

HOUSE JOINT RESOLUTION 51

Introduced by Simpkins

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| 4/11 | Introduced                                    |
| 4/11 | Referred to Education & Cultural<br>Resources |
| 4/11 | First Reading                                 |
| 4/12 | Hearing                                       |
| 4/15 | Committee Report--Bill Passed                 |
| 4/17 | 2nd Reading Passed                            |
| 4/19 | 3rd Reading Failed                            |

1 HOUSE JOINT RESOLUTION NO. 51  
 2 INTRODUCED BY Amptis  
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4 A JOINT RESOLUTION OF THE SENATE AND THE HOUSE OF  
 5 REPRESENTATIVES OF THE STATE OF MONTANA REQUESTING AN  
 6 INTERIM STUDY ON THE FULFILLMENT OF EDUCATIONAL DUTIES OF  
 7 VARIOUS ENTITIES UNDER THE MONTANA CONSTITUTION; AND  
 8 REQUIRING A REPORT OF THE FINDINGS OF THE STUDY TO THE 53RD  
 9 LEGISLATURE.

10  
 11 WHEREAS, Article X, section 9, of the Montana  
 12 Constitution provides for a State Board of Education  
 13 consisting of the Board of Regents of Higher Education and  
 14 the Board of Public Education; and

15 WHEREAS, the Montana Constitution also specifies that  
 16 the Board of Public Education is to exercise general  
 17 supervision over the public school system and that the  
 18 governance and control of the Montana University System are  
 19 vested in the Board of Regents of Higher Education; and

20 WHEREAS, Article X, section 8, of the Montana  
 21 Constitution specifies that the supervision and control of  
 22 each public school district are vested in an elected board  
 23 of trustees; and

24 WHEREAS, the Montana Constitution states that the  
 25 Legislature shall provide a basic system of free quality

1 public elementary and secondary schools and shall fund and  
 2 distribute in an equitable manner to the school districts  
 3 the state's share of the cost of the basic elementary and  
 4 secondary school system; and

5 WHEREAS, the Legislature has the constitutional power  
 6 and duty to create legislation that will enable the  
 7 aforementioned entities to perform their constitutional  
 8 duties; and

9 WHEREAS, the Montana Constitution gives the State Board  
 10 of Education the responsibility for long-range planning and  
 11 for coordinating and evaluating policies and programs for  
 12 the state's educational systems; and

13 WHEREAS, the Montana Constitution requires the State  
 14 Board of Education to submit unified budget requests to the  
 15 Legislature; and

16 WHEREAS, the State Board of Education has assumed these  
 17 responsibilities on a limited number of occasions rather  
 18 than on an ongoing and regular basis; and

19 WHEREAS, the Montana Education Commission for the  
 20 Nineties and Beyond recommended that the state could benefit  
 21 from an educational system that is more fully integrated  
 22 from kindergarten through postgraduate programs; and

23 WHEREAS, as the 20th anniversary of the 1972 Montana  
 24 Constitution approaches, it is an opportune time to study  
 25 the fulfillment of educational duties set forth in the



1 Constitution and to study the overall management of the  
2 state's educational systems.

3  
4 NOW, THEREFORE, BE IT RESOLVED BY THE SENATE AND THE HOUSE  
5 OF REPRESENTATIVES OF THE STATE OF MONTANA:

6 That an appropriate interim committee be assigned to  
7 study:

8 (1) the past actions of the Legislature designed to  
9 enable the Board of Regents of Higher Education, the Board  
10 of Public Education, the State Board of Education, and  
11 school district trustees to perform their constitutional  
12 duties;

13 (2) the fulfillment of the duties of the entities  
14 specified in subsection (1) that are responsible for  
15 educational governance and supervision, as set forth in the  
16 Montana Constitution and in the laws of the state;

17 (3) the overall duties and management of the state's  
18 educational systems; and

19 (4) recommendations concerning:

20 (a) long-range planning, coordination, and evaluation  
21 of the state's educational systems by the State Board of  
22 Education; and

23 (b) the relationship of the State Board of Education's  
24 constitutional duties to the Legislature's constitutional  
25 powers and duties.

1 BE IT FURTHER RESOLVED, that the committee report the  
2 findings of the study to the 53rd Legislature and, if  
3 necessary, draft legislation to implement its  
4 recommendations.

-End-

APPROVED BY COMM. ON EDUCATION  
AND CULTURAL RESOURCES

*House* JOINT RESOLUTION NO. *51*

INTRODUCED BY *Amphib*

A JOINT RESOLUTION OF THE SENATE AND THE HOUSE OF REPRESENTATIVES OF THE STATE OF MONTANA REQUESTING AN INTERIM STUDY ON THE FULFILLMENT OF EDUCATIONAL DUTIES OF VARIOUS ENTITIES UNDER THE MONTANA CONSTITUTION; AND REQUIRING A REPORT OF THE FINDINGS OF THE STUDY TO THE 53RD LEGISLATURE.

WHEREAS, Article X, section 9, of the Montana Constitution provides for a State Board of Education consisting of the Board of Regents of Higher Education and the Board of Public Education; and

WHEREAS, the Montana Constitution also specifies that the Board of Public Education is to exercise general supervision over the public school system and that the governance and control of the Montana University System are vested in the Board of Regents of Higher Education; and

WHEREAS, Article X, section 8, of the Montana Constitution specifies that the supervision and control of each public school district are vested in an elected board of trustees; and

WHEREAS, the Montana Constitution states that the Legislature shall provide a basic system of free quality

public elementary and secondary schools and shall fund and distribute in an equitable manner to the school districts the state's share of the cost of the basic elementary and secondary school system; and

WHEREAS, the Legislature has the constitutional power and duty to create legislation that will enable the aforementioned entities to perform their constitutional duties; and

WHEREAS, the Montana Constitution gives the State Board of Education the responsibility for long-range planning and for coordinating and evaluating policies and programs for the state's educational systems; and

WHEREAS, the Montana Constitution requires the State Board of Education to submit unified budget requests to the Legislature; and

WHEREAS, the State Board of Education has assumed these responsibilities on a limited number of occasions rather than on an ongoing and regular basis; and

WHEREAS, the Montana Education Commission for the Nineties and Beyond recommended that the state could benefit from an educational system that is more fully integrated from kindergarten through postgraduate programs; and

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