

OFFICE OF THE GOVERNOR
STATE OF MONTANA

GREG GIANFORTE
GOVERNOR



KRISTEN JURAS
LT. GOVERNOR

April 21, 2023

The Honorable Jason Ellsworth
President of the Senate
State Capitol
Helena, MT 59620

The Honorable Matt Regier
Speaker of the House
State Capitol
Helena, MT 59620

Dear President Ellsworth and Speaker Regier:

During this legislative session, we have successfully worked together to bring more innovation to education, expanding opportunities in personalized and work-based learning for Montana students.

As we continue working toward increasing innovation in education, I thank Representative Anderson for his thoughtful efforts with House Bill 458 to get career coaches into more schools to support students in their educational and career endeavors. Career coaches help students obtain valuable, insightful experiences through internships, apprenticeships, and other work-based learning opportunities.

House Bill 458 provides a definition for career coaches, including required education or work experience for school districts to hire them. House Bill 458 provides clarity for districts that a career coach does not have to be a licensed school counselor or educator.

I appreciate the intent of the bill. As currently written, however, the legislation can be improved to prevent an increase in regulations and red tape that will unnecessarily saddle school districts.

Therefore, in accordance with the power vested in me as Governor by the Constitution and the laws of the State of Montana, I hereby return with amendments House Bill 458: "AN ACT REVISING LAWS RELATED TO CAREER COACHES; PROVIDING A DEFINITION OF CAREER COACH; PROVIDING FOR DUTIES AND QUALIFICATIONS FOR A CAREER COACH; AND AMENDING SECTION 20-1-101, MCA."

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As currently written, House Bill 458 requires the Office of Public Instruction to certify career coaches, an obstacle that does not exist under current law. A new state certification requirement will create red tape and hurdles for districts seeking to hire career coaches.

The amendment I offer proposes striking references to certification while maintaining the overall substance and intent of the bill.

For this reason, I respectfully ask for your support of this amendment.

I appreciate the sponsor's work on House Bill 458 and his support of the amendments I offer.

Amending House Bill 458 will eliminate unnecessary red tape for our school districts and ensure districts can get career coaches more quickly and efficiently into our schools to better prepare our students for their future.

Sincerely,

A handwritten signature in blue ink, appearing to read "Greg Gianforte". The signature is stylized and cursive.

Greg Gianforte
Governor

Enclosure

cc: Legislative Services Division
Christi Jacobsen, Secretary of State

1 HOUSE BILL NO. 458
 2 INTRODUCED BY F. ANDERSON, E. MCCLAFFERTY, E. BUTCHER, J. KASSMIER, K. SULLIVAN, B.
 3 MITCHELL, S. KERNS, S. GIST, G. NIKOLAKAKOS, G. KMETZ
 4

5 A BILL FOR AN ACT ENTITLED: "AN ACT REVISING LAWS RELATED TO CAREER COACHES;
 6 PROVIDING A DEFINITION OF "CAREER COACH"; PROVIDING FOR DUTIES AND QUALIFICATIONS FOR
 7 A CAREER COACH; AND AMENDING SECTION 20-1-101, MCA."
 8

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

11 NEW SECTION. **Section 1. Career coaching for career technical education and K-12 career and**

12 **vocational/technical education -- duties** ~~qualifications for certification~~. (1) A high school district may
 13 utilize a career coach for educational and career counseling opportunities for students.

14 (2) A career coach may offer opportunities for internships or apprenticeships within a community
 15 and assist students with high school course offerings, career options, occupational training, and postsecondary
 16 opportunities associated with the student's field of interest within the career technical education and K-12
 17 career and vocational/technical education programs provided for in Title 20, chapter 7, part 3.

18 (3) To be eligible ~~for certification as to be~~ a career coach, a person must have:

19 (a) a bachelor's degree or a class 4 vocational, recreational, or adult education certificate in
 20 accordance with 20-4-106;

21 (b) an associate degree and have completed a minimum of 5,000 hours of documented, relevant
 22 work experience with recognized credentials, which may include apprenticeship training; or

23 (c) a high school diploma or high school equivalency diploma and have completed a minimum of
 24 10,000 hours of documented, relevant work experience with recognized credentials, which may include
 25 apprenticeship training.
 26

27 **Section 2.** Section 20-1-101, MCA, is amended to read:

28 **"20-1-101. Definitions.** As used in this title, unless the context clearly indicates otherwise, the

1 following definitions apply:

2 (1) "Accreditation standards" means the body of administrative rules governing standards such as:

3 (a) school leadership;

4 (b) educational opportunity;

5 (c) academic requirements;

6 (d) program area standards;

7 (e) content and performance standards;

8 (f) school facilities and records;

9 (g) student assessment; and

10 (h) general provisions.

11 (2) "Aggregate hours" means the hours of pupil instruction for which a school course or program is
12 offered or for which a pupil is enrolled.

13 (3) "Agricultural experiment station" means the agricultural experiment station established at
14 Montana state university-Bozeman.

15 (4) "At-risk student" means any student who is affected by environmental conditions that negatively
16 impact the student's educational performance or threaten a student's likelihood of promotion or graduation.

17 (5) "Average number belonging" or "ANB" means the average number of regularly enrolled, full-
18 time pupils physically attending or receiving educational services at an offsite instructional setting from the
19 public schools of a district.

20 (6) "Board of public education" means the board created by Article X, section 9, subsection (3), of
21 the Montana constitution and 2-15-1507.

22 (7) "Board of regents" means the board of regents of higher education created by Article X, section
23 9, subsection (2), of the Montana constitution and 2-15-1505.

24 (8) "Career coach" means a person who, ~~holds a valid certification pursuant to [section 1] that has~~
25 ~~been issued by the superintendent of public instruction under the provisions of Title 20 to provide pursuant to~~
26 ~~[section 1], provides career technical education or K-12 career and vocational/technical education~~
27 ~~postsecondary options to pupils in a district.~~

28 (8)(9) "Commissioner" means the commissioner of higher education created by Article X, section 9,

1 subsection (2), of the Montana constitution and 2-15-1506.

2 ~~(9)~~(10) "County superintendent" means the county government official who is the school officer of the
3 county.

4 ~~(10)~~(11) "District superintendent" means a person who holds a valid class 3 Montana teacher
5 certificate with a superintendent's endorsement that has been issued by the superintendent of public instruction
6 under the provisions of this title and the policies adopted by the board of public education and who has been
7 employed by a district as a district superintendent.

8 ~~(11)~~(12) (a) "Educational program" means a set of educational offerings designed to meet the program
9 area standards contained in the accreditation standards.

10 (b) The term does not include an educational program or programs used in 20-4-121 and 20-25-
11 803.

12 ~~(12)~~(13) "K-12 career and vocational/technical education" means organized educational activities that
13 have been approved by the office of public instruction and that:

14 (a) offer a sequence of courses that provide a pupil with the academic and technical knowledge
15 and skills that the pupil needs to prepare for further education and for careers in the current or emerging
16 employment sectors; and

17 (b) include competency-based applied learning through advanced opportunities, work-based
18 learning partnerships, and other experiential learning opportunities that contribute to the academic knowledge,
19 higher-order reasoning and problem-solving skills, work attitudes, general employability skills, technical skills,
20 and occupation-specific skills of the pupil.

21 ~~(13)~~(14) (a) "Minimum aggregate hours" means the minimum hours of pupil instruction that must be
22 conducted during the school fiscal year in accordance with 20-1-301 and includes passing time between
23 classes and, in an offsite instructional setting, includes time spent logging on and off an offsite learning
24 platform.

25 (b) The term does not include lunch time and periods of unstructured recess.

26 ~~(14)~~(15) "Offsite instructional setting" means an instructional setting at a location, separate from a main
27 school site, where a school district provides for instruction to a student who is enrolled in the district.

28 ~~(15)~~(16) "Principal" means a person who holds a valid class 3 Montana teacher certificate with an

1 applicable principal's endorsement that has been issued by the superintendent of public instruction under the
2 provisions of this title and the policies adopted by the board of public education and who has been employed by
3 a district as a principal. For the purposes of this title, any reference to a teacher must be construed as including
4 a principal.

5 ~~(16)~~(17) "Pupil" means an individual who is admitted by the board of trustees pursuant to 20-5-101 and
6 who is enrolled in a school established and maintained under the laws of the state at public expense. The
7 eligibility of pupils and calculations for average number belonging are governed by 20-9-311.

8 ~~(17)~~(18) "Pupil instruction" means the conduct of organized learning opportunities for pupils enrolled in
9 public schools while under the supervision of a teacher. The term includes any directed, distributive,
10 collaborative, or work-based or other experiential learning activity provided, supervised, guided, facilitated, or
11 coordinated under the supervision of a teacher that is conducted purposely to achieve content proficiency and
12 facilitate the acquisition of knowledge, skills, and abilities by pupils enrolled in public schools, and to otherwise
13 fulfill their full educational potential.

14 ~~(18)~~(19) "Qualified and effective teacher or administrator" means an educator who is licensed and
15 endorsed in the areas in which the educator teaches, specializes, or serves in an administrative capacity as
16 established by the board of public education.

17 ~~(19)~~(20) "Regents" means the board of regents of higher education.

18 ~~(20)~~(21) "Regular school election" or "trustee election" means the election for school board members
19 held on the day established in 20-20-105(1).

20 ~~(21)~~(22) "School election" means a regular school election or any election conducted by a district or
21 community college district for authorizing taxation, authorizing the issuance of bonds by an elementary, high
22 school, or K-12 district, or accepting or rejecting any proposition that may be presented to the electorate for
23 decision in accordance with the provisions of this title.

24 ~~(22)~~(23) "School food services" means a service of providing food for the pupils of a district on a
25 nonprofit basis and includes any food service financially assisted through funds or commodities provided by the
26 United States government.

27 ~~(23)~~(24) "Special school election" means an election held on a day other than the day of the regular
28 school election, primary election, or general election.

1 ~~(24)~~(25) "State board of education" means the board composed of the board of public education and
2 the board of regents as specified in Article X, section 9, subsection (1), of the Montana constitution.

3 ~~(25)~~(26) "State university" means Montana state university-Bozeman.

4 ~~(26)~~(27) "Student with limited English proficiency" means any student:

5 (a) (i) who was not born in the United States or whose native language is a language other than
6 English;

7 (ii) who is an American Indian and who comes from an environment in which a language other
8 than English has had a significant impact on the individual's level of English proficiency; or

9 (iii) who is migratory, whose native language is a language other than English, and who comes
10 from an environment in which a language other than English is dominant; and

11 (b) whose difficulties in speaking, reading, writing, or understanding the English language may be
12 sufficient to deny the student:

13 (i) the ability to meet the state's proficiency assessments;

14 (ii) the ability to successfully achieve in classrooms in which the language of instruction is English;

15 or

16 (iii) the opportunity to participate fully in society.

17 ~~(27)~~(28) "Superintendent of public instruction" means that state government official designated as a
18 member of the executive branch by the Montana constitution.

19 ~~(28)~~(29) "System" means the Montana university system.

20 ~~(29)~~(30) "Teacher" means a person, except a district superintendent, who holds a valid Montana
21 teacher certificate that has been issued by the superintendent of public instruction under the provisions of this
22 title and the policies adopted by the board of public education and who is employed by a district as a member of
23 its instructional, supervisory, or administrative staff. This definition of a teacher includes a person for whom an
24 emergency authorization of employment has been issued under the provisions of 20-4-111.

25 ~~(30)~~(31) "Textbook" means a book, digital resource, or manual used as a principal source of study
26 material for a given class or group of students.

27 ~~(34)~~(32) "Textbook dealer" means a party, company, corporation, or other organization selling, offering
28 to sell, or offering for adoption textbooks to districts in the state.

