MASBO Legislative Update

April 30th, 2025

<u>HB 15</u>K12 Inflation

- Inflation officially sets the inflationary increase for the next three years at 3% each. The other two bills are tied to the school supplemental appropriations.
- HB 3 and HB15 are in the Senate and HB4 is still in house (appropriations bill)
- Make sure you use updated <u>GF spreadsheet</u> on OPI website and put 1 in par tab.
- HB18 Non-levy revenue in school equalization and property tax relief account.
 - This account was established last legislative session <u>20-9-</u> <u>336, MCA</u>
 - Proceeds from Bentonite mines and other sources split between schools and counties.
 - No school operational changes required.

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 <u>HB20</u> Requires voted levies to be in dollars rather than Mills

HB22 Align home value amounts for school district property tax impact statements

- Cleanup bill notice of intent to increase non voted levies includes \$100,000, \$300,000 and \$600,000 homes
- Update Notice of Intent to Increase/Decrease Non-Voted Levies Notices for March 2026.

<u>HB24</u> Clarify laws related to kindergarten

- Clean up bill, no changes to standard operations.
- No school operational changes required.

- HB28 Clarify timelines and opening procedures for public charter schools
 - Clean up bill requested from the Board of Public Ed
 - Only applies if you are opening a charter school.

<u>HB32</u> Allow audio and video recording of public events

- Allows schools to make audio and video recordings of students without parental consent when the recording is for a public performance, athletic competition, preparation, dress rehearsal, or practice of an event open to the public.
- No school operational changes required.
- <u>HB60</u> Generally revise state auditor laws clarified laws for the state school heath trust.
 - No school operational changes required.

<u>HB67</u> Generally revise laws related to the administration of TRS

- TRS cleanup bill
- Inclusion of the word paraprofessional
- Expanded definition of extra duty service to include non-educational duties assigned to a teacher, aide, para, or administrator for student supervision during school functions.
- Inclusion in our monthly reports of those non electing to join TRS- subs and aides with less than 210 hours.
- All TRS eligible employees must make an irrevocable written decision to join or defer enrollment until reaching 210 days of service in any fiscal year on their first day of employment.
- Once they hit 210 hours, their active enrollment begins the following month.
- Employer retains election forms permanently.
- If a sub, para, or aide reaches 210 hours in a year and wants to buy back service they can do so for the year in which they reached the 210 hours, but they must pay both the employee and employer contributions, plus interest.
- Discussion with staff with split enrollment PERS/TRS for future contributions.
- Ensure forms are signed by all employees upon employment and retained permanently.

<u>HB121</u> Provide privacy in certain restrooms, changing rooms, and sleeping quarters:

- Does affect public schools
- Multi-occupancy bathrooms must be designated male or female
- Make reasonable steps to provide individuals privacy from the opposite sex. Exemptions include:
 - Custodial Duties
 - Medical Assistance
 - Law Enforcement
 - Aid in the event of a natural disaster or declared emergency
 - Accommodating individuals protected under the Americans with Disabilities Act, assisting young children, or elderly persons.
- Overnight trips- students will not be required to sleep with those of the opposite sex unless the individual is a family member.
- Doesn't prohibit single-occupancy restrooms, changing rooms or sleeping quarters.
- Legal Action- must be brought within two years of the violation, includes attorney fees
- Policy/Procedure updates most likely needed.

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HB158 Revising working retiree provisions under TRS

- Employee can return to work for five years without losing TRS benefits if the district can prove it cannot find a qualified applicant.
- Sunsets in 2029

<u>HB167</u> Generally revise election laws

- No longer required to post absentee voter lists if holding a poll election
- HB234 Extend the use of funding for lead-in-schools appropriated in 2023
 - Apply for and use these funds!

- HB260 Revise teacher stipends for national board certification
 - Stipend shifts from \$1,500 to 50% of the QEP or
 - For teachers who qualify and work in a high poverty area or an impact aid school, the payment shifts from \$2,500 to 85% of the QEP.
 - May require updates to CBA/Master Agreements

HB300 Generally revise laws related to discrimination in education

- May not allow male students to play in female athletics
- Matches locker room and bathroom language in HB121.
- Most likely will require school policy and procedures updates.

<u>HB357</u> Provide funding for middle school career and technical education

- \$5,000 Carl Perkins Loans for small districts- maximum
 \$240,000 appropriation
- First come, first served
- Application Information will be released by OPI

<u>SB34</u> Clarify laws related to K-12 school districts

- Clean up bill , no changes for schools
- No school operational changes required.

SB35 Clarify enrollment counts for early literacy jumpstart program

- A non-resident student could participate in a jump-start (summer) intervention program without being held to the open enrollment / tuition requirements
- If the student participates in jump start as an out of district student, the district that provided the jump start program will receive the .25 ANB for that non-resident student.
- There is no exchange of tuition in this open enrollment situation

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- <u>SB37</u> Clarify calculations for significant enrollment increases
 - Clarification-All enrollment increases under this subsection (2) must be calculated separately for each budget unit of a school district

<u>SB115</u> Revise election laws related to public notices

Changes election notices combining two of three deadlines.

<u>SB211</u> Revise emergency use of epinephrine in school setting to include nasal spray

- Epinephrine nasal spray
- May require Policy/Procedure Updates and staff training

<u>SB242</u> Revise election laws related to ballot form and uniformity

- Can print the words official ballot instead of stamping
- Effective upon passage and approval

HB62 Generally revise laws related to the administration of MPERA

- Defines allowance and designates allowances and per diem are not considered compensation for PERS
- Members who no longer are employed and want to obtain disability retirement must apply within 12 months of termination.
- At normal retirement age, medical examination is no longer required to retain benefits.
- Employer reporting errors corrected later must be accompanied by the contributions and interest
- IRS cleanups
- Survivor benefits for an inactive member who completed less than 20 years of membership service is a lump sum payment of the member's contributions to the member's credit.

HB125 Revise laws related to the conduct of school district elections

 Allows county election administrators to use county election judges for school elections, even if they don't live in the school district boundaries.

<u>HB153</u> Revise laws related to the school funding interim commission.

Decennial Study Bill

- HB156 Revise education funding laws by replacing school district BASE levies with countywide BASE levies
 - Countywide equalization of mills
 - MTSBA calculations spreadsheet

- HB168 Provide state funding for preschool children with disabilities
 - This bill would expand ANB funding for special education preschool students, 3- and 4-year-olds. As presented by OPI in the hearing, approximately 900 students statewide, 700 FTE students. Approximate cost \$3.7M
- HB226 Provide for a legal employment and government accountability law
 - All employers must use <u>E-Verify</u> before an employee may start

<u>HB250</u> Generally revise education laws related to outof-district attendance.

- Tuition Clean Up Bill
- Touches on transportation, non-operating districts, remote instruction, foster and court placement, and clarifies denials based on class size or teacher contract hours

HB251 Generally revise laws related to public charter schools

- Charter cleanup bill
- OPI will provide the Board of Education an estimate of costs for each application prior to their review.
- Limits the number of approvals based on state set appropriations
- May not charge discretional tuition but may charge the resident district for a child with disabilities
- Public charters may receive donations for innovative educational programs.

<u>HB252</u> Create the student and teacher advancement for results and success act (STARS)

- See STARS act presentation
- Passed Senate Education Committee, most likely will be referred to Senate Finance and Claims next.

HB266 Establish education inflation reconciliation process

- Establishes a process by which the inflationary cap can be increased.
- HB338 Revise laws regarding targeted early numeracy intervention
 - Students may now be accessed at any time, not just in April, May and June.
 - Inclusion of Math literacy
 - Jumpstarts for either reading or math garner an additional .25 ANB

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- <u>HB340</u> Establish Montana's BEST program to bolster educator support and training
 - State teacher mentorship program
 - \$2500 stipend for mentorship teachers
 - In the House (appropriations bill)
- <u>HB343</u> Require schools to provide religious instruction released time program
 - Must release students for religious studies and may award credits
 - Issued at parent request.
 - Boards must allow at least one hour per week
 - In the Senate

<u>HB349</u> Revise TRS laws related to reemployment

- Allows TRS retirees to work for OPI for five years without losing any retirement benefits.
- Sunsets in 2031

<u>HB359</u> Generally revise TRS laws on when retired teachers can return to work after retirement

 Teachers can return to mentor new teachers without jeopardizing retirement benefits

HB384 Change dates to apply for speech language assistant licensure

Would help with licensing for speech language assistants

<u>HB400</u> Enact the "Free to Speak Act"

- Students and staff cannot be disciplined for not using or identifying pronouns, addressing another student or staff member by a name other than their legal name, etc.
- HB406 Revise election laws related to school election deadlines
 - Changes ballot certification deadline
 - Changes resolution calling for an election
 - Changes candidate filing dates

<u>HB449</u> Eliminate statutory reference to the adult basic education fund and its distribution

Shifts from OPI to Dept of Labor who says they will continue state match.

<u>HB462</u> Encourage academic excellence through high-quality instructional materials

- Process for OPI to select and recommend curriculum
- Schools may receive incentives for using these, but are not required

HB471 Revise education laws related to human sexuality and identity instruction

- Advanced notice and an opt out provision for parents when providing human sexuality instruction
- Identity instruction requires an opt-in procedure for parents

HB483 Revise laws to reduce property taxes while preserving the current 95 school equalization mills

- Puts the 95 mills debate to bed
- Outlines how increased revenues will be used to decrease local levies
- Increases transportation rates more than HB405 (see page 24)
- 50/50 state county split of transportation turns into 75/25 for on-schedule

<u>HB499</u> Extend the grow your own grant program

- Grant program through commissioner of higher ed, must be a higher ed institution in collaboration with a school district
- Encourages students to go into teaching-\$5K per year, no more than \$10K total per student
- Extends the program to 2029

HB509 Revise the quality educator loan forgiveness program to expand eligibility

Focuses funds on teachers in impacted schools first.

 <u>HB515</u> Generally revise laws relating to school facilities consolidating two existing state special revenue accounts

- Combining the school facilities and the school technologies funds at the state level
- From \$15K per district to \$40K per district, from \$110 per ANB to \$115 per ANB in the SMMA box.

HB527 Revising the process for written plans of conduct for mail elections

- No longer need to submit mail ballot plans to secretary of state
- Must be posted on website 60 days prior to election.

<u>HB551</u> Eliminate reduced-price copayments for school lunch and breakfast

 OPI to distribute replacement funds to districts who chose not to charge students who are deemed as "reduced price" in their application

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HB567 Revise education laws related to multidistrict agreements

- Incentives provided when ALL districts in the county enter into a multidistrict agreement
- Begins July 2027.

HB573 Revise transformational learning laws to create a phase II grant program

- Current transformational learning grants sunset June of 2026.
- All current grant participants can apply for Phase II, but there are limited spaces.

<u>HB591</u> Institute the celebrate freedom week in Montana's public schools

- Last full week in Sept as Freedom Week
- Must adopt a policy for commemorative exercise as listed in the law (pg3)

<u>HB599</u> Revise student data collection laws

- Parents can opt out of any data collection of student information without personal identifying information (PII)
- Parents can opt in when PII is included
- A parent must be notified of the right to opt out of any physical and mental health surveys and screenings of their child. A parent must be notified of any issues or concerns resulting from a physical and mental health survey or screening of their child.

HB600 Authorize emergency use of albuterol in a school setting

- Schools can keep albuterol for emergency situations
- May require a policy change/update: "Authorized personnel" means an employee or agent identified by a school who is approved by the school administrator to administer a stock medication in a school setting or at a related activity

<u>HB602</u> Require school district personnel to inform board of trustees of reductions in force

- Identifies nonrenewal of a non-tenured teacher for financial reasons
- Still states that this is a non-renewal without case

HB606 Revise school district reorganization laws

- Already in the law, changes the word consolidate to reorganize
- No incentives, no requirements

<u>HB628</u> Revise early literacy targeted intervention laws

- Adds math and scholastic to literacy language
- Scholastic is deemed a comprehensive competency in a variety of academic standards and developmental domains necessary to prepare a child to be successful in the child's primary, secondary, and postsecondary pursuits
- Defines "on target" student who can also be added to a classroom of intervention students (1:3 ratio) and earn additional ANB for jumpstart or early intervention (prior to Kinder).
- Clean up on the assessment time-period.
- More extensive than HB 338

<u>HB631</u> Revise student online protection laws related to postsecondary opportunities

 Student privacy laws to restrictive for 3rd party contractors offering free curriculum to schools in work experience learning areas.

<u>HB651</u> Allow for temporary door locks during emergency situations

- Allows for devices that were formally restricted due to fire codes
- Very specific in the bill on what devices qualify
- For use in lockdown and other emergency situations only
- <u>HB669</u> Revise laws related to educating children receiving in-state inpatient treatment of serious emotional disturbances
 - Impacts significant needs grants for IDEA
 - In the Senate

HB676 Generally revise state land and water laws

May remove water rights from state lands, impacting school funding

<u>HB719</u> Revise election laws related to an elector's date of birth

- Requires DOB to be on the signature envelope
- May increase provisional ballots until voters are used to it

<u>HB745</u> Require background checks for certain school employees and volunteers

- Background checks for all volunteers and employees
- I spoke with Department of Justice, and they don't see any issue with standard operating procedure

<u>HB770</u> Revise candidate campaign finance reporting laws

- Candidates will file reports even if they have no contributions or expenditures.
- Failure to do so will result in the candidate's name not being placed on the ballot.

HB744 Authorize speech-language pathology aides and audiology aides

 Lessens the requirements for aides to work as speech path or audiologist aide

<u>HB819</u> Revise laws relating to flag displays in and on state buildings and grounds

- Limits the types of flags or other banners that can be put in schools
- No flags or banners may be displayed on state property that represent a political viewpoint, including but not limited to flags or banners regarding a political party, race, sexual orientation, gender, or political ideology
- The bill has a list of allowable flags.

HB861 Provide statewide access to a K-12 digital toolkit

- This is for an appropriation for Discovery Education
- Originally it was paid for from OPI ESSER money

<u>HB 869</u> Provide for the sudden cardiac arrest prevention in youth sports

Starting in the 2026-2027 school year, schools with athletic programs must establish a cardiac emergency response plan that includes specific protocols for responding to cardiac emergencies, training for staff in CPR and the use of automatic external defibrillators, and annual drills.

<u>SB56</u> Supplemental employer contribution for PERS, HPORS, SRS, GWPORS

The percentage of compensation to be contributed is 0.1% for fiscal year 2026 and increases by 0.1% each fiscal year through fiscal year 2035

<u>SB57</u> Revise county canvassing processes

- comparing the number of votes cast to the number of electors and number of persons who voted
- If during a canvass the board finds that the votes returned for any candidate or ballot issue exceeds the number of electors or the total number of persons who voted in a precinct or finds any error affecting the accuracy of vote totals, the board shall immediately investigate the discrepancy or error until the discrepancy or error is reconciled and documented or is determined to have no impact on the outcome of the election
- The investigation must be concluded in 2 days)
- Tied to <u>SB 58</u> which was already signed by the Governor.

<u>SB105</u> Generally revise election laws related to electioneering at polling locations

- A From the start of in-person absentee voting as provided in 13-1-404, 13-1-503, 13-13-205, and 20-20-401, and until the last person in line at a polling location on election day has voted or the polls close, whichever is later, a person may not do any electioneering on election day within any polling place or any building in which an election is being held or within 100 feet of any entrance to the building in which the polling place is located that aids or promotes the success or defeat of any candidate or ballot issue to be voted upon on at the election.
- No buttons, etc.
- Applies to all elections held after July 1st 2025.

<u>SB107</u> Provide for human trafficking prevention education in public schools

OPI to develop training

<u>SB181</u> Generally revise Indian education for all laws

- The board shall utilize the specialist services of Indian language and culture specialists licensed under the rules of the board of public education to the greatest extent possible.
- OPI to create online portal for parent, students and staff feedback
- Schools failing to use the IEFA funds or meet the outlines of the law will be listed on the OPI website.

- <u>SB182</u> Generally revise MT Indian language preservation program
 - Changes wording from schools to educational entities making it broader
 - Includes professional development
- <u>SB245</u> Provide for human trafficking awareness training for school bus drivers
 - OPI to develop course for all bus drivers

- <u>SB258</u> Revise school funding laws to clarify the legislature's authority related to inflationary adjustments
 - Allows the inflationary rate to go over 3%
- SB278 Revise education laws to support advanced opportunities
 - Defines an Advanced Opportunities Facilitator
 - Can use 20% advanced opportunities funds for this position
 - They also qualify for a QEP

<u>SB297</u> Generally revise privacy laws

 Excludes data for use in postsecondary and work-based learning courses.

SB350 Revise participation in extracurricular activities

 Prohibits homeschool participation in extracurriculars who are not US citizens

<u>SB360</u> Revise election laws related to definitions

Updates elections definitions

SB369 Strengthen suicide prevention efforts in schools

Annual training is required, not recommended if passed –
 2hrs every 5 years

<u>SB437</u> Revise definition of sex in Montana law

- Defines male and female
- May have implications for schools, athletics, etc.
- SB440 Revising election laws related to reporting election results
 - Election administrator creates a spreadsheet with list in law (pg 1 and 2)
- <u>SB486</u> Revise equal opportunity education savings account funding
 - OPI will pay for first year if students move around.

House Bills

- <u>HB231</u> Shifts tax burdens to short term rentals and lowers the total amount of income in the upcoming year.
 - In Conference Committee, awaiting hearing.

House Bills

- <u>HB381</u> Provide for educational credit for students volunteering in long term care, nursing home, home care, and childcare settings
 - 11th or 12th graders who are employed or volunteer at any of the above my earn credit for every 250 hours worked, up to two credits
 - Governor returned to the House with amendments.
 Awaiting 2nd reading.
- HB451 Revise tax increment financing districts to exclude debt service and certain school levies
 - Release's school district mill levies and debt service levies on general obligation bonds from TIFS and TEDD
 - Passed the Senenate, returned to the House with amendments.

Senate Bills

<u>SB 260</u> Provide for alteration of service district boundaries

- This bill would carve out a section of the Ennis School District (Madison County) and re-boundary that area for Big Sky School district
- Passed Committee, scheduled for 3rd reading in the House.
- <u>SB474</u> Require acceptance of religious and personal medical exemptions to required immunizations
 - Allows for medical or religious exemptions
 - Either only requires an affidavit from the parents
 - In the House on 2nd reading.