

Upper West Shore School District #33  
Board of Trustees – Special Board Meeting  
April 25, 2022 at 4:00 PM  
Budget Work Session

**Location: School Library in Modular Building at Dayton Elementary**

**Agenda**

Open Meeting 4:00

**Trustees:**

1. Discuss resolution to transfer Rollins School Funds from Building Fund to Fund 15      Discussion/ Action
  - a. Retiring School Bond
  - b. Possible Funding for Teacher Sign-on Bonus(See accompanied Montana Code for transfer of funds)

Trustee & Community Comment on non- agenda items:

Dismissal

Action Item

# Montana Code Annotated 2021

TITLE 20. EDUCATION  
CHAPTER 6. SCHOOL DISTRICTS  
Part 6. School Property

## Trustees' Power Over Property

**20-6-602. Trustees' power over property.** The trustees of any district other than a high school district operating a county high school shall have the power and the responsibility to hold in trust all real and personal property of the district for the benefit of the schools and children of the district. In the name of the county, the trustees of a high school district operating a county high school, as defined by **20-6-101**, shall have the power and the responsibility to hold in trust all real and personal property of the district for the benefit of the schools and children of the district.

**History:** En. 75-8201 by Sec. 473, Ch. 5, L. 1971; R.C.M. 1947, 75-8201.

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TITLE 20. EDUCATION  
CHAPTER 9. FINANCE  
Part 5. Special Purpose Funds

## Building Fund

**20-9-508. Building fund.** (1) The trustees of a district shall establish or credit the building fund whenever the district:

(a) issues and sells bonds under the school district bonding provisions of this title for purposes other than refunding bonds of the district;

(b) receives federal money for the express purpose of building, enlarging, or remodeling a school building or other building of the district;

(c) sells property of the district in accordance with the law authorizing the sale;

(d) earns interest from the investment of building fund money under the provisions of **20-9-213**(4), except that interest earned from the investment of bond money under the provisions of **20-9-435** must be credited to a fund in accordance with that section; or

(e) receives any other money, including payments made by a developer under the provisions of **20-9-615**, for the express purpose of building, enlarging, or remodeling a school building or other building of the district.

(2) The financial administration of the building fund must be in accordance with the financial administration provisions of this title for a nonbudgeted fund and must provide for a separate accounting of the money realized by each bond issue or by each construction project financed by a federal grant of money. Any other money deposited to the credit of this fund must be expended for building, enlargement, remodeling, or repairing of buildings of the district at the discretion of the trustees.

(3) Money credited to the building fund under the provisions of subsection (1)(a) must be expended for the express purpose or purposes authorized by the bond proposition approved at the election authorizing the issuance of the bonds. Any money realized by the sale of bonds and remaining to the credit of the building fund after the full accomplishment of the purpose for which the bonds were sold must be transferred to the debt service fund to be used for the redemption of the bonds.

(4) Money credited to the building fund under the provisions of subsection (1)(b) must be expended for the express purpose or purposes authorized by the federal government in granting the money.

**History:** En. 75-7213 by Sec. 352, Ch. 5, L. 1971; R.C.M. 1947, 75-7213; amd. Sec. 3, Ch. 506, L. 1995; amd. Sec. 12, Ch. 343, L. 1999.

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Part 2. Administration of Finances

## Transfers Among Appropriation Items Of Fund -- Transfers From Fund To Fund

**20-9-208. Transfers among appropriation items of fund -- transfers from fund to fund.** (1) Whenever it appears to the trustees of a district that the appropriated amount of an item of a budgeted fund of the final budget or a budget amendment is in excess of the amount actually required during the school fiscal year for the appropriation item, the trustees may transfer any of the excess appropriation amount to any other appropriation item of the same budgeted fund.

(2) Unless otherwise restricted by a specific provision in this title, transfers may be made between different funds of the same district or between the final budget and a budget amendment under one of the following circumstances:

(a) (i) Except as provided in subsections (2)(a)(ii) through (2)(a)(iv), transfers may be made from one budgeted fund to another budgeted fund or between the final budget and a budget amendment for a budgeted fund whenever the trustees determine, in their discretion, that the transfer of funds is necessary to improve the efficiency of spending within the district or when an action of the trustees results in savings in one budgeted fund that can be put to more efficient use in another budgeted fund. Transfers may not be made with funds approved by the voters or with funds raised by a nonvoted levy unless:

(A) the transfer is within or directly related to the purposes for which the funds were raised and the trustees hold a properly noticed hearing to accept public comment on the transfer; or

(B) the transfer is approved by the qualified electors of the district in an election called for the purpose of approving the transfer, in which case the funds may be spent for the purpose approved on the ballot.

(ii) Unless otherwise authorized by a specific provision in this title, transfers from the general fund to any other fund and transfers to the general fund from any other fund are prohibited.

(iii) Unless otherwise authorized by a specific provision in this title, transfers from the retirement fund to any other fund are prohibited.

(iv) Unless otherwise authorized by a specific provision in this title, transfers from the debt service fund to any other fund are prohibited.

(b) Transfers may be made from one nonbudgeted fund to another nonbudgeted fund whenever the trustees determine that the transfer of funds is necessary to improve the efficiency of spending within the district. Transfers may not be made with funds restricted by federal law unless the transfer is in compliance with any restrictions or conditions imposed by federal law. Before a transfer can occur, the trustees shall hold a properly noticed hearing to accept public comment on the transfer.

(3) The trustees shall enter the authorized transfers upon the permanent records of the district.

(4) The intent of this section is to increase the flexibility and efficiency of school districts without an increase in local taxes. In furtherance of this intent, if transfers of funds are made from any school district fund supported by a nonvoted levy, the district may not increase its nonvoted levy for the purpose of restoring the amount of funds transferred.

**History:** En. 75-6812 by Sec. 248, Ch. 5, L. 1971; amd. Sec. 4, Ch. 241, L. 1973; R.C.M. 1947, 75-6812; amd. Sec. 19, Ch. 767, L. 1991; amd. Sec. 45, Ch. 633, L. 1993; amd. Sec. 3, Ch. 480, L. 2001; amd. Sec. 14, Ch. 418, L. 2011; amd. Sec. 3, Ch. 329, L. 2013.