



# MONTANA LEGISLATIVE BRANCH

## Legislative Fiscal Division

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**Director**  
AMY CARLSON

DATE: July 2, 2012

TO: Montana School Districts

FROM: Robert Miller, Fiscal Analyst, Legislative Fiscal Division

RE: Fiscal Analysis of the proposed amendments to Chapter 55 Standards of Accreditation.

The state superintendent has submitted its final recommend amendments to Chapter 55 Standards of Accreditation to the Board of Public Education (BPE). The BPE is set to take final action on the recommended changes in September 2012.

Prior to that date the Legislative Fiscal Division (LFD), in accordance with MCA 20-7-101, is required to complete a fiscal analysis of the proposed changes. This fiscal analysis will be delivered to the Education and Local Government Committee and will be made available to the legislature and budget office for consideration. It is very important that your views are part of the process.

Earlier last month, the LFD sent each of the superintendents a questionnaire concerning potential impacts of these changes. This memo is a follow up with additional and more specific questions related to several of the amendments that LFD believes may impose additional expenses on the school districts. Please respond and be as quantitative as possible (please itemize your responses). In addition, you should review all of the changes to the standards and comment on any other changes you feel may impact your school or district financially.

You can view all of the changes at: <http://opi.mt.gov/Programs/Accred/Chapt55.php>

Please provide your input not later than July 30<sup>th</sup>.

Thank you for your help.

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## **Questions for amendments to Chapter 55**

### **Changes to 10.55.606** (Standards of Accreditation)

In addition to assurance standards accreditation will also depend on student performance. Student performance will be based on:

- Math average scores for all students' grades 3-8 and 10<sup>th</sup>.
- Reading average scale score for all students grades 3-8 and 10<sup>th</sup>.
- Science average scale score for all students grades 4, 8, and 10
- Graduation rates for high schools.

In regard to these changes, what expenses will your schools incur related to

1. Professional development to increase student performance
2. New programs or changes to existing programs designed to improve student performance
3. Administrative costs
4. Other costs

### **Changes to 10.55.701 (4), (5) (Staff Evaluation and Mentoring)**

This is a new requirement for policies and procedures for the regular and periodic evaluation of all regularly employed school district employees. In addition there is a requirement for schools to establish teaching, mentoring, and induction programs to assist all licensed staff in meeting teaching standards. For your convenience the changes to 10.55.701 (5) are provided below. Please comment on incremental expenses your district may incur related to these changes in the areas of:

1. Professional development (Teachers, Principals and any other administrative staff).
2. Administrative costs
3. Other costs

Specifically, please review your district's current evaluation instrument and compare it to the new guidelines in the amended rules.

To comply with the new rules:

- Will your district be able to keep the current evaluation instrument, or need to modify or adopt a completely new instrument all together? With any of these possibilities, will your district have to provide professional development to both teachers and principals (who will be doing the evaluations in most cases).
- Is your current teacher evaluation process included in your district's collective bargaining agreement? How will this impact those agreements?
- Does your district currently have a mentoring and induction program? Will you need to modify or create a mentoring and induction program and what cost will be associated with these changes?

#### *Amendments*

(a) The evaluation system for licensed teachers used by a school district shall include an assessment of the extent to which the teacher:

(i) understands how learners grow and develop, recognizing that patterns of learning and development vary individually within and across the cognitive, linguistic, social, emotional, and physical areas, and designs and implements developmentally appropriate and challenging learning experiences;

(ii) uses understanding of individual differences and diverse cultures and communities, including American Indians and tribes in Montana, to ensure inclusive environments that enable each learner to meet high standards;

(iii) works with others to create environments that support individual and collaborative learning, and that encourage positive social interaction, active engagement in learning, and self-motivation;

(iv) understands the central concepts, tools of inquiry, and structures of the discipline(s) he or she teaches and creates learning experiences that make the discipline accessible and meaningful for learners to assure mastery of the content;

(v) understands how to connect concepts and use differing perspectives to engage learners in critical thinking, creativity, and collaborative problem solving related to authentic local and global issues;

(vi) understands and uses multiple methods of assessment to engage learners in their own growth, to monitor learner progress, and to guide the teacher's and learner's decision making;

(vii) plans instruction that supports every student in meeting rigorous learning goals by drawing upon knowledge of content areas, curriculum, cross-disciplinary skills, and pedagogy, as well as knowledge of learners and the community context;

(viii) understands and uses a variety of instructional strategies to encourage learners to develop deep understanding of content areas and their connections, and to build skills to apply knowledge in meaningful ways;

(ix) engages in ongoing professional learning and uses evidence to continually evaluate his/her practice, particularly in the effects of his/her choices and actions on others (learners, families, other professionals and the community), and adapts practice to meet the needs of each learner;

(x) seeks appropriate leadership roles and opportunities to take responsibility for student learning, to collaborate with learners, families, colleagues, other school professionals, and community members to ensure learner growth, and to advance the profession; and

(xi) demonstrates understanding of and ability to integrate history, cultural heritage, and contemporary status of American Indians and tribes in Montana.

(b) The evaluation system for licensed administrators used by a school MAR Notice No. 10-55-261 district shall include an assessment of the extent to which the administrator:

(i) facilitates the development, articulation, implementation, and stewardship of a school or district vision of teaching and learning supported by the school community in order to promote the success of all students;

(ii) promotes a positive school culture, provides an effective instructional program, applies best practice to student learning, and designs comprehensive professional growth plans for staff in order to promote the success of all students;

(iii) manages the organization, operations, and resources in a way that promotes a safe, efficient, and effective learning environment in order to promote the success of all students;

(iv) collaborates with faculty, families, and other community members, responds to diverse community interests and needs, including American Indian communities in Montana, and mobilizes community resources in order to promote the success of all students;

(v) acts with integrity, fairness, and in an ethical manner in order to promote the success of all students; and

(vi) understands, responds to, and ethically influences the larger political, social, economic, legal, and cultural context in order to promote the success of all students.

(c) Establish mentoring and induction programs to assist licensed staff in meeting teaching standards as defined in ARM 10.55.701(4)

## **New Rule 10.55.719 Student Protection Procedures (Anti-Bullying)**

The new rule is provided below. Please provide inputs on the incremental cost related to.

1. Development of new policies and procedures
2. Administrative Costs
3. Professional Development

### *Amendments*

(1) A local board of trustees shall adopt a policy designed to deter persistent threatening, insulting, or demeaning gestures or physical conduct, including an intentional written, verbal or electronic communication or threat directed against a student or students regardless of the underlying reason for such conduct, that:

(a) causes student physical or emotional harm, damages a student's property or places a reasonable fear of harm to the student or the student's property;

(b) substantially and materially interferes with access to an educational opportunity or benefit; or

(c) substantially and materially disrupts the orderly operation of the school.

(2) Behavior prohibited under (1) includes retaliation against a victim or witness who reports behavior prohibited under (1).

(3) "Persistent" as used in this rule can consist of repeated acts against a single student or isolated acts directed against a number of different students.

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(4) The behavior prohibited in (1) includes but is not limited to conduct:

(a) in a classroom or other location on school premises;

(b) during any school-sponsored program, activity, or function where the school is responsible for the student including when the student is traveling to and from school or on a school bus or other school-related vehicle; or

(c) through the use of electronic communication, as defined in 45-8-213, MCA, that substantially and materially disrupts the orderly operation of the school or any school-sponsored program, activity, or function where the school is responsible for the student.

(5) Each local board of trustees has discretion and control over the development of its policies and procedures regarding behavior prohibited under (1), but each district's policies and procedures must include at a minimum:

- (a) a prohibition on the behavior specified in (1), regardless of the underlying reason or reasons the student has engaged in such behavior;
- (b) a procedure for reporting and documenting reported acts of behavior prohibited under (1);
- (c) a procedure for investigation of all reports of behavior prohibited under (1)(a) that includes an identification of the persons responsible for the investigation and response;
- (d) a procedure for determining whether the reported act is subject to the jurisdiction of the school district or another public agency, including law enforcement, and a procedure for referral to the necessary persons or entity with appropriate jurisdiction;
- (e) a procedure for prompt notification, as defined in the district policy, of the alleged victim and the alleged perpetrator, or the parents or guardian of such students when the students are minors;
- (f) a procedure to protect any alleged victim of behavior prohibited under (1)(a) from further incidents of such behavior;
- (g) a disciplinary procedure establishing the consequences for students found to have committed behavior prohibited under (1); and
- (h) a procedure for the use of appropriate intervention and remediation for victims and perpetrators.