SB 329
Senator Zinke – 2011 Se

K-12 BASE AID

Increases the basic and per-ANB entitlements by 1% in FY 2012 and by 2.43% in FY 2013 (The latter was dependent upon HB 316 failing which it did)

School District Budgets

Limits the amount of unreserved fund balance that a district may reappropriate to fund the general fund budget to 15% of the maximum general fund budget, effective for school budgets for FY 2012 and after. In FY 2012, districts must remit the excess fund balance to the state general fund. Beginning in FY 2013, the excess funds must be remitted to the state where 70% goes to the state guarantee account provided in 20-9-622, 5% goes to the newly established state school oil and natural gas impact account, and 25% goes to the counties for deposit in a newly established county oil and natural gas impact fund in each affected county. (This provision terminates on June 30, 2016.)

Limits the amount of oil and natural gas production taxes that a school district may receive to 130% of the district's maximum general fund budget. In FY 2012, the Department of Revenue will pay districts up to the limitation and deposit any amount in excess of the limitation to the state general fund. Beginning in FY 2013, the excess will be split among the state guarantee account (70%), the county school oil and natural gas impact fund (25%), and the state school oil and natural gas impact account. (This provision terminates on June 30, 2016.)

Requires a school district receiving oil and natural gas production taxes to budget in the district general fund a minimum percentage of the total oil and natural gas production taxes received by the district in all funds in the prior year. The required minimum receipts to be budgeted are 25% for FY 2012, 35% for FY 2013, and 45% for FY 2014. For FY 2015 and subsequent years, districts must budget 55% of the prior year oil and natural gas production tax receipts. During the year, the oil and natural gas production taxes received by the district must be deposited in the general fund until the budgeted amount is reached. The school district may deposit any additional oil and natural gas production tax revenues it receives in any budgeted fund of the district. (This provision terminates on June 30, 2016.)

Allows a school district to make a one-time transfer of general fund money in excess of 15% of the FY 2011 general fund budget that is not needed to fund the general fund to any budgeted fund of the district. The transfer must be made by June 30, 2011.

Requires a school district to report to the Education and Local Government Interim Committee of the legislature if the district adopts a budget amendment that in combination with any other budget amendments exceeds 10% of the district's adopted general fund budget. The report must include an explanation of why the budget amendment is necessary.

Allows the school district trustees to impose an over-BASE levy without voter approval if the levy amount does not exceed the over-BASE levy amount authorized by the voters in any of the previous five years.

School Facility Reimbursements

Provides the school facility reimbursements under 20-9-371, MCA, are paid from the state's School Facility and Technology Account. Payments were previously made from the state general fund. The change does not affect the amount or distributions of money to eligible school districts.

School District Block Grants

Eliminates the annual 0.76 % inflator for school district block grants provided in 20-9-630, MCA.

State and County Impacts from Oil and Natural Gas Production

Establishes a state school oil and natural gas impact account. The funds will be distributed by the State Superintendent to applicant school districts that do not receive oil and natural gas production tax money but that are impacted by contiguous counties that benefit from oil and gas receipts. Applications will be awarded based on need and impacts, among other criteria.

Establishes a county school oil and natural gas impact fund at affected counties. The funds will be distributed by the Department of Revenue to the affected counties for deposit into the fund. Counties may award money to school districts when a district receives 30% or less of the district's four-year average oil and natural gas production tax receipts; the average price of oil is $50 or less for the fiscal year, or the production of oil in the county drops 50% or more below the county's five-year average production. Counties may retain 20% of the funds to pay outstanding capital project bonds or other expenses incurred prior to the reduction in price; to offset property taxes; to promote diversification and economic development in the county; to attract new industry; or to provide cash incentives for expanding the employment base in the impacted area.

Pathway to Excellence Program

Establishes the Pathway to Excellence Program to promote educational excellence in Montana's public schools through data-driven decision making and to maintain a focus on continuous improvement and increased academic achievement for public school students.

Requires the Office of Public Instruction (OPI) to develop on its website an educational data profile for each district, which contains:

- school district contact information and links to district websites, when available;
- state criterion-referenced testing results;
- program and course offerings;
- student enrollment and demographics by grade level; and
- graduation rates.

Requires each school district to annually report to the OPI and post on its website the following district information for the previous school year

- the number and type of employee positions, including administrators;
- the total amount of compensation paid to each school district employee by the district, including the employee's base wage or salary, overtime pay, and other income from school-sanctioned extracurricular activities, including coaching and similar activities; and
- the certification held by and required of each employee;
- the student-teacher ratio by grade;
- the amount spent by the district for operation and maintenance, stated in total cost and cost per square foot;
- the amount of principal and interest paid on bonds;
- the total district expenditures per student;
- the total budget for all funds;
- the total number of students enrolled and the average daily attendance;
- the total amount spent by the district on extracurricular activities and the total number of students that participated in extracurricular activities; and
- the number of students that entered the 9th grade in the school district but did not graduate from a high school in that district and for which the school district did not receive a transfer request.

Requires each school district to post on its website a copy of every working agreement the district has with any organized labor organization and the district's costs, if any, associated with employee union representation, collective bargaining, and union grievance procedures and litigation resulting from union employee grievances.

Requires the Office of Public Instruction to implement a data collection plan to reduce redundant data requests, increase access to and use of data from centralized data systems, and promote transparency in reporting to schools, school districts, communities, and the public.

Requires the OPI to gather, maintain, and distribute longitudinal, actionable data in the 10 essential data areas identified by the Data Quality Campaign.

- statewide student identifier;
- student-level enrollment data, including average daily attendance;
- student-level statewide assessment data;
- information on untested students;
- student-level graduation and dropout data;
- ability to match student-level K-12 and higher education data;
- a statewide data audit system;
- a system to track student achievement with a direct teacher-to-student match to help track, report, and create opportunities for improved individual student performance;
- student-level course completion data, including transcripts, to assess career and college readiness; and
- student-level ACT results, scholastic achievement test results, and advanced placement exam data.

By June 30, 2013, the OPI must begin presenting longitudinal data on academic achievement and develop plans for measuring growth based on the statewide student assessment.

Multidistrict Cooperatives

Allows cooperative purchasing contracts between school districts to purchase supplies and services without complying with bid requirements if the group maintains an updated, publicly available master list of supplies and vendors. The group must allow vendors to compete twice yearly for inclusion on the master list.

Authorizes two or more school districts to create a multidistrict cooperative to perform any services, activities, and undertakings of the participating districts.

Members of multidistrict cooperatives may transfer moneys from any budgeted funds of the district to the prime agent (host) district of the cooperative for deposit into the interlocal agreement fund. Moneys must be used for the same purpose as the fund from which the transfer is made, and transfers must be made within the budget of the transferring fund(s). Districts may not tax to replace the funds transferred to a multidistrict cooperative.

SB 329 and HB 2 appropriated a total of $2 million for the biennium for one-time payments to districts participating in multidistrict cooperatives as of December 31, 2012. Payments will be allocated to districts based on the proration of each district's FY 2013 BASE budget to the total of BASE budgets for all districts participating in multidistrict cooperatives. Funding may be, but is not required to be, used to fund cooperative efforts.

Montana Digital Academy

Changes the name of the Montana Virtual Academy to the Montana Digital Academy (MTDA).