

1 HOUSE BILL NO. 21  
2 INTRODUCED BY D. BEDEY  
3 BY REQUEST OF THE LEGISLATIVE FINANCE COMMITTEE  
4

5 A BILL FOR AN ACT ENTITLED: "AN ACT REVISING THE PROCESS FOR ADOPTION OF SCHOOL  
6 ACCREDITATION STANDARDS; REQUIRING THAT ECONOMIC IMPACT STATEMENTS FOR CERTAIN  
7 ACCREDITATION STANDARDS INCLUDE AN ANALYSIS OF THE TIME REQUIRED FOR  
8 IMPLEMENTATION; REASSIGNING THE REVIEW OF ECONOMIC IMPACT STATEMENTS TO  
9 LEGISLATIVE BUDGET COMMITTEES; REQUIRING THE BOARD OF PUBLIC EDUCATION TO REQUEST  
10 THE SUPERINTENDENT OF PUBLIC INSTRUCTION TO SEEK FUNDING FOR STANDARDS DETERMINED  
11 DURING THE LEGISLATIVE INTERIM TO REQUIRE SUBSTANTIAL EXPENDITURES; AMENDING  
12 SECTION 20-7-101, MCA; AND PROVIDING EFFECTIVE DATES AND A TERMINATION DATE."  
13

14 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:  
15

16 **Section 1.** Section 20-7-101, MCA, is amended to read:

17 **"20-7-101. Standards of accreditation Accreditation standards -- process for adoption. (1)**

18 ~~Standards of accreditation~~ (a) Accreditation standards, as defined in 20-1-101, for all schools must be adopted  
19 by the board of public education upon the recommendations of the superintendent of public instruction. The  
20 superintendent shall develop recommendations in accordance with subsection (2). ~~The~~ For an accreditation  
21 standard that requires implementation by school districts, the recommendations presented to the board must  
22 include an economic impact statement, as described in 2-4-405, prepared in consultation with the negotiated  
23 rulemaking committee under subsection (2).

24 (b) For accreditation standards addressing academic requirements, program area standards, or  
25 content and performance standards, the economic impact statement under subsection (1)(a) must include an  
26 analysis of the ability of school districts to implement the standard within existing resources, including time. The  
27 intent of this subsection (1)(b) is to ensure that school districts have the capacity to adhere to required

**Amendment - 1st Reading/2nd House-blue - Requested by: Daniel Salomon - (S) Education and Cultural Resources**

68th Legislature

Drafter: Pad McCracken, 406-444-3595

HB0021.001.002

1 accreditation standards within a basic system of free quality public elementary and secondary schools.

2 (2) The accreditation standards recommended by the superintendent of public instruction must be  
3 developed through the negotiated rulemaking process under Title 2, chapter 5, part 1. The superintendent may  
4 form a negotiated rulemaking committee for accreditation standards to consider multiple proposals. The  
5 negotiated rulemaking committee may not exist for longer than 2 years. The committee must represent the  
6 diverse circumstances of schools of all sizes across the state and must include representatives from the  
7 following groups:

- 8 (a) school district trustees;  
9 (b) school administrators;  
10 (c) teachers;  
11 (d) school business officials;  
12 (e) parents; and  
13 (f) taxpayers.

14 (3) Prior to adoption or amendment of any accreditation standard, the board shall submit each  
15 proposal, including the economic impact statement required under subsection (1), to:

- 16 (a) during a regular legislative session, the joint appropriations subcommittee on education; or  
17 (b) during the legislative interim, the education interim budget committee established in 5-12-501,  
18 for review at least 1 month in advance of a scheduled committee meeting. ~~Information provided during an~~  
19 ~~interim must be provided to the legislature in accordance with 5-11-210.~~

20 (4) Unless the expenditures by school districts required under the proposal are determined by the  
21 ~~education interim appropriate committee under subsection (3)~~ to be insubstantial expenditures that can be  
22 readily absorbed into the budgets of existing district programs, the board may not implement the standard until  
23 July 1 following:

- 24 (a) under subsection (3)(a), the current legislative session; or  
25 (b) under subsection (3)(b), the next regular legislative session and shall request the  
26 superintendent of public instruction include a request in the superintendent's budget that the same legislature  
27 fund implementation of the proposed standard.

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1           (5) The provisions of this section may not be construed to reduce or limit the authority of the  
2 education interim committee to review administrative rules, including accreditation standards, within its  
3 jurisdiction pursuant to 5-5-215.

4           ~~(5)~~(6) Standards for the retention of school records must be as provided in 20-1-212."  
5

6           **Section 2.** Section 20-7-101, MCA, is amended to read:

7           **"20-7-101. ~~Standards of accreditation~~ Accreditation standards -- process for adoption. (1)**

8 ~~Standards of accreditation~~ (a) Accreditation standards, as defined in 20-1-101, for all schools must be adopted  
9 by the board of public education upon the recommendations of the superintendent of public instruction. The  
10 superintendent shall develop recommendations in accordance with subsection (2). ~~The~~ For an accreditation  
11 standard that requires implementation by school districts, the recommendations presented to the board must  
12 include an economic impact statement, as described in 2-4-405, prepared in consultation with the negotiated  
13 rulemaking committee under subsection (2).

14           (b) For accreditation standards addressing academic requirements, program area standards, or  
15 content and performance standards, the economic impact statement under subsection (1)(a) must include an  
16 analysis of the ability of school districts to implement the standard within existing resources, including time. The  
17 intent of this subsection (1)(b) is to ensure that school districts have the capacity to adhere to required  
18 accreditation standards within a basic system of free quality public elementary and secondary schools.

19           (2) The accreditation standards recommended by the superintendent of public instruction must be  
20 developed through the negotiated rulemaking process under Title 2, chapter 5, part 1. The superintendent may  
21 form a negotiated rulemaking committee for accreditation standards to consider multiple proposals. The  
22 negotiated rulemaking committee may not exist for longer than 2 years. The committee must represent the  
23 diverse circumstances of schools of all sizes across the state and must include representatives from the  
24 following groups:

- 25           (a) school district trustees;  
26           (b) school administrators;  
27           (c) teachers;

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1 (d) school business officials;

2 (e) parents; and

3 (f) taxpayers.

4 (3) Prior to adoption or amendment of any accreditation standard, the board shall submit each  
5 proposal, including the economic impact statement required under subsection (1), to:

6 (a) during a regular legislative session, the joint appropriations subcommittee on education; or

7 (b) during the legislative interim, the education interim-legislative finance committee, established in  
8 5-12-201, for review at least 1 month in advance of a scheduled committee meeting. Information provided  
9 during an interim must be provided to the legislature in accordance with 5-11-210.

10 (4) Unless the expenditures by school districts required under the proposal are determined by the  
11 education interim appropriate committee under subsection (3) to be insubstantial expenditures that can be  
12 readily absorbed into the budgets of existing district programs, the board may not implement the standard until  
13 July 1 following;

14 (a) under subsection (3)(a), the current legislative session; or

15 (b) under subsection (3)(b), the next regular legislative session and shall request the  
16 superintendent of public instruction include a request in the superintendent's budget that the same legislature  
17 fund implementation of the proposed standard.

18 (5) The provisions of this section may not be construed to reduce or limit the authority of the  
19 education interim committee to review administrative rules, including accreditation standards, within its  
20 jurisdiction pursuant to 5-5-215.

21 (5)(6) Standards for the retention of school records must be as provided in 20-1-212."

22

23 **COORDINATION SECTION. Section 3. Coordination instruction.** If both House Bill No. 110 and  
24 [this act] are passed and approved, then [sections 2, 4, and 5 of this act] are void, and [this act] is effective on  
25 passage and approval.

26

27 **NEW SECTION. Section 4. Effective dates.** (1) Except as provided in subsection (2), [this act] is

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1 effective on passage and approval.

2 (2) [Section 2] is effective January 1, 2026.

3

4 NEW SECTION. **Section 5. Termination.** [Section 1] terminates December 31, 2025.

5 - END -

AMENDED