted by the Legislature of the State of Montana:

NEW SECTION. Section 1. Policy on higher education -- legislative intent. (1) The legislature recognizes that higher education in Montana consists of more than the system and acknowledges the educational opportunities and academic excellence provided by those accredited public and private colleges and universities and proprietary postsecondary institutions not under the control of the state, including the state's community colleges, tribally controlled public community colleges, private colleges and universities, and accredited proprietary postsecondary institutions.

(2) It is the intent of the legislature that the board of

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regents strive to the fullest extent possible to work cooperatively with the public and private postsecondary colleges, universities, and institutions not under the control of the state to ensure academic excellence and opportunity, to encourage the intellectual curiosity and creativity of Montana's citizens, to facilitate the individual need for personal fulfillment and public service, and to provided a well-educated and highly trained workforce for Montana's industry and commerce.

NEW SECTION. Section 2. System state policy goals -- accountability criteria -- measurement standards -- legislative intent. (1) Pursuant to the legislature's responsibility under Article VIII, section 12, of the Montana constitution to ensure strict accountability of all revenue received and spent by the state, counties, cities, and towns and other local governmental entities and in recognition of the board of regents constitutional authority under Article X, section 9, of the Montana constitution to supervise, coordinate, manage, and control the system and other public institutions assigned by law, it is the intent of the legislature to work with the board of regents to adopt mutually agreed upon system state policy goals, accountability criteria, and measurement standards to ensure that public money invested in the system is expended in a prudent manner.

(2) Statement of System state policy goals....[as adopted by the Subcommittee];

(3) List of system accountability criteria [as adopted by the Subcommittee].

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(4) Description of system measurement standards [as adopted by the Subcommittee].

NEW SECTION. **Section 3. Notification of community colleges, private colleges and universities, tribally controlled community colleges, and tribal governments.** The secretary of state shall send a copy of [this act] to the president of each Montana community college and private college or university, to each Montana tribally controlled public community college, and to the presiding officer of those tribal governments in Montana that operate a tribally controlled public community college.

NEW SECTION. **Section 4. {standard} Codification instruction.** [Sections 1 and 2] are intended to be codified as an integral part of Title 20, chapter 25, and the provisions of Title 20, chapter 25, apply to [sections 1 and 2].

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{Name : Eddye McClure
Title : Staff Attorney
Agency: Legislative Services Division
Phone : 444-3804
E-Mail: emcclure@mt.gov}