

Montana Carl D. Perkins Policy and Procedures Manual

Subject: State Administration
Policy: Public Hearings for State Plan Development or Substantive Revisions
Effective: July 1, 2007
Revised: Not Applicable

The Office of the Commissioner of Higher Education (OCHE) and the Office of Public Instruction (OPI) must jointly conduct public hearings for state plan development or substantive changes to the plan. The purpose of a hearing is to afford all segments of the public, interested organizations and groups an opportunity to present their views and make recommendations prior to the plan being submitted to OVAE for approval.

The dates, times and places of these meetings must be posted on the OPI and OCHE web sites; advertised in major Montana publications; and emailed to OPI and OCHE CTE email lists. The current version of the Perkins State Plan and any summary documents must be available for review on the OCHE Workforce Development website at the time of posting.

Because of the long distances for travel to public meetings in Montana and to allow widespread participation in the hearing process, the formal public hearings may be conducted via video conference. This also enables participants in each location to hear views and recommendations presented in other locations throughout the state. The number of conference sites must adequately represent the Career and Technical Education (CTE) constituency. Video conferencing will originate in Helena and will be directed by the OCHE Deputy Commissioner of Two-Year Education and the OPI Division Administrator for Career and Technical Education. If advertised widely for at least two weeks prior to the hearing and video conference sites are available for the majority of constituents, one conference date and time is adequate.

Public hearings will begin with a detailed briefing of all aspects of the State plan or State Plan revisions and a timeline for the public hearings process including follow-up after the hearing has been completed. Participants may present oral or written statements at the public hearing. The hearing record will be kept open for a minimum of ten working days after each hearing to allow for the submission of additional written comments or objections. The eligible agencies will respond to all written comments within ten days.

A state agency may file objections to the Montana State Plan or revisions with the OCHE Perkins Deputy Commissioner of Two-Year Education within the public comment timeline. The Deputy Commissioner of Two-Year Education will have ten

working days to respond to the objection. The objection and the response will be published on the OCHE Web site. The objecting party will have ten working days to appeal this response. In this event, the objection will go before the State Executive Leadership Team (SELT) and The Commissioner of Higher Education. A response must be provided within 30 days. This is the last step in the process for resolving objections.

Minutes will be taken during the hearing and will include written comments from the meeting and submitted after the hearing. Final minutes will include the response from the state and will be posted on the OCHE website. After the Perkins administrative teams review all state agency objections, public comments, recommendations, and responses, the revised Perkins State Plan must be published to the OCHE Workforce Development Website for public viewing.