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HOUSE BILL NO. 535

INTRODUCED BY B. MITCHELL, J. HAMILTON, J. COHENOUR, F. ANDERSON, D. FERN, M. BERTOGLIO,  
B. LER, K. SEEKINS-CROWE, J. FULLER, P. FLOWERS, G. HERTZ, D. SALOMON, J. ELLSWORTH, K.  
BOGNER, T. FALK, D. ZOLNIKOV, D. EMRICH, T. SMITH

A BILL FOR AN ACT ENTITLED: "AN ACT GENERALLY REVISING EDUCATION LAWS; ESTABLISHING  
THAT CERTAIN STATUTORY DEFINITIONS APPLY TO ADMINISTRATIVE RULE; PROVIDING A  
DEFINITION OF "FINANCIAL LITERACY"; ~~DESCRIBING COURSEWORK THAT MAY BE INCLUDED IN THE  
BASIC INSTRUCTIONAL PROGRAM FOR HIGH SCHOOL STUDENTS AS DETERMINED BY THE BOARD  
OF PUBLIC EDUCATION;~~ AMENDING SECTIONS SECTION 20-1-101 ~~AND 20-7-111~~, MCA; AND  
PROVIDING AN IMMEDIATE EFFECTIVE DATE."

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

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

**"20-1-101. Definitions.** As used in this title and in administrative rules implementing this title, unless  
the context clearly indicates otherwise, the following definitions apply:

- (1) "Accreditation standards" means the body of administrative rules governing standards such as:
  - (a) school leadership;
  - (b) educational opportunity;
  - (c) academic requirements;
  - (d) program area standards;
  - (e) content and performance standards;
  - (f) school facilities and records;
  - (g) student assessment; and
  - (h) general provisions.
- (2) "Aggregate hours" means the hours of pupil instruction for which a school course or program is  
offered or for which a pupil is enrolled.

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Drafter: Laura Sankey Keip, 406-444-4410

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

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

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

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

10 (7) "Board of regents" means the board of regents of higher education created by Article X, section  
11 9, subsection (2), of the Montana constitution and 2-15-1505.

12 (8) "Commissioner" means the commissioner of higher education created by Article X, section 9,  
13 subsection (2), of the Montana constitution and 2-15-1506.

14 (9) "County superintendent" means the county government official who is the school officer of the  
15 county.

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

20 (11) (a) "Educational program" means a set of educational offerings designed to meet the program  
21 area standards contained in the accreditation standards.

22 (b) The term does not include an educational program or programs used in 20-4-121 and 20-25-  
23 803.

24 (12) "Financial literacy" means, unless the board of public education adopts a different definition  
25 under the provisions of Title 2, chapter 4, financial knowledge and skills, including but not limited to:

26 (a) managing a bank account, including how to complete routine banking activities online;

27 (b) understanding the psychology behind money decisions, including the basics of behavioral  
28 economics;

- 1           (c) learning how investing can create long-term wealth;
- 2           (d) understanding the basics of various types of credit, including credit cards, auto loans, and
- 3 mortgages;
- 4           (e) learning how to manage credit responsibly, including the basics of credit scores and how to
- 5 build credit from scratch;
- 6           (f) developing plans beyond high school, including college and other alternatives;
- 7           (g) understanding how various types of insurance can reduce risk, including but not limited to
- 8 health insurance, automotive insurance, and renter's and homeowner's insurance;
- 9           (h) developing a basic understanding of income taxes, including how to file a return;
- 10          (i) learning the mechanics and basic elements of a budget;
- 11          (j) acquiring consumer skills such as:
- 12           (i) learning how to avoid scams and fraud;
- 13           (ii) protecting oneself against identity theft; and
- 14           (iii) analyzing advertising and social media and how it can affect our financial behaviors;
- 15          (k) understanding local tax assessments;
- 16          (l) computing interest rates by various mechanisms;
- 17          (m) comprehending simple contracts;
- 18          (n) contesting an incorrect billing statement; and
- 19          (o) navigating state and federal laws concerning finance.

20          (12)(13) "K-12 career and vocational/technical education" means organized educational activities that  
21 have been approved by the office of public instruction and that:

- 22          (a) offer a sequence of courses that provide a pupil with the academic and technical knowledge
- 23 and skills that the pupil needs to prepare for further education and for careers in the current or emerging
- 24 employment sectors; and
- 25          (b) include competency-based applied learning through advanced opportunities, work-based
- 26 learning partnerships, and other experiential learning opportunities that contribute to the academic knowledge,
- 27 higher-order reasoning and problem-solving skills, work attitudes, general employability skills, technical skills,
- 28 and occupation-specific skills of the pupil.

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

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

6           ~~(14)~~(15) "Offsite instructional setting" means an instructional setting at a location, separate from a main  
7 school site, where a school district provides for instruction to a student who is enrolled in the district.

8           ~~(15)~~(16) "Principal" means a person who holds a valid class 3 Montana teacher certificate with an  
9 applicable principal's endorsement that has been issued by the superintendent of public instruction under the  
10 provisions of this title and the policies adopted by the board of public education and who has been employed by  
11 a district as a principal. For the purposes of this title, any reference to a teacher must be construed as including  
12 a principal.

13           ~~(16)~~(17) "Pupil" means an individual who is admitted by the board of trustees pursuant to 20-5-101 and  
14 who is enrolled in a school established and maintained under the laws of the state at public expense. The  
15 eligibility of pupils and calculations for average number belonging are governed by 20-9-311.

16           ~~(17)~~(18) "Pupil instruction" means the conduct of organized learning opportunities for pupils enrolled in  
17 public schools while under the supervision of a teacher. The term includes any directed, distributive,  
18 collaborative, or work-based or other experiential learning activity provided, supervised, guided, facilitated, or  
19 coordinated under the supervision of a teacher that is conducted purposely to achieve content proficiency and  
20 facilitate the acquisition of knowledge, skills, and abilities by pupils enrolled in public schools, and to otherwise  
21 fulfill their full educational potential.

22           ~~(18)~~(19) "Qualified and effective teacher or administrator" means an educator who is licensed and  
23 endorsed in the areas in which the educator teaches, specializes, or serves in an administrative capacity as  
24 established by the board of public education.

25           ~~(19)~~(20) "Regents" means the board of regents of higher education.

26           ~~(20)~~(21) "Regular school election" or "trustee election" means the election for school board members  
27 held on the day established in 20-20-105(1).

28           ~~(24)~~(22) "School election" means a regular school election or any election conducted by a district or

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1 community college district for authorizing taxation, authorizing the issuance of bonds by an elementary, high  
2 school, or K-12 district, or accepting or rejecting any proposition that may be presented to the electorate for  
3 decision in accordance with the provisions of this title.

4 ~~(22)~~(23) "School food services" means a service of providing food for the pupils of a district on a  
5 nonprofit basis and includes any food service financially assisted through funds or commodities provided by the  
6 United States government.

7 ~~(23)~~(24) "Special school election" means an election held on a day other than the day of the regular  
8 school election, primary election, or general election.

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

11 ~~(25)~~(26) "State university" means Montana state university-Bozeman.

12 ~~(26)~~(27) "Student with limited English proficiency" means any student:

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

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

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

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

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

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

23 or

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

25 ~~(27)~~(28) "Superintendent of public instruction" means that state government official designated as a  
26 member of the executive branch by the Montana constitution.

27 ~~(28)~~(29) "System" means the Montana university system.

28 ~~(29)~~(30) "Teacher" means a person, except a district superintendent, who holds a valid Montana

1 teacher certificate that has been issued by the superintendent of public instruction under the provisions of this  
2 title and the policies adopted by the board of public education and who is employed by a district as a member of  
3 its instructional, supervisory, or administrative staff. This definition of a teacher includes a person for whom an  
4 emergency authorization of employment has been issued under the provisions of 20-4-111.

5 ~~(30)~~(31) "Textbook" means a book, digital resource, or manual used as a principal source of study  
6 material for a given class or group of students.

7 ~~(34)~~(32) "Textbook dealer" means a party, company, corporation, or other organization selling, offering  
8 to sell, or offering for adoption textbooks to districts in the state.

9 ~~(32)~~(33) "Trustees" means the governing board of a district.

10 ~~(33)~~(34) "University" means the university of Montana-Missoula.

11 ~~(34)~~(35) "Vocational-technical education" means vocational-technical education of vocational-technical  
12 students that is conducted by a unit of the Montana university system, a community college, or a tribally  
13 controlled community college, as designated by the board of regents."  
14

15 **Section 2. Section 20-7-111, MCA, is amended to read:**

16 ~~"20-7-111. Instruction in public schools. (1) Except as provided in subsection (2) (3), the board of~~  
17 ~~public education shall define and specify the basic instructional program for pupils in public schools, and this~~  
18 ~~program must be set forth in the standards of accreditation. Other instruction may be given when approved by~~  
19 ~~the board of trustees.~~

20 ~~(2) The basic high school instructional program may include but is not limited to coursework in the~~  
21 ~~following:~~

22 ~~(a) English language arts;~~

23 ~~(b) mathematics;~~

24 ~~(c) science;~~

25 ~~(d) social studies, which may include coursework in civics or government;~~

26 ~~(e) career and technical education;~~

27 ~~(f) arts;~~

28 ~~(g) health and physical education;~~

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- 1           ~~(h) world languages; and~~
- 2           ~~(i) economics and financial literacy.~~
- 3           ~~(2)(3) The trustees of a school district shall ensure that all pupils in grades 3 through 12 receive~~
- 4 ~~instruction about the United States constitution and the pledge of allegiance."~~

5

6           NEW SECTION. **Section 2. Effective date.** [This act] is effective on passage and approval.

7

- END -

AMENDED