

1 HOUSE BILL NO. 367
2 INTRODUCED BY B. MERCER, D. BEDEY, L. JONES, B. KEENAN, J. ESP, S. FITZPATRICK, D. SALOMON

3
4 A BILL FOR AN ACT ENTITLED: "AN ACT PROVIDING ADDITIONAL RESTRICTIONS FOR
5 APPROPRIATIONS FOR THE OFFICE OF PUBLIC INSTRUCTION DATABASE MODERNIZATION;
6 AMENDING SECTION 22(2)(E), CHAPTER 401, LAWS OF 2021, AND SECTION 5(2)(G), CHAPTER 551,
7 LAWS OF 2021; ESTABLISHING REPORTING REQUIREMENTS ON PROJECT PROGRESS; AND
8 PROVIDING AN IMMEDIATE EFFECTIVE DATE."

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

11
12 **Section 1.** Section 22(2)(e), Chapter 401, Laws of 2021, is amended to read:

13 **"Section 26 22. Appropriations to office of public instruction and office of budget and program**
14 **planning.**

15 (e) For OPI Database Modernization, funds must be used by the office of public instruction to
16 repair, improve, or replace existing data systems to respond to learning loss associated with the pandemic. THE
17 EXEMPTION GRANTED TO THE OFFICE OF PUBLIC INSTRUCTION IN 2-17-516 DOES NOT APPLY TO THIS SUBSECTION.

18 Actions taken must be consistent with 20-7-104 and must:

19 (i) facilitate school district use of data BY SCHOOL DISTRICTS, COMMUNITY COLLEGES, AND THE
20 MONTANA UNIVERSITY SYSTEM to drive IMPROVE individual student ACADEMIC outcomes AND PERIODICALLY
21 EVALUATE STUDENT ACADEMIC PERFORMANCE;

22 (ii) facilitate secure data sharing between school districts and the office of public instruction;

23 (iii) facilitate secure sharing of data between state agencies using the platform implemented by the
24 department of administration, including the sharing of data with, but not limited to, the office of public
25 instruction, the Montana university system, the office of the commissioner of higher education, and the
26 department of labor and industry;

27 (iv) allow and require review and approval of specifications and procurement methods by the

Amendment - 1st Reading/2nd House-blue - Requested by: Jeffrey Welborn - (S) Finance and Claims

- 2023

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Drafter: Julie Johnson, 406-444-4024

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- 1 (C) SHARING OF DATA BETWEEN STATE EDUCATION OFFICIALS AND OTHER STATE OFFICIALS, INCLUDING
2 HIGHER EDUCATION OFFICIALS AND OTHER STATE AGENCIES; and
3 (viii) ENSURE THAT A SUCCESSFUL OFFEROR IDENTIFIES HOW THE VENDOR'S PROPOSED SOLUTION IS
4 SUBSTANTIALLY SIMILAR TO A PROJECT THAT HAS BEEN INSTALLED IN TWO OR MORE STATES AND THE PERIOD OF TIME IT
5 HAS BEEN USED IN THOSE STATES; AND
6 (ix) include a well-defined maintenance agreement."

7
8 **NEW SECTION. Section 3. Reporting requirements.** (1) Within 30 days of [the effective date of this
9 act], and every month thereafter, the department of administration and the office of public instruction shall
10 provide a written report to the committees listed in subsection (3) on the status of the procurement process for
11 the database modernization project. The report must include information on the potential vendor and the status
12 of the request for proposal process.

13 (2) After the procurement process is complete and a vendor has been selected, the office of public
14 instruction shall continue to provide written reports to the committees listed in subsection (3) on the status of
15 the following every 2 months:

- 16 (a) the incurred and anticipated costs of the project;
17 (b) the implementation timeline; and
18 (c) any other information relevant to the project.

19 (3) The department of administration and the office of public instruction shall provide the reports
20 outlined in subsections (1) and (2) to the following committees:

- 21 (a) the legislative finance committee;
22 (b) the education interim committee;
23 (c) the general government budget committee provided for in 5-12-501; and
24 (d) the education budget committee provided for in 5-12-501.
25 (4) The reports must be delivered in an electronic format.

26
27 **NEW SECTION. Section 4. Effective date.** [This act] is effective on passage and approval.