

SENATE BILL NO. 287

INTRODUCED BY GAGE, GRINDE, LEE, LARSON, GRADY, T. BECK,  
J. RICE, R. DEBRUYCKER, M. HANSON, HAYNE, FELAND, BERGSAGEL,  
SPRING, FRITZ, BURNETT, BARNETT, KELLER, ELLIS, WALLIN,  
REA, RYE, GROSFIELD, B. BROWN, CRIPPEN, PHILLIPS, KEATING,  
HARDING, ANDERSON, SWYSGOOD, ELLISON, T. NELSON, THAYER,  
AKLESTAD, WILLIAMS, HAGER, PINSONEAULT, KOEHNKE, SIMPKINS,  
HAMMOND, ZOOK, NOBLE, BOHARSKI, HARP, SWIFT, DEVLIN, KNOX,  
GOULD, KASTEN, ECK

IN THE SENATE

FEBRUARY 5, 1991                   INTRODUCED AND REFERRED TO COMMITTEE  
ON EDUCATION & CULTURAL RESOURCES.

FIRST READING.

FEBRUARY 19, 1991                  COMMITTEE RECOMMEND BILL  
DO PASS AS AMENDED. REPORT ADOPTED.

FEBRUARY 20, 1991                  PRINTING REPORT.

SECOND READING, DO PASS AS AMENDED.

FEBRUARY 21, 1991                  ENGROSSING REPORT.

THIRD READING, PASSED.  
AYES, 42; NOES, 5.

TRANSMITTED TO HOUSE.

IN THE HOUSE

MARCH 4, 1991                    INTRODUCED AND REFERRED TO COMMITTEE  
ON EDUCATION & CULTURAL RESOURCES.

FIRST READING.

APRIL 2, 1991                    COMMITTEE RECOMMEND BILL BE  
CONCURRED IN. REPORT ADOPTED.

APRIL 5, 1991                    SECOND READING, CONCURRED IN.

APRIL 6, 1991                    THIRD READING, CONCURRED IN.  
AYES, 81; NOES, 15.

RETURNED TO SENATE.

IN THE SENATE

APRIL 8, 1991

RECEIVED FROM HOUSE.

SENT TO ENROLLING.

REPORTED CORRECTLY ENROLLED.

1 *Senate* BILL NO. 287 *T Beck*

2 INTRODUCED BY *Rep - Larry Han Ganger - One Session only*

3 *John Bobrupken M. Hanson Wayne Helton Benjamin Spry*

4 BILL FOR AN ACT ENTITLED: "AN ACT TO ESTABLISH  
 5 RESPONSIBILITIES AND RIGHTS OF A PARENT WHO PROVIDES A HOME  
 6 SCHOOL AND RIGHTS OF A CHILD IN HOME SCHOOL."  
*Clark Glynn Gostfeld Bob Brown Gary Phillips Weston*

7 *Harold Anderson Sunyaard Ellison Tom Nelson*

8 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:  
*AKLESTAD Wilbur Hager Insurance Fisheries*

9 *Stammone Mark Moll Wm E. Schmitt HART*  
 10 NEW SECTION. Section 1. Responsibilities and rights of  
 11 parent who provides home school -- rights of child in home  
 12 school. (1) Notwithstanding the provisions of 20-5-109, a  
 13 parent who instructs his child, stepchild, or ward in a home  
 14 school is the sole authority and is responsible for all  
 15 decisions regarding:  
 16 (a) the educational philosophy of the home school;  
 17 (b) the selection of instructional materials,  
 18 curriculum, and textbooks;  
 19 (c) the time, place, and method of instruction; and  
 20 (d) the evaluation of the home school instruction.  
 21 (2) A parent who instructs his child, stepchild, or  
 22 ward in a home school or a child who is instructed in a home  
 23 school may not be discriminated against for the parent's  
 24 exercise of responsibilities and rights provided for in  
 25 subsection (1).  
NEW SECTION. Section 2. Codification instruction.

1 [Section 1] is intended to be codified as an integral part  
 2 of Title 20, and the provisions of Title 20 apply to  
 3 [section 1].

-End-

INTRODUCED BILL  
 SB 287



APPROVED BY COMM. ON EDUCATION AND CULTURAL RESOURCES

SENATE BILL NO. 287

INTRODUCED BY GAGE, GRINDE, LEE, LARSON, GRADY, T. BECK, J. RICE, R. DEBRUYCKER, M. HANSON, HAYNE, FELAND, BERGSAGEL, SPRING, FRITZ, BURNETT, BARNETT, KELLER, ELLIS, WALLIN, REA, RYE, GROSFIELD, B. BROWN, CRIPPEN, PHILLIPS, KEATING, HARDING, ANDERSON, SWYSGOOD, ELLISON, T. NELSON, THAYER, AKLESTAD, WILLIAMS, HAGER, PINSONEAULT, KOEHNKE, SIMPKINS, HAMMOND, ZOOK, NOBLE, BOHARSKI, HARP, SWIFT, DEVLIN, KNOX, GOULD, KASTEN, ECK

A BILL FOR AN ACT ENTITLED: "AN ACT TO ESTABLISH RECOGNIZE RESPONSIBILITIES AND RIGHTS OF A PARENT WHO PROVIDES A HOME SCHOOL AND RIGHTS OF A CHILD IN HOME SCHOOL."

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:

NEW SECTION. Section 1. Responsibilities and rights of parent who provides home school -- rights of child in home school. (f)--Notwithstanding SUBJECT TO the provisions of 20-5-109, a parent who--instructs HAS THE AUTHORITY TO INSTRUCT his child, stepchild, or ward in a home school is the-sole-authority and is responsible for all--decisions regarding:

- (a)(1) the educational philosophy of the home school; (b)(2) the selection of instructional materials, curriculum, and textbooks;

(c)(3) the time, place, and method of instruction; and (d)(4) the evaluation of the home school instruction. (2)--A-parent-who-instructs--his--child--stepchild--or-ward-in-a-home-school-or-a-child-who-is-instructed-in-a-home-school--may--not--be--discriminated-against-for-the-parent's-exercise-of-responsibilities--and--rights--provided--for--in-subsection-(1)-

NEW SECTION. Section 2. Codification instruction. [Section 1] is intended to be codified as an integral part of Title 20, and the provisions of Title 20 apply to [section 1].

-End-

SECOND READING



## 1 SENATE BILL NO. 287

2 INTRODUCED BY GAGE, GRINDE, LEE, LARSON, GRADY, T. BECK,  
 3 J. RICE, R. DEBRUYCKER, M. HANSON, HAYNE, FELAND, BERGSAGEL,  
 4 SPRING, FRITZ, BURNETT, BARNETT, KELLER, ELLIS, WALLIN,  
 5 REA, RYE, GROSFIELD, B. BROWN, CRIPPEN, PHILLIPS, KEATING,  
 6 HARDING, ANDERSON, SWYSGOOD, ELLISON, T. NELSON, THAYER,  
 7 AKLESTAD, WILLIAMS, HAGER, PINSONEAULT, KOEHNKE, SIMPKINS,  
 8 HAMMOND, ZOOK, NOBLE, BOHARSKI, HARP, SWIFT, DEVLIN, KNOX,  
 9 GOULD, KASTEN, ECK

10  
 11 A BILL FOR AN ACT ENTITLED: "AN ACT TO ESTABLISH RECOGNIZE  
 12 RESPONSIBILITIES AND RIGHTS OF A PARENT WHO PROVIDES A HOME  
 13 SCHOOL AND RIGHTS OF A CHILD IN HOME SCHOOL."

14  
 15 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:

16 NEW SECTION. Section 1. Responsibilities and rights of  
 17 parent who provides home school -- rights of child in home  
 18 school. ~~(1)~~--Notwithstanding SUBJECT TO the provisions of  
 19 20-5-109, a parent who--instructs HAS THE AUTHORITY TO  
 20 INSTRUCT his child, stepchild, or ward in a home school is  
 21 the--sole--authority and is SOLELY responsible for all  
 22 decisions-regarding:

23 (a)(1) the educational philosophy of the home school;  
 24 (b)(2) the selection of instructional materials,  
 25 curriculum, and textbooks;

1 (c)(3) the time, place, and method of instruction; and  
 2 (d)(4) the evaluation of the home school instruction.  
 3 (2)--A--parent--who--instructs--his-child, stepchild, or  
 4 ward-in-a-home-school-or-a-child-who-is-instructed-in-a-home  
 5 school-may-not-be-discriminated--against--for--the--parent's  
 6 exercise--of--responsibilities--and--rights--provided-for-in  
 7 subsection-(1)  
 8 NEW SECTION. Section 2. Codification instruction.  
 9 [Section 1] is intended to be codified as an integral part  
 10 of Title 20, and the provisions of Title 20 apply to  
 11 [section 1].

-End-

THIRD READING

SB 287

AS AMENDED

1                   SENATE BILL NO. 287  
 2       INTRODUCED BY GAGE, GRINDE, LEE, LARSON, GRADY, T. BECK,  
 3       J. RICE, R. DEBRUYCKER, M. HANSON, HAYNE, FELAND, BERGSAGEL,  
 4       SPRING, FRITZ, BURNETT, BARNETT, KELLER, ELLIS, WALLIN,  
 5       REA, RYE, GROSFIELD, B. BROWN, CRIPPEN, PHILLIPS, KEATING,  
 6       HARDING, ANDERSON, SWYSGOOD, ELLISON, T. NELSON, THAYER,  
 7       AKLESTAD, WILLIAMS, HAGER, PINSONEAULT, KOEHNKE, SIMPKINS,  
 8       HAMMOND, ZOOK, NOBLE, BOHARSKI, HARP, SWIFT, DEVLIN, KNOX,  
 9                   GOULD, KASTEN, ECK

10  
 11   A BILL FOR AN ACT ENTITLED: "AN ACT TO ESTABLISH RECOGNIZE  
 12   RESPONSIBILITIES AND RIGHTS OF A PARENT WHO PROVIDES A HOME  
 13   SCHOOL AND RIGHTS OF A CHILD IN HOME SCHOOL."

14  
 15   BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:

16       NEW SECTION. Section 1. Responsibilities and rights of  
 17   parent who provides home school -- rights of child in home  
 18   school. ~~{1}~~--Notwithstanding SUBJECT TO the provisions of  
 19   20-5-109, a parent who--instructs HAS THE AUTHORITY TO  
 20   INSTRUCT his child, stepchild, or ward in a home school ~~is~~  
 21   ~~the--sole--authority~~ and is SOLELY responsible for ~~all~~  
 22   ~~decisions-regarding:~~

- 23       {a}{1} the educational philosophy of the home school;  
 24       {b}{2} the selection of instructional materials,  
 25   curriculum, and textbooks;

1       ~~{c}~~{3} the time, place, and method of instruction; and  
 2       ~~{d}~~{4} the evaluation of the home school instruction.  
 3       ~~{2}~~--A--parent--who--instructs--his-child,--stepchild,--or  
 4   ward-in-a-home-school-or-a-child-who-is-instructed-in-a-home  
 5   school-may-not-be-discriminated--against--for--the--parent's  
 6   exercise--of--responsibilities--and--rights--provided-for-in  
 7   subsection--{1}:

8       NEW SECTION. Section 2. Codification instruction.  
 9   [Section 1] is intended to be codified as an integral part  
 10   of Title 20, and the provisions of Title 20 apply to  
 11   [section 1].

-End-

