

# Montana Community Choice Schools Commission

June 17, 2025

9:00 a.m. to 2:45 p.m.

Reeder's Alley Convention Center  
101 Reeder's Alley, Helena MT 59601

Parking: 2 hour street parking available in front of Reeder's Alley, long-term paid parking available on South Park across from the library

If a visitor requires assistance with accessibility to Reeder's Alley, please text or call 406-407-0727 for assistance.

## Agenda Packet Contents:

1. Draft Minutes from 3.4.25
2. Proposed Agenda for 6.17.25
3. Treasurer's Report Materials
4. Director of Planning's Report
5. Making the Mission Matter Handouts
6. Montana Community Foundation Handouts
7. Background Check Policy
8. Commission Bylaws
9. Conflict of Interest Policy
10. Non-Travel Expense Request Form
11. Professional Development Expense Request Form

# Montana Community Choice Schools Commission Meeting Minutes

March 4, 2025

Zoom

8:00 a.m.

## **Call to Order – 00:00:29**

The Chair called the meeting to order at 8:01 AM. The Chair led the Commission in the Pledge of Allegiance and Ms. Kris Stockton took Roll Call.

Commission members present: Trish Schreiber, Chair; Katy Wright, Vice Chair; Jon Rutt, Treasurer; Dee Brown; Mark Hufstetler; Katey Franklin. Board of Public Education staff present: McCall Flynn, Executive Director; Kris Stockton, Administrative Specialist.

## Guests online

Kincheloe; Mr. Blake Koemans, Agency Legal Services.

## **Item 1 Adopt Consent Agenda – 00:03:10**

*Member Brown moved to adopt the consent agenda as presented. Motion seconded by member Rutt.*

*Chair Schreiber amended the motion to strike the January 4, 2025 and add the date January 14, 2025 date in the agenda packet.*

*Amendment passed unanimously.*

*Member Brown moved to adopt the consent agenda as amended.*

*No discussion. Motion passed unanimously.*

## **Adopt Agenda**

*Member Rutt moved to adopt the agenda as presented. Motion seconded by member Brown.*

*No discussion. Motion passed unanimously.*

## **Item 2 Chairperson Welcome Statement – 00:06:02**

Chair Schreiber thanked Commission members for their attendance. The Chair stated that scheduled June 17 meeting at 9AM.

**Item 3        Reports – 00:07:34**

Member Rutt presented the Treasurer's report to the Commission noting that Legal fees and travel expenses from the December meeting are the only expenses that have been recorded in 2025. Current balance reported \$321,799.17. Member Rutt noted that once a Director of Planning is hired more expenses will be recorded.

Chair Schreiber presented the Chair reporting and summarized the work she has completed to advertise, review, and interview applicants for the Director of Planning in conjunction with Board Executive Director McCall Flynn and State Human Resources Generalist Jeff Plum. Chair Schreiber reviewed the standing subcommittee's and the new subcommittee's created at the December 2024 meeting and work they will be doing under the purview of the Director of Planning.

***Chair Schreiber moved to combing the Policymaking subcommittee and the Special Education Consideration subcommittee.***

***Member Brown stated that although she understands the reasoning behind the motion that it may be worthwhile to wait until the Director of Planning is hired.***

***Member Franklin seconded the motion.***

***Chair Schreiber concurred with Member Brown but noted that if the motion fails today that a Special Meeting will need to be held to combine the subcommittees.***

***Member Franklin agreed with the statement from Member Brown regarding waiting until the Director of Planning is hired.***

***Member Rutt stated that he is unclear on the purpose of the Special Education Consideration subcommittee and agrees with Member Brown.***

***Chair Schreiber opened public comment.***

***Member Kincheloe, commenting as a member of the public, noted that the expertise of members should be considered.***

***Member Franklin thanked Member Kincheloe for her statement and agreed that member experience should be considered when determining committee membership.***

***Chair Schreiber moved to table the discussion. Motion seconded by Member Franklin.***

***No discussion. Motion passed unanimously.***

Chair Schreiber noted that the Commission will move to Executive Session and the meeting closed at 8:20AM.

**Item 4          Discussion on Executive Committee's Recommendation for the Director of Planning Position – 00:19:24**

The Commission came back to Open Session at 9:01AM. – 00:00:40

*Member Wright moved to make an offer to Ms. Cathy Kincheloe for the position of Director of Planning. Motion seconded by Member Brown.*

*Chair Schreiber opened public comment. None stated.*

*No discussion. Chair Schreiber restated the motion.*

*Motion passed unanimously.*

Chair Schreiber thanked the Commission members for their work and thanked Ms. Flynn and Mr. Plum for their assistance in the hiring process.

**Public Comment – 00:04:16**

Public comment from Ms. Kincheloe who stated she is excited to begin the position and

**Adjourn**

Meeting adjourned at 9:06 AM.

# Montana Community Choice Schools Commission

## Meeting Agenda

June 17, 2025

Reeder's Alley - 101 Reeder's Alley, Helena

9:00 a.m. to 2:45 p.m.

	<b>Estimated Time</b>	<b>Details</b>
<b>Call to Order</b>	9:00 a.m.	<ol style="list-style-type: none"> <li>1. Pledge of Allegiance</li> <li>2. Roll Call</li> <li>3. Statement of Public Participation</li> <li>4. Welcome and Introduction of Visitors</li> </ol>
<b>Note to the Public</b>		<ol style="list-style-type: none"> <li>1. Action may be taken on any item listed on the Choice Commission agenda. Per §2-3-103 MCA, <i>the Choice Commission encourages public comment on any item prior to final action.</i></li> <li>2. All times are approximate and may change as reasonably necessary.</li> </ol>
<b>Agenda</b>		
Item 1	9:05 a.m.	<ul style="list-style-type: none"> <li>● Action: Consent Agenda Adoption               <ul style="list-style-type: none"> <li>○ Minutes from 3/4/2025</li> </ul> </li> <li>● Action: Agenda Adoption for 6/17/2025</li> <li>● Action: Item Placed on the Table 3/4/2025</li> </ul>
Item 2	9:10 a.m.	Chairperson Welcome Statement
Item 3	9:15 a.m.	Reports: <ol style="list-style-type: none"> <li>1. Treasurer Report: Jon Rutt</li> <li>2. Fundraising Special Committee: Jon Rutt</li> <li>3. Chairperson Report: Trish Schreiber</li> <li>4. Director of Planning Report: Cathy Kincheloe</li> </ol>
Item 4	9:45 a.m.	Open Discussion/Presentation: Making the Mission Matter with Mark Weinberg, NCSI <ul style="list-style-type: none"> <li>● Under Consideration: Is this something the Commission would like to pursue as an option in the Performance Framework?</li> </ul>
Item 5	11:45 p.m.	Break: <i>lunch will be provided for Commission members and BPE staff &amp; members</i>
Item 6	12:00 p.m.	Open Discussion/Presentation: Montana Community Foundation with Heather Ohs <ul style="list-style-type: none"> <li>● Options for CCS governing boards in establishing permanent charitable funds.</li> </ul>
Item 7	1:00 p.m.	Break
Item 8	1:15 p.m.	Discussion: Background Check Policy

Item 9	1:30 p.m.	<p>Discussion: Bylaws</p> <ul style="list-style-type: none"> <li>● Conflict of Interest Policy</li> <li>● Professional Development Approval Form</li> <li>● Reimbursement Other Than Travel Approval Form</li> </ul>
Item 10	2:15 p.m.	<p>Open Discussion:</p> <ul style="list-style-type: none"> <li>● Announcements or Comments</li> <li>● Request for Future Meeting Presentations/Training</li> <li>● Additional Summer 2025 Meeting</li> <li>● December's Meeting Location</li> </ul>
<b>Public Comment</b>	2:30 p.m.	<p>This time will be provided for public comment on items not listed on the agenda. This meeting is open to the public electronically. For those wishing to give virtual public comment, please contact <a href="mailto:cathy.kincheloe@mt.gov">cathy.kincheloe@mt.gov</a> to request the Zoom link for the meeting. Written public comment may be submitted to the Director of Planning of the Commission at <a href="mailto:cathy.kincheloe@mt.gov">cathy.kincheloe@mt.gov</a> and will be shared with the Commission members and included as part of the official public record.</p>
<b>Adjourn</b>	2:45 p.m.	

<b><i>Note to the Public</i></b>	<p>**Agenda items are handled in the order listed on the approved agenda. Items may be rearranged unless listed "time certain." Public comment is welcome on all items listed as "Action" and as noted at the end of each meeting.</p> <p>**The Choice Commission will make reasonable accommodations for known disabilities that may interfere with an individual's ability to participate in the meeting. Individuals who require such accommodations should make requests to the Board of Public Education as soon as possible prior to the meeting start date. You may write to: Kris Stockton, PO Box 200601, Helena MT, 59620, email at: <a href="mailto:kmstockton@mt.gov">kmstockton@mt.gov</a> or phone at 406-444-0302.</p>
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# 51010 Board of Public Education

## Revenue/Expenditure Comparison by Fund, Org

Data Selected for Month/FY: 01 (Jul)/2025 through 12 (Jun)/2025

Fund	Subclass	Org	Acct Lvl 2	Revenues	Expenditures	Rev less Exp
08084	Community Choice Schools			300,000.00	81,749.82	218,250.18
	235V3 CCS COMMISSION UNSP			27,500.00	1,602.97	25,897.03
		20 Community Choice Schools		27,500.00	1,602.97	25,897.03
			580000 Grants/Transfers/Misc	27,500.00	0.00	27,500.00
			62100 Other Services	0.00	1,185.80	(1,185.80)
			62400 Travel	0.00	417.17	(417.17)
	235V4 BRADLEY FOUNDATION 12/4/25			300,000.00	80,146.85	219,853.15
		20 Community Choice Schools		300,000.00	80,146.85	219,853.15
			580000 Grants/Transfers/Misc	300,000.00	0.00	300,000.00
			61100 Salaries	0.00	17,596.15	(17,596.15)
			61400 Employee Benefits	0.00	6,250.16	(6,250.16)
			62100 Other Services	0.00	50,781.24	(50,781.24)
			62200 Supplies & Materials	0.00	435.94	(435.94)
			62300 Communications	0.00	177.56	(177.56)
			62400 Travel	0.00	3,414.80	(3,414.80)
			62500 Rent	0.00	156.00	(156.00)
			62800 Other Expenses	0.00	1,335.00	(1,335.00)
	(blank)					0.00
<b>Grand Total</b>				<b>300,000.00</b>	<b>81,749.82</b>	<b>218,250.18</b>

# Appendix B.

Following is a sample completed Mission Accomplishment Plan for one goal established by a hypothetical charter school.

## MISSION ACCOMPLISHMENT PLAN (MAP) for New Heights Charter School

### PART I. CORE FRAMEWORK

<b>Mission Statement</b>	<i>The mission of our charter school is to provide a demanding, well-rounded education of high standards, structure and accountability for students in grades 9–12 in the Westside and Belleview communities, developing in our students the academic and social skills and character qualities that will equip them to achieve postsecondary success.</i>
<b>Mission-Specific Performance Goal</b>	<p><i>What will our school accomplish? (Clear, measurable statement of achievement reflecting the mission and tied to a specified timeframe or length of attendance)</i></p> <p><i>Graduating students will have a realistic plan for their future and the confidence, skills and preparation to pursue it.</i></p> <p><i>How will we know that we have achieved this goal?</i></p> <p><i>Students will demonstrate that they have thought about their interests and aptitudes, have researched necessary steps to achieve their goals, and have outlined a realistic path for taking those steps.</i></p>
<b>Measure</b>	<p><i>How will we assess and demonstrate performance toward this goal?</i></p> <p><i>Development of satisfactory, realistic individual student career plans: Beginning in the 9th grade, every student will develop a career plan that is revised annually. The career plan will be evaluated for soundness by the school counselor and each student’s teacher-advisor, using a tool that we have developed for this purpose.</i></p>
<b>Metric</b>	<p><i>How will we quantify this measure? (Identify a specific type of rate, calculation method, or formula)</i></p> <p><i>We will annually track and report the percentage of students in the 9th grade and higher who have individual career plans that are realistic, well-considered and well-developed for their grade levels (earning a rating of “Good” or “Excellent” according to our evaluation tool). By our 5th year, 95% of graduating students will succeed on this measure.</i></p>
<b>Ist-Year Target</b>	<p><i>What do we expect to achieve by the end of our first year? (Set your Rating 3 [“Meets standard”] at a level that you would consider on target for your first year.)</i></p> <p><i>Rating 1 (Does not meet standard): Fewer than 65% of students in the 9th grade and higher have individual career plans that are realistic, well-considered and well-developed for their grade levels (earning a rating of “Good” or “Excellent” according to our evaluation tool).</i></p> <p><i>Rating 2 (Approaching standard) 65% to 74% of students in the 9th grade and higher have individual career plans that are realistic, well-considered and well-developed for their grade levels (earning a rating of “Good” or “Excellent” according to our evaluation tool).</i></p> <p><i>Rating 3 (Meets standard): 75% of students in the 9th grade and higher have individual career plans that are realistic, well-considered and well-developed for their grade levels (earning a rating of “Good” or “Excellent” according to our evaluation tool).</i></p> <p><i>Rating 4 (Exceeds standard): 76% or more students in the 9th grade and higher have individual career plans that are realistic, well-considered and well-developed for their grade levels (earning a rating of “Good” or “Excellent” according to our evaluation tool).</i></p>

<p><b>2nd-Year Target</b></p>	<p><b>What do we expect to achieve by the end of our second year?</b> (Establish a numeric target using the metric identified above. Set your Rating 3 ["Meets standard"] at a level that you would consider on target for your second year.)</p> <p>Rating 1 (Does not meet standard): Fewer than 75% of students in the 9th grade and higher have individual career plans that are realistic, well-considered and well-developed for their grade levels (earning a rating of "Good" or "Excellent" according to our evaluation tool).</p> <p>Rating 2 (Approaching standard) 75% to 79% of students in the 9th grade and higher have individual career plans that are realistic, well-considered and well-developed for their grade levels (earning a rating of "Good" or "Excellent" according to our evaluation tool).</p> <p>Rating 3 (Meets standard): <b>80% of students in the 9th grade and higher have individual career plans that are realistic, well-considered and well-developed for their grade levels (earning a rating of "Good" or "Excellent" according to our evaluation tool).</b></p> <p>Rating 4 (Exceeds standard): 81% or more students in the 9th grade and higher have individual career plans that are realistic, well-considered and well-developed for their grade levels (earning a rating of "Good" or "Excellent" according to our evaluation tool).</p>
<p><b>3rd-Year Target</b></p>	<p><b>What do we expect to achieve by the end of our third year?</b> (Establish a numeric target using the metric identified above. Set your Rating 3 ["Meets standard"] at a level that you would consider on target for your third year.)</p> <p>Rating 1 (Does not meet standard): Fewer than 80% of students in the 9th grade and higher have individual career plans that are realistic, well-considered and well-developed for their grade levels (earning a rating of "Good" or "Excellent" according to our evaluation tool).</p> <p>Rating 2 (Approaching standard) 80% to 84% of students in the 9th grade and higher have individual career plans that are realistic, well-considered and well-developed for their grade levels (earning a rating of "Good" or "Excellent" according to our evaluation tool).</p> <p>Rating 3 (Meets standard): <b>85% of students in the 9th grade and higher have individual career plans that are realistic, well-considered and well-developed for their grade levels (earning a rating of "Good" or "Excellent" according to our evaluation tool).</b></p> <p>Rating 4 (Exceeds standard): 86% or more students in the 9th grade and higher have individual career plans that are realistic, well-considered and well-developed for their grade levels (earning a rating of "Good" or "Excellent" according to our evaluation tool).</p>
<p><b>4th-Year Target</b></p>	<p><b>What do we expect to achieve by the end of our fourth year?</b> (Establish a numeric target using the metric identified above. Set your Rating 3 ["Meets standard"] at a level that you would consider on target for your fourth year.)</p> <p>Rating 1 (Does not meet standard): Fewer than 85% of students in the 9th grade and higher have individual career plans that are realistic, well-considered and well-developed for their grade levels (earning a rating of "Good" or "Excellent" according to our evaluation tool).</p> <p>Rating 2 (Approaching standard): 85% to 89% of students in the 9th grade and higher have individual career plans that are realistic, well-considered and well-developed for their grade levels (earning a rating of "Good" or "Excellent" according to our evaluation tool).</p> <p>Rating 3 (Meets standard): <b>90% of students in the 9th grade and higher have individual career plans that are realistic, well-considered and well-developed for their grade levels (earning a rating of "Good" or "Excellent" according to our evaluation tool).</b></p> <p>Rating 4 (Exceeds standard): 91% or more students in the 9th grade and higher have individual career plans that are realistic, well-considered and well-developed for their grade levels (earning a rating of "Good" or "Excellent" according to our evaluation tool).</p>

<b>5th-Year Target</b>	<p><b>What do we expect to achieve by the end of our fifth year?</b> (Establish a numeric target using the metric identified above. Set your Rating 3 ["Meets standard"] at a level that you would consider on target for your fifth year.)</p> <p>Rating 1 (Does not meet standard): Fewer than 90% of students in the 9th grade and higher have individual career plans that are realistic, well-considered and well-developed for their grade levels (earning a rating of "Good" or "Excellent" according to our evaluation tool).</p> <p>Rating 2 (Approaching standard): 90% to 94% of students in the 9th grade and higher have individual career plans that are realistic, well-considered and well-developed for their grade levels (earning a rating of "Good" or "Excellent" according to our evaluation tool).</p> <p>Rating 3 (Meets standard): <b>95% of students in the 9th grade and higher have individual career plans that are realistic, well-considered and well-developed for their grade levels (earning a rating of "Good" or "Excellent" according to our evaluation tool).</b></p> <p>Rating 4 (Exceeds standard): 96% or more students in the 9th grade and higher have individual career plans that are realistic, well-considered and well-developed for their grade levels (earning a rating of "Good" or "Excellent" according to our evaluation tool).</p>
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## PART 2. NOTES AND ADDITIONAL INFORMATION

<b>Rationale for Goal, Measure &amp; Metric</b>	<p><b>Why is this goal important to our mission, and why is our chosen method of assessment appropriate and useful for measuring performance toward this goal?</b></p> <p>Developing in students the self-knowledge and skills to plan realistically for their futures is essential to our mission. We are committed to preparing our students to succeed beyond our doors. Individual student career plans, thoughtfully revised each year with faculty counseling, will teach students to engage in self-reflection and research that will equip them to follow a plan throughout their lives—adjusting as necessary, but continuously focused on meaningful and realistic goals.</p>
<b>Assessment Reliability and Scoring Consistency</b>	<p><b>How will we demonstrate both the reliability and scoring consistency of the assessment(s) we plan to use, if non-standardized?</b></p> <p>The school counselor and all teachers (who also serve as advisors to assigned groups of students) will be trained to use the tool that we have developed for evaluating student career plans. From the first set of career plans developed in 2008–2009, we will identify exemplars representing distinct levels of achievement (Excellent, Good, Fair, Needs Improvement) that should be rated accordingly, and will use these to help guide and build consistency in evaluation. Guided by the exemplars, the counselor and teachers will repeatedly evaluate a sample set of actual career plans developed in 2008–2009 (including written comments and oral feedback as well as a numeric score for each plan), comparing their scores and comments to identify variances, and revising the evaluation tool as needed to eliminate significant discrepancies. We will repeat these "practice evaluations" as needed until we are confident in the reliability and consistent usage of the evaluation tool.</p>
<b>Strategies for Attainment</b>	<p><b>What are our strategies (curricular, instructional, assessment, organizational, operational) for attaining this goal? (Include designation of point person)</b></p> <p>The school will provide career interest and aptitude inventories for students. The school counselor will work with students and teacher-advisors to support the development of annual plans beginning in the eighth grade. The Academic Director will oversee these strategies.</p>
<b>Baseline Data</b>	<p><b>What is our beginning data point?</b></p> <p>Career plans from the 2008–09 school year, which will be finalized in May 2009.</p>
<b>Attachments</b>	<p><b>Attachments to illustrate the assessment(s).</b> (Note and attach relevant school-developed assessments and/or assessment tools.)</p> <p>Our school-developed tool for evaluating student career plans is attached. [Example response only—no tool is included here.]</p>

# Mission Accomplishment Plan (MAP) Framework

Following is a complete MAP Framework, bringing together all the critical elements of developing solid mission-specific goals and rigorous ways to assess and demonstrate achievement of those goals. Using this Framework will help schools think through and chart a clear, complete MAP for their educational mission. The Framework is designed to aid in defining a single educational performance goal and the measures, metrics, standards, assessment strategies and tools, and annual targets that should support that goal. Thus, schools should use this planning tool and complete the MAP Framework for **each mission-specific educational goal** that they are establishing. (The Framework is constructed for a school with a five-year charter, but can easily be modified for longer or shorter charter terms.)

Part 1 of the following Framework focuses on the core elements of a quality MAP. Part 2 includes some questions and documentation that are important for a school’s internal accountability planning, but need not to be included in the school’s performance contract for external accountability purposes. It makes sense for authorizers to review all the elements (in both parts) of the following Mission Accomplishment Plan for any school in order to assess the quality and solidity of the school’s plan. Authorizers may, however, be selective in determining which elements to include in the performance contract- and should clearly define for schools the elements that will be incorporated into the contract.

A sample completed Mission Accomplishment Plan is available in Appendix B.

## MISSION ACCOMPLISHMENT PLAN (MAP)

For \_\_\_\_\_ (School Name)

### PART 1. CORE FRAMEWORK

<b>Mission Specific</b>	<i>The mission of our charter school is to...</i> (Brief, jargon-free statement of the school’s central purposes and broad aims)
<b>Mission-Specific Performance Goal</b>	<i>What will our school accomplish?</i> (Clear, measurable statement of achievement reflecting the mission and tied to a specified timeframe or length of attendance)  <i>How will we know that we have achieved this goal?</i>
<b>Measure</b>	<i>How will we assess and demonstrate performance toward this goal?</i>
<b>Metric</b>	<i>How will we quantify this measure?</i> (Identify a specific type of rate, calculation method, or formula)
<b>1<sup>st</sup>-Year Target</b>	<i>What do we expect to achieve by the end of our first year?</i> (Establish a numeric target using the metric identified above. Set your Rating 3 [“Meets standard”] at a level that you would consider on target for your first year.)  <u>Rating 1</u> (Does not meet standard): <u>Rating 2</u> (Approaching standard): <u>Rating 3</u> (Meets standard): <u>Rating 4</u> (Exceeds standard):
<b>2<sup>nd</sup>-Year Target</b>	<i>What do we expect to achieve by the end of our second year?</i> (Establish a numeric target using the metric identified above. Set your Rating 3 [“Meets standard”] at a level that you would consider on target for your second year.)  <u>Rating 1</u> (Does not meet standard): <u>Rating 2</u> (Approaching standard): <u>Rating 3</u> (Meets standard): <u>Rating 4</u> (Exceeds standard):

<b>3rd-Year Target</b>	<p><b>What do we expect to achieve by the end of our third year?</b> (Establish a numeric target using the metric identified above. Set your Rating 3 ["Meets standard"] at a level that you would consider on target for your third year.)</p> <p><u>Rating 1 (Does not meet standard):</u></p> <p><u>Rating 2 (Approaching standard):</u></p> <p><u>Rating 3 (Meets standard):</u></p> <p><u>Rating 4 (Exceeds standard):</u></p>
<b>4th- Year Target</b>	<p><b>What do we expect to achieve by the end of our fourth year?</b> (Establish a numeric target using the metric identified above. Set your Rating 3 ["Meets standard"] at a level that you would consider on target for your fourth year.)</p> <p><u>Rating 1 (Does not meet standard):</u></p> <p><u>Rating 2 (Approaching standard):</u></p> <p><u>Rating 3 (Meets standard):</u></p> <p><u>Rating 4 (Exceeds standard):</u></p>
<b>5th-Year Target</b>	<p><b>What do we expect to achieve by the end of our fifth year?</b> (Establish a numeric target using the metric identified above. Set your Rating 3 ["Meets standard"] at a level that you would consider on target for your fifth year.)</p> <p><u>Rating 1 (Does not meet standard):</u></p> <p><u>Rating 2 (Approaching standard):</u></p> <p><u>Rating 3 (Meets standard):</u></p> <p><u>Rating 4 (Exceeds standard):</u></p>

**PART 2. NOTES AND ADDITIONAL INFORMATION**

This section includes additional planning questions that are important for a school to consider in developing a strong Mission Accomplishment Plan, as well as information and attachments that the authorizer may need to see in order to approve the school's plan.

<b>Rationale for Goal, Measure &amp; Metric</b>	<b>Why is this goal important to our mission, and why is our chosen method of assessment appropriate and useful for measuring performance toward this goal?</b>
<b>Assessment Reliability and Scoring Consistency</b>	<b>How will we demonstrate both the <u>reliability</u> and <u>scoring consistency</u> of the assessment(s) we plan to use, if non-standardized?</b>
<b>Strategies for Attainment</b>	<b>What are our strategies (curricular, instructional, assessment, organizational, operational) for attaining this goal? (include designation of point person)</b>
<b>Baseline Data</b>	<b>What is our beginning data point?</b>
<b>Attachments</b>	<b>Attachments to illustrate the assessment(s). (Note and attach relevant school-developed assessments and/or assessment tools.)</b>



## Planned Giving, Endowments, and Non-Permanent Funds

Heather Ohs, Gift and Estate Planning Officer



1



## Meet your presenter

Heather Ohs, MS in Public Relations, emphasis on Non-Profit Leadership, with a BS in Psychology and Communications

- Sounds like Cheerio's, Oreo's and Uh-Ohs!
- Montana made, wife, mother of two girls, slow runner, fast talker, lover of words and travel.
- Philanthropy Ambassador with a 25+ year career having worked for:
  - The National Multiple Sclerosis Society
  - Make-A-Wish Montana
  - Yellowstone Boys and Girls Ranch Foundation
  - Rocky Mountain College
  - And now, MCF for the last 3.5 years

Passionate about education, women & children's' issues, along with farm & ranch values.

2



## What's ahead

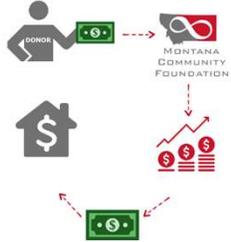
- **Types of funds: Endowments and Non-Permanent Funds**
- **How this applies to your school/organization, and how it may apply to you if you are a donor**
- **What it looks like to partner with the Montana Community Foundation**
- **Lots of opportunities for Q & A throughout**

3



## What is an ENDOWMENT?

- **Long-term investment account**
- **Corpus (deposits) can never be spent**
- **Investment earnings provide reliable, *annual* support, in perpetuity.**



4



## How does an Endowment fund work that is held at MCF?

**Spending policy**

- Organizations must reach a \$25,000 threshold before distributions are sent out.
- Annual distributions are 4.5% of a 36-month average of the fund balance
- Annual distributions are issued every March, after MCF investment statements are reconciled

**Fees**

- MCF charges a 1.25% management fee annually
- Planned gifts are charged a 2.5% fee annually

5



## Ways to give to an Endowment

- Cash, check, recurring monthly credit card contributions
- Securities, physical property
- Qualified Charitable Distributions from your IRA
- Testamentary gifts
- Montana Endowment Tax Credit qualifying gifts



6

# The Montana Endowment Tax Credit

**WHAT IS A TAX CREDIT?**  
A DIRECT CREDIT ON YOUR MONTANA INCOME TAX.

**MAXIMUM ALLOWABLE AMOUNT FOR INDIVIDUALS & BUSINESSES**

\$15,000    \$30,000    \$15,000

**GIVING FOR THE GOOD OF MONTANA FOREVER**  
GIFTS TO MEET YOUR CHARITABLE GIVING GOALS AND BENEFIT MONTANA FOREVER

- Cash**  
YOU CAN MAKE A GIFT BY CHECK OR CREDIT CARD TO BENEFIT ANY FUNDS.
- Stocks, Bonds, and Mutual Funds**  
GIFTS OF APPRECIATED SECURITIES PROVIDE A CHARITABLE DEDUCTION FOR THE FULL MARKET VALUE ON THE DATE THE GIFT WAS MADE.
- Gifts of Real Estate**  
A GIFT OF REAL ESTATE THAT IS NOT MORTGAGED AND HAS APPRECIATED IN VALUE ALLOWS YOU TO DEDUCT THE FAIR MARKET VALUE OF THE GIFT AND ELIMINATE ALL CAPITAL GAINS TAXES.
- Personal Property**  
YOU CAN MAKE A GIFT OF ART, FARM AND RANCH EQUIPMENT, CROPS, ETC.

40% PERCENTAGE OF INDIVIDUAL PLANNED GIFT VALUE ELIGIBLE FOR TAX CREDIT

20% PERCENTAGE OF BUSINESS DIRECT GIFT VALUE ELIGIBLE FOR TAX CREDIT

GIFT MUST BENEFIT A 501(C)(3) ORGANIZATION. ALL FUNDS AT MONTANA COMMUNITY FOUNDATION QUALIFY

ANY INDIVIDUAL OR BUSINESS WHO PAYS INCOME TAXES TO THE STATE OF MONTANA IS ELIGIBLE FOR THE TAX CREDIT

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# What are PLANNED GIFTS?

**Examples:**

- Charitable Gift Annuities
- Charitable Trusts
- Charitable Life Estates
- Paid-up Life Insurance

- A tool for blending an individual's Financial & Estate Planning with their Philanthropic Goals.
- Typically, a legal contract between donor(s) and a nonprofit

**Enable donor(s) to:**

- maintain access to (tax-reduced) income during life
- pass assets to heirs while minimizing/avoiding tax
- and make a larger gift than they ever imagined to a cause close to their heart.

MONTANA COMMUNITY FOUNDATION

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## Tax CREDIT vs DEDUCTION

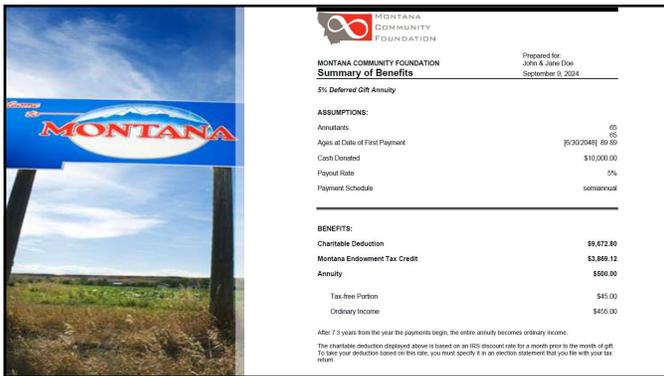
- Tax **DEDUCTIONS** reduce the amount of income upon which a person's tax will be calculated
- Tax **CREDITS** reduce the amount of tax, itself.
  - In other words, Tax Credits are a dollar-for-dollar "coupon" against the tax owed on the bottom line.

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## What's a DGA?

- A Deferred Gift Annuity is a qualifying planned gift
- The donor is deferring the opportunity for annuity payments to some time in the future
- For maximum tax benefit, the DGA is often calculated to provide the first payment sometime towards the expected end of the annuitant's life
- Must be held for 5 years, after which time the donor can relinquish their right to future annuity payments and the contribution (and interest accrued) are deposited in the qualified endowment of the donor's choice.

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**MONTANA COMMUNITY FOUNDATION**

Prepared for: John & Jane Doe  
September 9, 2024

5% Deferred Gift Annuity

**ASSUMPTIONS:**

Annuity Rate	05
Age at Date of First Payment	[03/20/48] 88 89
Cash Donated	\$10,000.00
Payment Rate	5%
Payment Schedule	semiannual

**BENEFITS:**

Charitable Deduction	\$9,672.80
Montana Endowment Tax Credit	\$3,869.12
Annually	\$500.00
Tax-free Portion	\$45.00
Ordinary Income	\$455.00

After 3 years from the year the payments begin, the entire annuity becomes ordinary income.  
The charitable deductions depicted above is based on an IRS discount rate for a month prior to the month of gift. To see your deduction based on this rate, you must specify it in an election statement that you file with your tax return.

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## How does a Non-Permanent fund work that is held at MCF?

**Fees**

- MCF charges a 3% annually

**Services**

- Funds are available at any time, with checks being sent twice a month to charitable organizations
- Fund Representatives has access to a donor portal to see the balance and request distributions

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## Ways to give to a Non-Permanent Fund

- **Cash, check, recurring monthly credit card contributions**
- **Securities, physical property**
- **Qualified Charitable Distributions from your IRA**
- **Testamentary gifts**

Transfer of Wealth 2024

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## Your Gift Planning Department

- **Supporting your Planned Giving, Endowment, and Fundraising efforts is MCF's Mission**
- **MCF provides:**
  - Staff support and expertise all across Montana
  - Software
  - Audit of financials and investments
  - Assumption of Liability
  - Travel and Education
  - Presentations, in person or via Zoom
- **MCF Community Impact Fee**

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<small>Mary Rutherford President &amp; CEO (Helena)</small>	<small>Jessica Stewart-Kuntz Vice President of Philanthropy (Helena)</small>	<small>Jim Bennett Gift &amp; Estate Planning Director (Have)</small>	<small>Alley Fontenot Gift &amp; Estate Planning Director (Missoula)</small>	<small>Heather Ohs Gift &amp; Estate Planning Director (Bozeman/Billings)</small>	<small>Sara D. Whittle Gift Planner (Billings)</small>
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heather@mtcf.org  
(406) 671-9843



**We Can Help**  
MONTANA COMMUNITY FOUNDATION  
MTCF.org

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# Questions?



Transfer of Wealth 2024

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## Thank you!

Heather Ohs, Gift & Estate Planning Director  
heather@mtcf.org  
406-671-9843





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MONTANA  
COMMUNITY  
FOUNDATION

# About Montana Community Foundation

We are Your Family, Friends, and Neighbors.  
We are Montanans.

We're all about Montana's future. Through the power of permanently endowed funds, we help people achieve their philanthropic goals and nonprofit organizations establish stable incomes to support their efforts. Our mission is to cultivate a culture of giving so Montana communities can flourish.

Since 1988, the Montana Community Foundation, Inc. (MCF) has worked tirelessly to create permanent philanthropy and build stronger communities. Our work with donors, charitable organizations, cities and towns plays a critical role in both philanthropic and community development. Since our founding, we have reinvested more than \$90 million in Montana.

Our work would not be possible without the careful stewardship and administration of the more than 1,400 distinct funds and planned gifts entrusted to us, which now total more than \$140 million. A dedicated board of directors, as well as an experienced and professional staff provide personal service and local expertise to deliver the greatest impact for your charitable giving.

## Ten reasons people choose to give through MCF

1. We are a local organization with deep roots in Montana.
2. Our professional program staff has expertise in addressing community issues and needs.
3. We provide highly-personalized service tailored to each individual's charitable and financial interests.
4. Our funds help people invest in the causes they care about most.
5. We accept a wide variety of assets and can facilitate even the most complex forms of giving.
6. We partner with professional advisors to create highly-effective approaches to charitable giving.
7. We help maximize tax advantages for gifts in compliance with state and federal law.
8. We multiply the impact of gift dollars by pooling them with other gifts and grants.
9. We build endowment funds that benefit the community forever and help create personal legacies.
10. We are a community leader, convening agencies and coordinating resources to create positive change.

The Montana Community Foundation provides a simple, powerful and highly personal approach to giving.

We offer a variety of giving tools to help people achieve their charitable goals while making an impact on Montana communities.

Learn more at [www.mtcf.org](http://www.mtcf.org) or contact us today.



# You Can Ensure Montana's Future

Montana is known as the last best place. It's where many of us were born and raised. It's where we find pride in hard work and a job well done. It's where we know we can count on our neighbors and where we're treated like a neighbor even if we're not. It's where we laugh and play. It's where we raise our children and grandchildren. In short, Montana isn't just the place we live, it's our home.

## How can you help ensure Montana remains the last best place for generations to come?

The key to ensuring the state we love remains that way, is keeping wealth in Montana. An unprecedented transfer of wealth is occurring and capturing just a small percentage of that wealth in endowed funds will make an enormous impact. At the Montana Community Foundation, we help you find the best way to give to the causes and charities important to you. You ensure Montana's future because we ensure your giving is effective, lasting and creates the greatest impact, while at the same time meets your financial needs and goals by taking advantage of things like the Montana Endowment Tax Credit.

Since 1988, we have been helping Montana communities flourish through the power of permanently endowed funds. With our commitment to donor service, a track record of sound investment strategy and a dedicated staff of professionals, the Montana Community Foundation has become the "go to" place for philanthropy in Montana. Each and every day we help people achieve their philanthropic goals and nonprofit organizations establish stable incomes to support their efforts.

Whether you know exactly how you would like to give and to whom, or are simply interested in exploring your charitable options, we are here to help.

### Learn More

Contact us today at [406.443.8313](tel:406.443.8313) or visit [www.mtcf.org](http://www.mtcf.org) to learn more about ensuring Montana's future.

donor  
services

endowment  
building

gift  
Planning

community  
development

philanthropic  
advocacy

PO Box 1145 Helena, MT 59624

[p 406.443.8313](tel:406.443.8313) [f 406.442.0482](tel:406.442.0482) [e giving@mtcf.org](mailto:giving@mtcf.org) [www.mtcf.org](http://www.mtcf.org)

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## PARTNERING WITH THE MONTANA COMMUNITY FOUNDATION FOR YOUR ENDOWMENT

### WHO WE ARE

For more than 35 years, the Montana Community Foundation (MCF) has been cultivating a culture of giving so Montana communities can flourish. Our work is rooted in our values of generosity, impact, integrity, excellence, and inclusion.

**Our vision is to inspire giving for the good of Montana forever.**

We currently administer 900 distinct funds and 600 planned gifts, totaling more than \$160 million. Since our inception, we have reinvested more than \$90 million in Montana through grants, scholarships, and programs.

### THE OPPORTUNITY

Partnering with us creates a sustainable future through endowed philanthropy. Establishing a Nonprofit Designated Endowment at MCF allows you to focus on your mission while knowing unrestricted funds will be available to fulfill long-term goals and provide a source of income you can rely on.

### WHY PARTNER WITH THE MONTANA COMMUNITY FOUNDATION?

- **We are committed to excellence.**

Through our accreditation from the National Standards Board for U.S. Community Foundations, we demonstrate our commitment to not only following legal guidelines but also our commitment to operational excellence.

- **We are your neighbors.**

With an office, staff, and board members located throughout Montana, we are your neighbors and partner in philanthropy.

- **We are good stewards of the resources we hold for Montana's benefit.**

We engage an outside firm to conduct an annual external audit and have had clean audit opinions every year.

- **We can handle complex gifts.**

We are licensed with the Office of the Montana State Auditor, Commissioner of Securities and Insurance to issue planned gifts.

- **We invest in long-term sustainability.**

We provide permanent funding for philanthropy in Montana through thoughtful fund distributions and long-term investing so charitable gifts deliver the greatest impact for generations to come.



## WE ARE HERE TO SUPPORT YOU.

The Montana Community Foundation is proud to have nearly 500 nonprofit endowment funds that benefit nonprofits across our state. We provide multiple services, resources, and tools to support our nonprofit partners.

- Our philanthropy team has four full-time professionals dedicated to ensuring Montana's future through philanthropy. They can help your donors utilize the Montana Endowment Tax Credit and support your endowment. Our team can run gift illustrations, give presentations, and provide the tools and support you need to grow your endowment.
- Our two-person communications team can help you develop marketing and communication materials to help promote your endowment to your donors and supporters. We also provide access to MCF's library of marketing and outreach materials.
- We provide educational opportunities through webinars and twice-annual investment presentations from our Outsourced Chief Investment Officer at Cambridge Associates.

## OUR PHILANTHROPY TEAM



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**LEARN MORE ABOUT THE MONTANA COMMUNITY FOUNDATION AT [WWW.MTCF.ORG](http://WWW.MTCF.ORG).**

# MONTANA ENDOWMENT TAX CREDIT

THE MONTANA ENDOWMENT TAX CREDIT (METC) ENCOURAGES GIFTS TO QUALIFIED ENDOWMENTS THAT FOREVER BENEFIT MONTANA NONPROFITS AND LOCAL COMMUNITIES.



PERCENTAGE OF INDIVIDUAL PLANNED GIFT VALUE ELIGIBLE FOR TAX CREDIT



PERCENTAGE OF BUSINESS DIRECT GIFT VALUE ELIGIBLE FOR TAX CREDIT

## WHAT IS A TAX CREDIT?

IT IS A DIRECT CREDIT ON YOUR MONTANA INCOME TAX.

## MAXIMUM ALLOWABLE AMOUNT



\$15,000



\$30,000



\$15,000



GIFT MUST BENEFIT A 501(C)(3) ORGANIZATION- ALL FUNDS AT MONTANA COMMUNITY FOUNDATION QUALIFY



ANY INDIVIDUAL OR BUSINESS WHO PAYS INCOME TAXES TO THE STATE OF MONTANA IS ELIGIBLE FOR THE TAX CREDIT



# GIVING FOR THE GOOD OF MONTANA FOREVER

.....  
GIFTS TO MEET YOUR CHARITABLE GIVING GOALS AND BENEFIT MONTANA FOREVER



## **Cash**

YOU CAN MAKE A GIFT BY CHECK OR CREDIT CARD TO BENEFIT ANY FUND.



## **Stocks, Bonds, and Mutual Funds**

GIFTS OF APPRECIATED SECURITIES PROVIDE A CHARITABLE DEDUCTION FOR THE FULL MARKET VALUE ON THE DATE THE GIFT WAS MADE.



## **Gifts of Real Estate**

A GIFT OF REAL ESTATE THAT IS NOT MORTGAGED AND HAS APPRECIATED IN VALUE ALLOWS YOU TO DEDUCT THE FAIR MARKET VALUE OF THE GIFT AND ELIMINATE ALL CAPITAL GAINS TAXES.



## **Personal Property**

YOU CAN MAKE A GIFT OF ART, FARM AND RANCH EQUIPMENT, CROPS, ETC.



406.443.8313



GIVING@MTCF.ORG



WWW.MTCF.ORG



MONTANA COMMUNITY FOUNDATION

*\*updated 2024*



Great giving options tailored to your unique situation – choose the one that's right for you.

## Cash

This is a simple and common way to make a gift by check or credit card to benefit any fund at the Montana Community Foundation. Donations of cash are deductible if you itemize in the year of contribution.

## Bequests

You can designate a gift or portion of your estate to one or more funds at MCF, and in some cases, receive a substantial reduction in federal gift and estate taxes.

## Stocks, Bonds, and Mutual Funds

Many gifts of appreciated securities such as stocks, bonds, and mutual funds provide a charitable deduction for the full fair market value of the donated asset. If you have owned them longer than one year, you will pay no capital gains tax on the transaction and you can deduct the full fair market value.

## Bank Accounts and CDs

Name MCF as the payable-on-death beneficiary of your bank accounts or certificates of deposit. You own the assets for your lifetime and have them available for your use. Upon your death, the assets pass directly to MCF, without going through probate, for the benefit of the fund(s) you selected.

## Life Insurance<sup>1</sup>

Rather than cancel policies you no longer need, select a fund at MCF to name as the beneficiary, or simply donate the policies to MCF outright.

## Retirement Plan Assets

Your most efficient estate planning option may be leaving all or a portion of your retirement plan to MCF to benefit one or more funds of your choosing, because tax laws often subject these assets to income and estate taxes upon your death. At the same time, you can pass more tax-favored assets to your family. Many techniques can be used to avoid income taxes up to 39.6 percent. An IRA charitable rollover is one such option that is a great choice for people age 70½ or older.

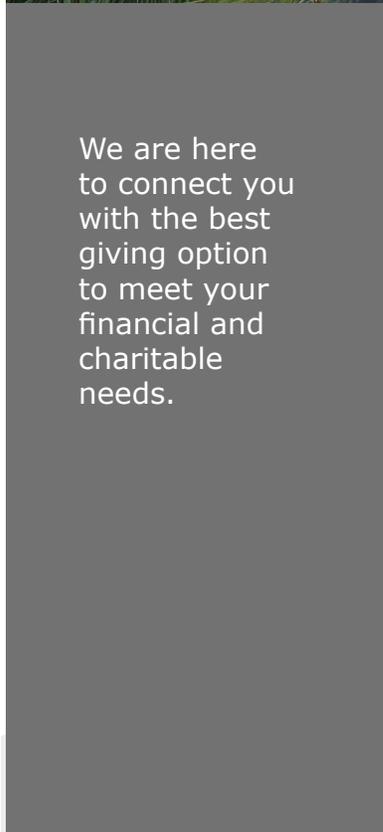
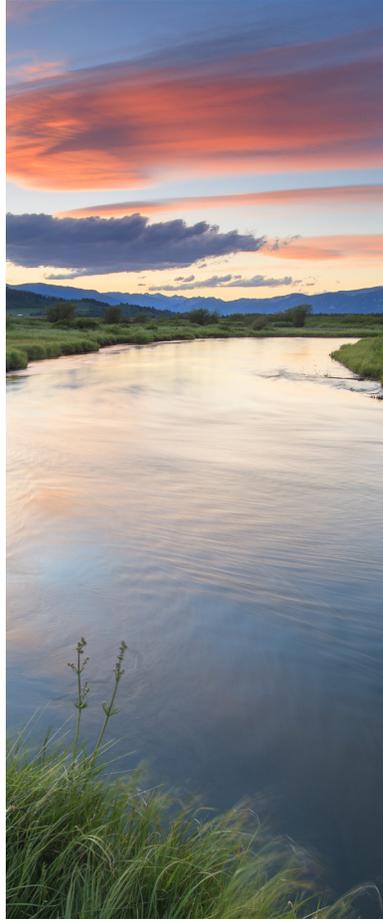
## Real Estate

This is a simple donation if you own property that is not mortgaged, has appreciated in value, and you no longer need or use. Donating it to MCF is an effective way to benefit funds of your choosing while deducting the fair market value of the gift and eliminating all capital gains taxes. Plus, you have removed that asset from your taxable estate.

## Charitable Gift Annuity<sup>1</sup>

Also known as a CGA, this simple option enables you to make a gift to MCF now, get immediate tax benefits, and ensure you or a loved one receive fixed annual income for life. The older you are, the higher your annuity rate. For donors who do not wish to receive income payments, a deferred charitable gift annuity, otherwise known as a DGA, is a popular option that provides the maximum tax advantage for the gift.

We are here to connect you with the best giving option to meet your financial and charitable needs.





donor  
services

endowment  
building

gift  
Planning

community  
development

philanthropic  
advocacy

## Charitable Remainder Trust<sup>1</sup>

You can place cash or property in a trust that pays annual fixed or variable income to you (or another named beneficiary) for life or a period of time not to exceed 20 years. Income tax benefits are available for the year you establish the trust. At the end of the trust's term, the remaining assets transfer to MCF for the benefit of the charitable fund(s) you selected.

## Charitable Lead Trust<sup>1</sup>

This type of charitable trust pays income to one or more charitable organizations, typically for a period of years, after which the remaining trust assets pass to family members.

## Retained Life Estate<sup>1</sup>

You can transfer the deed of your personal residence or farm to MCF now and retain the right to live in and use the property for your lifetime. You will receive a current charitable deduction in an amount that is based on your life expectancy and the value of the property.

## Bargain Sale

In this scenario, you agree to sell property to MCF at less than its fair market value, with the difference between the sale price and the fair market value being your charitable deduction. The net result is often more favorable than selling the property at fair market value and making a charitable contribution from the capital gain.



## Fair Market Value

The price a willing buyer and a willing seller can agree on.



## Beneficiary

An individual or organization designated to receive benefits or funds under a will or other contract, such as an insurance policy, trust or retirement plan.



## Probate

The court process for determining the validity of a deceased person's will and distributing his or her assets.



## Capital Gain

The increase in value of an asset, such as stock or real estate, since its purchase.

## Contact Us Today

(406) 443-8313  
giving@mtcf.org

<sup>1</sup>Gift may qualify for Montana Endowment Tax Credit.

\*The information in this publication is not intended as legal or tax advice. For legal or tax advice, please consult your attorney and/or tax professional.





## Community Choice Schools Criminal Background Check Policy

The Montana Community Choice Schools Commission, in cooperation with the Administrative Rule of Montana 10.57.201A CRIMINAL HISTORY BACKGROUND CHECK and the National Child Protection Act of 1993, requires all Community Choice School applicants adhere to the following criminal background checks procedures.

The National Child Protection Act of 1993, as amended, (codified at 42 United States Code sections 5119a and 5119c) (the "Act") authorizes a state and national criminal history background check to determine the fitness of an employee, volunteer, or other person with unsupervised access to children, the elderly, or individuals with disabilities. The purpose of this policy is to support the Community Choice Schools Commission's duty to determine whether governing board members, founders, and staff have been convicted of a crime that bears upon the applicant's fitness related to the safety and wellbeing of children.

### Directions to Community Choice School (CCS) Applicants

1. Each of the following persons involved or known to be involved in the CCS Application shall provide to the Montana Department of Justice information and material sufficient to obtain a fingerprint-based national criminal history background check:
  - a. all proposed governing board members,
  - b. all proposed founders, and
  - c. all proposed staff members.
2. To initiate the criminal history background check process, the applicant must submit a set of fingerprints on the appropriate form to the Montana Department of Justice. Criminal background checks submitted for other purposes will not be acceptable. See Directions for Obtaining a Criminal Background Check attached to this policy.
3. The applicant shall bear the costs of the background check.
4. Each of the following: governing board members; founders; and staff members involved in the CCS Application shall submit to the Community Choice Schools Commission with their CCS Application the results of each applicant's criminal history background check.
5. A CCS Application shall not be considered complete until the background check results for each of the governing board members, founders, and any staff members involved in the Application are received by the Commission.
6. The Community Choice Schools Commission shall make a determination on an individual basis whether each person included in the CCS Application have been convicted of, or is under pending indictment for, a crime that bears upon the applicant's fitness related to the safety and well-being of children.
7. Conviction, including conviction following a plea of nolo contendere, a conviction in which the sentence is suspended or deferred, or any other adjudication treated by the court as a



## Community Choice Schools Criminal Background Check Policy

conviction, may be considered by the Community Choice Schools Commission if the conviction was for a sexual offense, a crime involving violence, the sale of drugs, theft, or any other offense related to public health, welfare, and safety as it applies to the safety and welfare of children.

8. Each applicant who is the subject of a criminal history background check is entitled to receive a copy of the report from the Community Choice Schools Commission with the appropriate identification and signed release. The applicant may challenge the accuracy and completeness of any information contained in any such report through the Montana Department of Justice procedures.

### Directions for Obtaining a Criminal History Background Check

#### **Federal Fingerprint-Based Check**

**\$30.00**

This background check and fee includes the Montana (WIN) check, as required by the FBI. Statutory authority is required to conduct these checks. Please contact the MT Department of Justice if there are questions regarding the statutory authority. This fee does not include fingerprinting service.

#### **Fingerprinting Service**

**\$5.00**

This fee is for service provided at Criminal Records in Helena. The fee may vary if the service is obtained from other law enforcement agencies or private vendors.

#### **How to Initiate Your Fingerprint Background Check Per FBI regulations**

Fingerprints must be clear. Smudged or unclear prints will be rejected by the FBI. Therefore, it is recommended that you complete and submit two fingerprint cards, to ensure that your background check can be completed in a timely manner.

#### **Instructions**

1. Go to your local law enforcement agency or any other agency offering fingerprinting services. Request that your fingerprints be taken for a background check. Remember to have two fingerprint cards completed.
2. Fill out the appropriate section on the fingerprint card(s) with your personal information.
3. Complete the following specific sections on the fingerprint card(s) with the following information:
  - Employer and Address:
    - Montana Board of Public Education
    - Attention: Community Choice Schools Commission
    - PO Box 200601 Helena, MT 59620-2501
  - Reason Fingerprinted: Community Choice School Application
4. Do not fold the completed fingerprint card(s).



## Community Choice Schools Criminal Background Check Policy

5. Mail the completed fingerprint card(s) along with a check payable to the Montana Department of Justice for their processing fee of \$30.00.

Mail to:

Montana Department of Justice Criminal Records & Identification Services  
PO Box 201403 Helena, MT 59620-1403

The CCS Commission will not publicly post the results of any background checks with any school or other entity. The Commission will maintain a copy on file, applicants may request a copy of their results with appropriate identification and signed release.

DRAFT

**STATE OF MONTANA  
COMMUNITY CHOICE SCHOOLS COMMISSION**

**BYLAWS**

**Article I. Name**

The legal name of the Commission is the Community Choice Schools Commission (“Choice Commission”).

**Article II. Objective**

The objective of the Commission is to carry out its statutory responsibilities under the Community Choice Schools Act, 20-11-101 et seq., MCA, including performing the functions of a community choice school authorizer and authorizing other authorizers (20-11-105 and 106, MCA) and overseeing the performance and effectiveness of all other authorizers established in the state (20-11-107, MCA). The overall goal of the Choice Commission is to foster other public educational institutions open to all K-12 students, especially to those students at risk of academic failure or academic disengagement and to advance Montana’s commitment to the preservation of American Indian cultural identity. The Choice Commission is an autonomous entity and operates under the general supervision of the Board of Public Education in accordance with 20-11-104, MCA.

**Article III. Membership**

- A. The Choice Commission consists of seven members. Per 20-11-104, MCA two members are appointed by the Governor, one member by the State Superintendent of Public Instruction, one member by the Senate President, one member by the Senate Minority Leader, one member by the Speaker of the House, and one member by the House Minority Leader. Members of the Choice Commission must collectively possess substantial experience and expertise in board governance, business, finance, education, management, and philanthropy. All members of the Choice Commission must have a demonstrated understanding of and commitment to Choice Schools as a strategy for strengthening public education.
- B. The Choice Commission members will serve staggered three-year terms to ensure the orderly succession of officers and members. To initiate staggering, the terms of initial members are as prescribed at 20-11-104, MCA.
- C. When a vacancy occurs, the appointing authority of the vacant seat shall appoint a new member for the remainder of the term of the incumbent.
- D. If any appointing authority fails to make an appointment within 60 days of the expiration of a term or the occurrence of a vacancy, the remaining appointing authorities may make the appointment (20-11-104, MCA). Members appointed to the Choice Commission, before discharging their duties, shall take and subscribe to the constitutional oath of office.

- E. A member of the Choice Commission may be removed by a majority vote of the Commission for any cause that renders the member unable or unfit to discharge the duties of the office, as prescribed at 10-11-104(7), MCA.
- F. The Choice Commission shall establish a conflict-of-interest policy. If a member of the Choice Commission has a conflict of interest regarding a matter that comes before the Commission, the member shall recuse himself or herself from the Commission's deliberations and voting on the matter.

#### **Article IV. Officers**

- A. The officers of the Choice Commission shall consist of a Chairperson, Vice Chairperson and Treasurer. The officers must be members of the Choice Commission.
- B. The initial presiding officer, the Chairperson, shall be designated by the governor for a two-year period (20-11-104(5)). The other officers shall be elected to serve a term of one year. Officers may serve up to three consecutive terms. After the Chairperson's initial two-year term, subsequent Chairpersons shall be elected for a term of one year. Elections of the officers shall be conducted by voice vote or roll call. The Chairperson, Vice Chairperson and Treasurer elect shall assume their respective offices upon adjournment of the meeting at which they were elected.
- C. If an office is vacated prior to the expiration of the term, the Choice Commission will hold an election to fill the vacated office. The newly elected officer will serve for the remainder of the unexpired term.
- D. The duties of the Chairperson shall include presiding at meetings, participation in the construction of meeting agendas and appointing all committees. The Chairperson may vote on all matters and may make motions. In the absence of the Chairperson, the Vice Chairperson shall preside and shall perform such duties as are prescribed for the Chairperson.
- E. The duties of the Vice Chairperson shall include substituting for the Chairperson as needed and carrying out additional leadership duties related to the functioning, responsibilities, and effectiveness of the Commission.
- F. The duties of the Treasurer shall include acting as the general liaison for the Choice Commission in working with other agencies and support staff on matters regarding budget planning, financial reporting, record-keeping, and managing incoming and outgoing funds.

#### **Article V. Meetings**

- A. The Choice Commission shall meet at least quarterly. Special meetings may be called by the Governor, the Chairperson of the Board of Public Education, the Chairperson of the Choice Commission, or by a written request to the Chairperson submitted by four members. The purpose of a special meeting must be described in any call or request for a meeting.

- B. At the discretion of the Chairperson, meetings may be conducted in-person or electronically, including by telephone or by using an internet meeting service.
- C. The Chairperson shall notify each member either by email, by mail or by telephone sufficiently in advance of any regular or special meetings of the Choice Commission to allow all members to arrange for travel or for electronic means of attendance. The purpose of any special meeting shall be provided with notice of the meeting.
- D. Meetings of the Commission shall be open to the public in accordance with Montana law. The Chairperson may close the meeting to the public in accordance with Montana law if he or she determines:
  - 1. That the demand of individual privacy clearly exceeds the merits of public disclosure, or
  - 2. That an open meeting would have a detrimental effect on the bargaining or the litigating position of the Commission.

The Chairperson shall briefly state the reason for the closing.

### **Article VI. Quorum; Voting**

A majority of the members of the Choice Commission shall constitute a quorum for the transaction of business. A vote of a majority of members present and casting a vote is required to approve any action of the Choice Commission.

### **Article VII. Committees**

- A. Standing Committees shall be as follows:
  - 1. An Executive Committee composed of the Chairperson, Vice Chairperson and Treasurer. The duties of the Executive Committee shall include facilitation of decision making between board meetings or in urgent and crisis circumstances. The Executive Committee shall also act as the communication link to any employees or vendors and shall perform performance evaluations of any hired staff.
- B. The Choice Commission may create special committees as deemed necessary to carry out the responsibilities of its work. The Choice Commission shall prescribe the duties, duration, and scope of work of any special committees. Members of the special committees shall be appointed by the Chairperson.
- C. Committee meetings may be scheduled and held as necessary to execute committee assignments.
- D. Committees may not take action on behalf of the Choice Commission. Committees shall review, report on, and make recommendations concerning any item referred to them and

alert the Chairperson on any matters which should be placed on the agenda for Choice Commission discussion or action.

- E. Upon request of the Board of Public Education, the Chairperson of the Commission may appoint a designated member of the Board to contribute on special committees of the Choice Commission.

### **Article VIII. Order of Business**

The regular order of business shall be as follows:

1. Call to Order
2. Pledge of Allegiance
3. Roll Call
4. Statement of Public Participation
5. Welcome Visitors
6. Items Pulled from Consent Agenda
7. Consent Agenda Adoption
8. Agenda Adoption
9. Agenda
10. Public Comment
11. Date and Place of Next Meeting
12. Adjournment

### **Article IX. Communications**

All official communications should come to the attention of the Commission through the Chairperson. The Chairperson shall serve as the official spokesperson for the Choice Commission. No Commission member shall be limited in personal, First Amendment rights in discussing their role in Commission work.

### **Article X. Parliamentary Procedure**

The Commission will use Robert's Rules of Order as a guide on questions of parliamentary procedure to the extent those Rules are not inconsistent with these bylaws.

### **Article XI. Amendments**

These bylaws may be added to or amended by a majority vote at any meeting of the Choice Commission provided that a quorum is present and provided that the proposed amendment is sent in writing to members of the Commission at least seven days in advance.

### **Article XII. Professional Development**

The Choice Commission may offer professional development opportunities for Commission members, subject to funding. Members may attend at least one professional development

conference each year when funding is available. All requests must be submitted to the Chairperson and Treasurer at least one month prior to the conference on a form developed by the Choice Commission. All requests shall be considered by and subject to approval of the Executive Committee based upon criteria developed by the Executive Committee and approved by the Choice Commission.

### **Article XIII. Member Compensation and Expense Reimbursement**

- A. Members shall not receive compensation for serving on the Choice Commission.
- B. Subject to funding, members shall be entitled to reimbursement of travel expenses as provided for in 2-18-501 through 2-18-503, MCA. Members shall submit requests for travel expenses to the Treasurer on a form developed and approved by the Choice Commission. If funding is available and the Treasurer determines that the travel expense reimbursement is adequately documented and allowable under 2-18-501 through 2-18-503, MCA, the Treasurer shall authorize reimbursement.
- C. Subject to funding, members may receive reimbursement for other expenses incurred by them in performance of their duties and responsibilities as a member of the Choice Commission under criteria and procedures developed and approved by the Choice Commission.

These bylaws were approved and adopted by the Choice Commission on the 2<sup>nd</sup> day of October, 2023.

Tish Schweiber. , Community Choice School Chairperson



## Conflict of Interest

The Community Choice Schools Commission acts in accordance with the Montana Code Annotated Title 2 chapter 2: Standards of Conduct in whole and specifically as it pertains to the work of the Commission as outlined in the sections below.

**2-2-101. Statement of purpose.** The purpose of this part is to set forth a code of ethics prohibiting conflict between public duty and private interest as required by the constitution of Montana. This code recognizes distinctions between judges, legislators, judicial officers, other officers and employees of state government, and officers and employees of local government and prescribes some standards of conduct common to all categories and some standards of conduct adapted to each category. The provisions of this part recognize that some actions are conflicts per se between public duty and private interest while other actions may or may not pose such conflicts depending upon the surrounding circumstances.

**2-2-102. Definitions.** As used in this part, the following definitions apply:

(8) "Public employee" means:

- (a) any temporary or permanent employee of the state, including an employee of the judicial branch;
- (b) any temporary or permanent employee of a local government;
- (c) a member of a quasi-judicial board or commission or of a board, commission, or committee with rulemaking authority; and
- (d) a person under contract to the state.

**2-2-105. Ethical requirements for public officers and public employees.**

(1) The requirements in this section are intended as rules of conduct, and violations constitute a breach of the public trust and public duty of office or employment in state or local government.

(2) Except as provided in subsection (4), a public officer or public employee may not acquire an interest in any business or undertaking that the officer or employee has reason to believe may be directly and substantially affected to its economic benefit by official action to be taken by the officer's or employee's agency.

(3) A public officer or public employee may not, within 12 months following the voluntary termination of office or employment, obtain employment in which the officer or employee will take direct advantage, unavailable to others, of matters with which the officer or employee was directly involved during a term of office or during employment. These matters are rules, other than rules of general application, that the officer or employee actively helped to formulate and applications, claims, or contested cases in the consideration of which the officer or employee was an active participant.

(4) When a public employee who is a member of a quasi-judicial board or commission or of a board, commission, or committee with rulemaking authority is required to take official action on a matter as to which the public employee has a conflict created by a personal or private interest that would directly give rise to an appearance of impropriety as to the public employee's influence, benefit, or detriment in regard to the matter, the public employee shall disclose the interest creating the conflict prior to participating in the official action.

(5) A public officer or public employee may not perform an official act directly and substantially affecting a business or other undertaking to its economic detriment when the officer or employee has a substantial personal interest in a competing firm or undertaking.



## Conflict of Interest

**2-18-102. Personnel administration -- general policy setting -- oversight.**

(4) The department shall develop model rules of conduct for all state employees based upon the provisions of Title 2, chapter 2. The department shall provide employees with a pamphlet summarizing the provisions of Title 2, chapter 2. Each state agency shall adopt the model rules of conduct and additional rules appropriate to the specific circumstances of the agency. As noted by the Montana Supreme Court in *Sheehy v. Commissioner of Political Practices*, 2020 MT 37, para. 23, not all public employees are state employees. Whereas as an employee of the Commission, is subject to the model rules of conduct adopted by the Department of Administration (which may then be adopted by the Commission as a state agency), the Commission members are not subject to the 2-18-402 model rules of conduct.

In accordance with 2-18-102(4), the Commission as a state agency shall adopt the model rules of conduct and additional rules appropriate to the specific circumstances of the Community Choice Schools Commission.

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MONTANA  
**COMMUNITY**  
CHOICE SCHOOLS

## Request for Non-Travel Related Expenses Community Choice Schools Commission

**1) Name of Person Requesting Reimbursement**

**2) Amount Requested**

**3) Description of Expenditure**

**4) Submitted By Signature and Date**

**5) Authorized By Signature and Date**



## Request for Professional Development Community Choice Schools Commission

### 1) Name of Person Requesting Professional Development Reimbursement

### 2) Amount Requested

Conference Fee:

Travel:

Lodging:

Meals:

Other:

TOTAL:

### 3) Conference Location & Travel Dates

### 4) Description of Conference

### 5) Submitted By Signature and Date

### 6) Authorized By Signature and Date