

# MONTANA

OVERALL RANK: 3RD<sup>1</sup>  
TIER 1 (STRONGEST)

STRONGER  WEAKER

OVERALL	3				
1. RESOURCES AND MEMBERSHIP			20		
2. INVOLVEMENT IN POLITICS		10			
3. SCOPE OF BARGAINING	6				
4. STATE POLICIES	6				
5. PERCEIVED INFLUENCE	5				

## AREA 1: RESOURCES AND MEMBERSHIP TIED FOR 20TH

Though Montana’s single state teacher union derives a substantial amount of internal resources from its own members, it does not see much funding from the state. A total of 82.6 percent of Montana teachers are unionized, the 23rd-highest membership rate across 51 states. And the merged NEA-AFT state-level affiliate brings in \$814 annually per Montana teacher (5th of 51). But while overall K-12 education spending is high (local, state, and federal funds amount to \$13,773 per pupil per year, 10th-highest), only 51.1 percent of those funds go toward teacher salaries and benefits (44th). Montana itself does not allot a large proportion of its expenditures to K-12 education—just 15.3 percent (43rd).

## AREA 2: INVOLVEMENT IN POLITICS<sup>2</sup> TIED FOR 10TH

While state politics in Montana was not a big-money game in the past decade, Montana’s teacher unions were among the more active players (and played a bigger role than their counterparts in many other states).<sup>3</sup> Contributions from the unions accounted for 2.7 percent of the donations to political parties in the Treasure State (10th). Even though their donations to candidates for state office did not add much to candidates’ overall totals (0.2 percent came from unions; 44th), about \$1 out of every \$10 given to candidates by the ten highest-giving sectors in the state came from teacher unions (15th). They also had a non-monetary presence: 22.4 percent (8th) of Montana’s delegates to the Democratic and Republican national conventions were teacher union members.<sup>4</sup>

*AREA 3: SCOPE OF BARGAINING  
6TH*

Montana is one of thirty-two states that require collective bargaining. It also permits teacher strikes, and allows unions to automatically collect agency fees (a key source of revenue) from non-member teachers. In addition, state law gives teacher unions greater scope of bargaining than in most other states. Of twenty-one items examined in this analysis, Montana requires that four be subjects of collective bargaining—wages, hours, terms and conditions of employment, and fringe benefits. It's silent on the remaining seventeen provisions, implicitly including them all in negotiations.

*AREA 4: STATE POLICIES  
6TH*

Many of Montana's education policies are closely aligned with traditional teacher union interests. The state does not support performance pay, does not articulate consequences for unsatisfactory evaluations, and does not require that student achievement data be part of teacher evaluations or tenure decisions. Districts need not consider teacher performance when determining teacher layoffs. Finally, though not calculated into our metric, Montana does not have a charter school law—in fact, no such bill has even made it to the legislature floor since 2002 (see sidebar).<sup>5</sup>

*AREA 5: PERCEIVED INFLUENCE  
5TH*

While stakeholders in Montana do not consistently rank teacher unions as the strongest force in education policy, they do report a very powerful union influence. Survey respondents note that it is effective

in protecting dollars for education, and strongly agree that it has been successful in warding off education proposals with which it disagrees. Furthermore, they indicate that policies proposed by the governor in the state's latest legislative session were mostly in line with teacher union priorities (though they note that enacted policies were only somewhat in line), that the priorities of state education officials are often aligned with those of the teacher union.<sup>6</sup>

*OVERALL  
3RD*

Montana's teacher union shows consistent strength across the board. It benefits from high annual revenue; has a significant financial presence in political campaigns; enjoys a broad scope of bargaining; and maintains a favorable policy climate. Its perceived influence is significantly higher than the union in Hawaii (1st overall), and its state policy environment is significantly more union-friendly than that in Oregon (2nd overall).

Because of, or perhaps in spite of, its strength, the Montana Education Association-Montana Federation of Teachers (MEA-MFT) is in the calm at the eye of a virtual storm of anti-union sentiment. Surrounded by states undergoing a flurry of activity to limit union rights—Idaho, Colorado, Iowa, Minnesota, and Wisconsin among them—the MEA-MFT has not faced significant threats from the governor, and in April 2011 it successfully blocked several major proposals from lawmakers.<sup>7</sup> First, the MEA-MFT came out hard against a plan to legalize, and fund, charter schools. The union spared no hyperbole in dubbing HB 603 “one of the most dangerous school privatization bills ever introduced.”<sup>8</sup> Had it survived to be heard on the House floor, the bill would have been the first such charter measure to make it that far since 2002. But HB 603 died in committee in April 2011.<sup>9</sup> Charter opponents dodged another bullet when language that would have again allowed and funded charters was struck from SB 329.<sup>10</sup> The MEA-MFT also rallied its troops against a bill that would redefine “good cause” for teacher terminations and “truncate due process” for dismissals; SB 315 was rejected on the floor, 42-57.<sup>11</sup>

The union also made a few proposals of its own, including one seeking a 2011 reinstatement of salary raises for public employees after a two-year freeze. The MEA-MFT joined other public employee unions and Democrat Governor Brian Schweitzer in support of the raises, and 500 of its members attended a rally to “Save Public Services and Education.”<sup>12</sup> Apparently, however, Montana lawmakers are not as amenable to union interests when they involve asking for money: Two different iterations of the bill were voted down in April 2011, and lawmakers won’t vote on the governor’s third attempt until after Schweitzer’s successor is chosen in November 2012.<sup>13</sup> Depending on what that election brings, the powerful MEA-MFT may see more clear skies or face stormy weather ahead.

# MONTANA RANKINGS BY AREA AND INDICATOR

OVERALL RANK: 3RD

Area and Rank <sup>a</sup>	General Indicator	Sub-Indicator	Sub-Indicator Rank/Status <sup>b</sup>
<b>AREA 1: RESOURCES &amp; MEMBERSHIP</b>  20*	Membership	By rank, what percentage of public-school teachers in the state are union members?	23rd
	Revenue	By rank, what is the total yearly revenue (per teacher in the state) of the state-level NEA and/or AFT affiliate(s)?	5th
	Spending on education	By rank, what percentage of state expenditures (of state general funds, state restricted funds, state bonds, and federal "pass-through" funds) is directed to K-12 education?	43rd
		By rank, what is the total annual per-pupil expenditure (of funds from federal, state, and local sources) in the state?	10th
		By rank, what percentage of total annual per-pupil expenditures is directed to teacher salaries and benefits?	44th
<b>AREA 2: INVOLVEMENT IN POLITICS</b>  10*	Contributions to candidates and political parties	By rank, what percentage of the total contributions to state candidates was donated by teacher unions?	44th
		By rank, what percentage of the total contributions to state-level political parties was donated by teacher unions?	10th
	Industry influence	By rank, what percent of the contributions to state candidates from the ten highest-giving sectors was donated by teacher unions?	15th
	Status of delegates	By rank, what percentage of the state's delegates to the Democratic and Republican conventions were members of teacher unions?	8th
<b>AREA 3: SCOPE OF BARGAINING</b>  6	Legal scope of bargaining	What is the legal status of collective bargaining?	Mandatory
		By rank, how broad is the scope of collective bargaining?	15th
	Automatic revenue streams	What is the unions' legal right to automatically collect agency fees from non-members and/or collect member dues via automatic payroll deductions?	Permitted
	Right to strike	What is the legal status of teacher strikes?	Permitted
<b>AREA 4: STATE POLICIES</b>  6	Performance pay	Does the state support performance pay for teachers?	State does not support
	Retirement	By rank, what is the employer- versus employee-contribution rate to the teacher pension system?	32nd
	Evaluations	What is the maximum potential consequence for veteran teachers who receive unsatisfactory evaluation(s)?	No consequences articulated
		Is classroom effectiveness included in teacher evaluations? If so, how is it weighted?	Not required
	Terms of employment	How long before a teacher earns tenure?	Three years
		Is student/teacher performance considered in tenure decisions? If so, how is it weighted?	Not included
		Is seniority considered in teacher layoff decisions? If so, how is it weighted?	Optional; Weighted at district discretion
		Is teacher performance included in teacher layoff decisions? If so, how is it weighted?	Not required
		By rank, what percentage of the teaching workforce was dismissed due to poor performance?	34th
Class size	Is class size restricted for grades 1-3? If so, is the restriction higher or lower than the national average (20)?	Yes; Higher	

Area and Rank	General Indicator	Sub-Indicator	Sub-Indicator Rank/Status
<b>AREA 4: STATE POLICIES</b>  <b>6</b>  (cont.)	Charter school structural limitations <sup>c</sup>	Is there a cap (limit) placed on the number of charter schools that can operate in the state (or other jurisdiction) and/or on the number of students who can attend charter schools?	N/A
		Does the state allow a variety of charter schools: start-ups, conversions, and virtual schools?	N/A
		How many charter authorizing options exist? How active are those authorizers?	N/A
	Charter school exemptions <sup>c</sup>	Are all charter schools automatically exempt from state laws and state/district regulations (except those that safeguard students and fiscal accountability)? If not, are they eligible for exemptions?	N/A
		Are all charter schools automatically exempt from state teacher-certification requirements? If not, are they eligible for exemptions?	N/A
		Are all charter schools automatically exempt from collective bargaining agreements (CBAs)? If not, are they eligible for exemptions?	N/A

<b>AREA 5: PERCEIVED INFLUENCE<sup>d</sup></b>  <b>5</b>	Relative influence of teacher unions	How do you rank the influence of teacher unions on education policy compared with other influential entities?	Second-most influential
	Influence over campaigns	On a scale from always to never, how often do Democratic candidates need teacher-union support to get elected?	Often/Always
		On a scale from always to never, how often do Republican candidates need teacher-union support to get elected?	Sometimes
	Influence over spending	To what extent, from strongly agree to strongly disagree, do you agree that even in times of cutbacks, teacher unions are effective in protecting dollars for education?	Agree
		Given recent budgetary constraints, would you say that teacher unions generally make concessions to prevent reductions in pay and benefits or fight hard to prevent those reductions?	Fight
	Influence over policy	To what extent, from strongly agree to strongly disagree, do you agree that teacher unions ward off proposals in your state with which they disagree?	Strongly agree
		On a scale from always to never, how often do existing state education policies reflect teacher-union priorities?	Often
		To what extent, from totally in line to not at all in line, were state education policies proposed by the governor during your state's latest legislative session in line with teacher-union priorities?	Mostly in line
	Influence over key stakeholders	To what extent, from totally in line to not at all in line, were legislative outcomes of your state's latest legislative session in line with teacher-union priorities?	Somewhat/Mostly in line
		On a scale from always to never, how often have the priorities of state education leaders aligned with teacher-union positions in the past three years?	Often
	Would you say that teacher unions typically compromise with policymakers to ensure that their preferred policies are enacted, or typically need not make concessions?	Sometimes compromise, sometimes do not need to concede	

\* Tied with another state

<sup>a</sup> Area ranks are calculated using a weighted average of sub-indicators. For a more detailed description, see Appendix A.

<sup>b</sup> Where possible, we report a state's rank as compared to other states on a given metric. For example, out of 51 states, Montana has the 23rd-highest percentage of teachers who are union members. Otherwise, we report a status: Montana has mandatory collective bargaining, and union agency fees are permitted. For a more detailed description of our metrics and methodology, see Appendix A. To request the raw data for your state, send an email to [uniondata@edexcellence.net](mailto:uniondata@edexcellence.net).

<sup>c</sup> Montana does not have a charter school law.

<sup>d</sup> For all survey questions, stakeholders were asked specifically about teacher unions, candidates, policies, and leaders in their state. In addition, we asked about unions and policies in the "current legislative session," but because legislative calendars vary from state to state, responses refer to policies proposed and enacted within the 2010-11 window.

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## ENDNOTES

<sup>1</sup> A state's overall rank is calculated as follows: First, we score it on multiple sub-indicators (sub-indicator data and scores for Montana are shown in the table, *Montana Rankings by Area and Indicator*). Second, we take a weighted average of the sub-indicators in each of five areas. In each area, we use that average to place the states in rank order: For example, in Area 1: Resources and Membership, Montana is ranked 20th of 51 based on the weighted average of its sub-indicators. To generate the state's overall rank, we average the five area ranks together, then re-order the states. For a more detailed description of data sources and methodology, see Appendix A.

<sup>2</sup> Readers should note that these figures include only direct donations from unions and union-connected PACs, but not their spending on electioneering/advertising, mobilizing the union's own membership, lobbying, or advocacy. A recent *Wall Street Journal* report found that donations and lobbying activities account for a small share of union political spending compared with their expenditures on member mobilization and advocacy. Even the AFT agreed, making the argument that since its mission is organizing and activism, it will naturally spend significant amounts on these activities. Thus, the percentages we report here are extremely conservative representations of what unions actually spend on politics. For more information, see Appendix A, Area 2; Tom McGinty and Brody Mullins, "Political Spending by Unions Far Exceeds Direct Donations," *Wall Street Journal*, July 10, 2012; and Jeff Hauser, "Wall Street Journal Compares Union Political Spending to Corporate Donations," AFL-CIO, July 10, 2012.

<sup>3</sup> The indicators in Area 2 are calculated using total contributions to state candidates and political parties from local, state, and national unions. In the majority of cases, the state unions gave much higher sums than all the local unions combined, with the national associations giving little (or nothing). Montana is an exception because the sum of the donations from local affiliates is comparable to the total from the state union.

<sup>4</sup> At the time of publication, the 2000 conventions were the most recent for which such detailed data were available in forms that met rigorous standards. However, 2008 data provided by the Democratic National Convention were highly correlated with the reliable figures from 2000.

<sup>5</sup> We do not include data for sub-indicators pertaining to charters when calculating the ranking of states that do not have charter school laws. While some might argue that the lack of such a law is in itself evidence for union strength, we do not have sufficient data to link that absence to union activity. The nine states without charter laws are home to very different contexts—while teacher unions in some states may have played a significant role in keeping charter laws at bay, in others, they played little or no role.

<sup>6</sup> We asked stakeholders about unions and policies in the "current legislative session," but because legislative calendars vary from state to state, responses refer to policies proposed and enacted within the 2010-11 window.

<sup>7</sup> Gail Schontzler, "Public Enemy Or Middle-Class Champion?" *Bozeman Daily Chronicle*, March 21, 2011, [http://www.bozemandailychronicle.com/news/article\\_5c3616ee-527a-11e0-8cd4-001cc4c03286.html](http://www.bozemandailychronicle.com/news/article_5c3616ee-527a-11e0-8cd4-001cc4c03286.html).

<sup>8</sup> "Dangerous: HB 603," MEA-MFT, April 8, 2011, [http://www.mea-mft.org/Articles/dangerous\\_hb\\_603.aspx](http://www.mea-mft.org/Articles/dangerous_hb_603.aspx).

<sup>9</sup> "Legislative Detail: MT House Bill 603 – 2011 Regular Session," LegiScan, April 28, 2011, <http://legiscan.com/gaits/view/296309>.

<sup>10</sup> Cody Bloomsburg, "K-12 Funding Bill Takes A Shaky Step Forward In The House," Session '11, April 27, 2011, <http://session11dotorg.wordpress.com/2011/04/27/k-12-funding-takes-a-tentative-step-forward/>.

<sup>11</sup> "Victory On Teacher Tenure," MEA-MFT, April 28, 2011, [http://www.mea-mft.org/Articles/victory\\_on\\_teacher\\_tenure.aspx](http://www.mea-mft.org/Articles/victory_on_teacher_tenure.aspx).

<sup>12</sup> "500+ Attend Rally To Save Public Services & Education," MEA-MFT, February 21, 2011, [http://www.mea-mft.org/Articles/500\\_attend\\_rally\\_to\\_save\\_public\\_services\\_education.aspx](http://www.mea-mft.org/Articles/500_attend_rally_to_save_public_services_education.aspx).

<sup>13</sup> Charles S. Johnson, "Montana House Rejects Employee Pay Plan," *Missoulian State Bureau*, April 20, 2011, [http://missoulian.com/news/state-and-regional/article\\_097d1448-6bbb-11e0-8105-001cc4c002e0.html](http://missoulian.com/news/state-and-regional/article_097d1448-6bbb-11e0-8105-001cc4c002e0.html); Charles S. Johnson, "House Rejects Pay Plan Bill Again," *Helena Independent Record*, April 27, 2011, [http://helenair.com/news/article\\_3c32b03e-708c-11e0-85e9-001cc4c002e0.html](http://helenair.com/news/article_3c32b03e-708c-11e0-85e9-001cc4c002e0.html).