

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

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

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

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

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

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

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

27 (5) The provisions of this section may not be construed to reduce or limit the authority of the
 28 education interim committee to review administrative rules, including accreditation standards, within its

1 jurisdiction pursuant to 5-5-215.

2 ~~(5)~~(6) Standards for the retention of school records must be as provided in 20-1-212."

3

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

5 **"20-7-101. ~~Standards of accreditation~~ Accreditation standards -- process for adoption.** (1)

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

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

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

- 23 (a) school district trustees;
- 24 (b) school administrators;
- 25 (c) teachers;
- 26 (d) school business officials;
- 27 (e) parents; and
- 28 (f) taxpayers.

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

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

4 (b) during the legislative interim, the ~~education interim~~ legislative finance committee, established in
5 5-12-2011, for review at least 1 month in advance of a scheduled committee meeting. Information provided
6 during an interim must be provided to the legislature in accordance with 5-11-210.

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

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

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

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

18 ~~(5)(6)~~ Standards for the retention of school records must be as provided in 20-1-212."
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20 COORDINATION SECTION. SECTION 3. COORDINATION INSTRUCTION. IF BOTH HOUSE BILL NO. 110 AND
21 [THIS ACT] ARE PASSED AND APPROVED, THEN [SECTIONS 2, 4, AND 5 OF THIS ACT] ARE VOID, AND [THIS ACT] IS
22 EFFECTIVE ON PASSAGE AND APPROVAL.

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24 NEW SECTION. Section 4. Effective dates. (1) Except as provided in subsection (2), [this act] is
25 effective on passage and approval.

26 (2) [Section 2] is effective January 1, 2026.
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28 NEW SECTION. Section 5. Termination. [Section 1] terminates December 31, 2025.

