

EDUCATION COMMITTEE

January 22, 1977

A joint meeting of the House and Senate Education Committees was called to order by Chairperson Ann Mary Dussault at 2:40 p.m., in the Senate Chambers. The purpose of the meeting is to allow people involved with special education to have their say about how it is working or not working across the state.

Dr. W. L. Findley, Superintendent of special education, Great Falls, Montana, presented his views in support of the program in Montana. He said he is a supervisor responsible for providing special ed in a district. He is concerned because of the law that says by 1978 every handicapped child in a district will have a right to special program and related services. The burden of this falls at the local level. We realize that we will have to do much more for the multiply-handicapped. In that area the average expenditure per child is very high because of special facilities and equipment needed. We are now finding that as we start serving severely handicapped, the point in time at where we begin serving them is critical. We have data that proves that getting to the children earlier makes a great difference in their education. We are prevented by regulation from training these children at an early age now. We need the freedom to start training them at whatever age we must in order to ensure that we make the most and best advantage of whatever their potential may be. Dr. Findley's written testimony is also attached.

Mrs. Maxine Lane, Missoula, said the 1972 Constitution guaranteed appropriate education for all children in Montana. One statute, 78-7812, has an exclusion clause where a child can be excluded from classes if he is a behavioral problem. I think this should be eliminated. Another problem is the definition of "educationally handicapped" children. I believe it should be called "learning disabilities." During reorganization, bureaus and agencies were given power to make rules and regulations. They have handicapped delivery of services to children by putting unnecessary restraints on school districts. Rules and regulations have a tendency to leak out children. Unless a child can fit into a legal classification, he cannot get services. We also have a 3% limitation on the number of children in the area who can get services, when the national average is 9-10%. I hope the Legislature will do something about the rules and regulations.

Robert Laumeyer, Superintendent of Schools in Boulder read a prepared statement, which is attached.

Ed Hawkinson from Bozeman said that the rules and regulations in other states are not as lax and ambiguous as they are in Montana and he believes Montana's laws should allow for local flexibility. He said, however, that no other state has 100%

funding. A copy of his written testimony and observations is attached.

Jo Anne Willis, a parent from Helena, submitted and read a prepared statement, which is attached.

Dick Carlson from Butte said he is a parent of a child of 15 with learning disabilities. He said he is concerned that there is no training presently available; that training of handicapped should not be limited to age; that criteria for these students are different than for regular students in education programs in vocational, secondary and postsecondary centers. He said workshops are not geared to accept these students. More educational programs should be available for those of age 15 and up.

Rudy Koch from Butte, said his concern was about the pre-school students and those over 21. There should be an opportunity for training of these 2 age groups.

Alberta Paxton, a nurse from Butte, said her interest was in the area of better health care and medical services for children who are in special education groups and those persons who will be giving medications during the day to these children. Problems arise where no rules are set or proper facilities are not available in rural areas. She would like to see opportunities for health examinations for evaluation of development of children. Education is not an isolated process and she sees a need for an exchange of information between health care services and educational personnel.

Dallas W. Keck, a school psychologist from Havre, complimented the Superintendent of Public Instruction for implementing special education rules. He advocated additional training for persons involved in providing instruction for handicapped students. He said such persons must be more flexible to handle the services needed in caring for the learning disabled. He also felt some regulations were too strict and that the gifted and exceptionally talented individual are not being helped to reach their potential. A copy of his written statement is attached.

Jan Frisch, an employee of SRS in Helena, said that programs ought to be available to a child in his own community. Programs should be similar to other programs for children. Transportation should be available for all children, as should summer programs. It should be decided which agency should serve which age group. A child must be able to enter a school when he gets there.

Archie Holden, Noxon, spoke of the problems they have in 3rd class districts. He is very much against letting local districts control special education. He is against the rules and regulations. He wants to give local districts what the

large ones have now. His district has one special education teacher who travels 6 hours a week and serves 3 elementary schools. The 3% rule applies and our little schools need help. Special education removes these people from the welfare rolls and helps them live productive lives. We must finance the program.

Georgia Ruth Rice, SPI, explained the Task Force organized by her office to investigate, interpret and improve the rules and regulations which were established according to federal laws regulating special education. She stated the results of a regional meeting was the validation of certain rules and regulations to be taken back to the representative's particular area; that the members of the Task Force come from communities throughout the state. She also mentioned there is a need for an advisory council for special education, but they have yet to determine how these people will be chosen. The Task Force is working to correct present problems under the federal laws. She invited the Legislators to come to her office if they had an interest in special education material, including that for the gifted.

Carl Calkins said he is concerned about better preparation for teachers who have to deal with the wide range of problems confronting special education instructors and the unique situations of handicapped students. He also supported more integration of special ed students into regular classrooms and the expenditure of funds to provide the specialty training for them as well as funds for training materials.

Bob Duncan, Missoula, testified that in previous years, those children with serious learning disabilities were sent out of the state, or, if it could be provided, were put in private programs. These facilities are now filled with students of their own states, so Montana must face the obligation of providing programs for the education and training in this area.

Shirley DeVoe, Helena, stated that people involved in special ed should unite in their effort to serve the handicapped as well as the regular students. They must unite in not letting teachers be overcome by the rules and regulations governing school programs, to present a united front instead of fighting among themselves. Travel time and expenses for those involved in special education to attend conferences and seminars should be allowed, with the restrictions at the federal level relieved.

Ray Peck, Havre, Chairman of the School Administrators Special Education Committee, said that the problems are in the federal laws and we must write to Washington. Also rapidly rising costs are a problem in special ed. He suggested an interim legislative committee. There are 6 items the school administrators proposed. There should be funding for construction and rental of special facilities. There should be funding for the gifted. Special education budgets should be

separate from other school budgets. There should be state funding for out-of-district travel for special ed personnel. There should be local control of special education programs. There should be payment for contracted services. The present law says only non-profit organizations can be used.

Mr. Lyle Grayson, from Billings. He agreed with Dr. Findley about early childhood education, transportation of students to get to the programs, the profit contract argument. In a study of students (109) in Billings, 78% of them are on the job 10 years later. Special ed works. Last spring we looked at 250 children in special education and out of them 125 were on grade level according to the data we have. He read a letter of thanks for special ed from parents. He feels that special ed is working well but there are areas that need looking in to - transportation for students, contracting with professionals for care of handicapped children.

Andy Logozzo questioned the cost of special education. He said that if taxpayers were aware of the way the money is used for special education budgeting. He feels that general education budgets should be used in addition to special ed budgeting as a supplement. He expressed concern that teachers should have a special endorsement qualifying them for special education. They should be better prepared and required to have some type of skill level. He feels that people on the Task Force should be required to have some expertise in either teaching or administration.

Pete Scott, Bridger, said that he is a member of the Task Force and that membership on it represents all interested persons. He mentioned dealing with problems of special ed teachers, budgeting departments, but feels that progress has been made.

Chairperson Dussault introduced members of the committees and attaches.

Joyce Hines, Bozeman, said she supports several ideas presented. The cooperative effort throughout the state needs to be extended. Out-of-district travel is very necessary and should be looked at by the Legislature. Her district will not pay for travel for these personnel. We must not cut costs now because we are getting persons from Boulder in the deinstitutionalization program and we need the money to provide for them. She said she did not think the intent of the Legislature was that these people should come home and no money be provided for their special education needs.

Darryl J. Micken presented written testimony. He supports special ed services throughout the state.

Beverly Niles, Montana Infant Outreach Project, stated the committees should look at the future of this type of program and the matter of employment of students trained under the programs and the most efficient way of funding the programs. She advocated preventive education of infants and parents before serious problems arise, especially in the 0-3 age group. Many times trouble could be prevented if the problem is caught soon enough.

Jack Kober, Superintendent at Poplar, said he is concerned with the institutionalization of youth and the fact that smaller areas are not equipped to handle all the children coming out of Boulder. He is also concerned with programs for the gifted child. He does not believe federal rules and regulations should apply to the State of Montana when they are drafted for urban areas. He stated a concern for the privacy of such children.

Paulette Benning, an early childhood education specialist from Bozeman, expressed concern about services available for children from birth, funding of programs and facilities for pre-schoolers. She also was concerned about training of those who give these services - it is not available in Montana.

Dr. J. Strickler, Helena, said he urged school systems be provided with funds to provide services for handicapped children, including preschoolers. He can attest to the great difference in those who have special training and educational opportunities. It especially helps those in the 0-3 group with hearing, visual and cerebral palsy problems so that their intellect is not impaired. He advocated expanding regulations to allow contracting with other than non-profit professional personnel and experts.

Mike Ikard, director of special ed in Conrad, said cooperatives have overwhelming rules and regulations to try and comply with, even though it is very difficult for small districts, he believes that they are capable of functioning. He does not like to see a mandate regarding special ed programs for the 0-3 age group because of the difficulty placed on small rural districts.

Peg McDonald, Billings, said she is a mother of a disabled child and is concerned about transportation for such children to and from school functions. If a mode of transportation is not available to handicapped children, the available programs will not serve their purposes. This should be extended to the preschool group.

Arnie Binion, special ed has come a long way. The purpose of education is to prepare one for as much independence as he can attain and maximization of his aptitudes. Every problem must be dealt with if the child is educable. He is in favor of changing the age limitation so they can help children

of all age groups. Those over 18 also need help. They do not disappear just because they reach the age of 18.

A question and answer period followed the testimony.

It was asked if there was a means of evaluating a child or program to determine when funds allocated to special ed could be diverted to other areas. Larry Holmquist, special ed supervisor in OSPI, said the related cost-benefit picture must be examined. Several years ago it was figured that it costs less to educate, train and keep a child in a workshop than in a state institution. An exchange on this question ensued, with Jo Ann Willis stating that education should be a continuing process.

Rep. Marks asked a question as to the duplication and non-cooperation between state departments involved in special education. Mrs. Rice said the Task Force is looking into the matter and she is also investigating the various agencies' positions.

In closing, the Chairperson stated there were a number of issues arising out of this meeting. Certain of these areas are now being addressed by legislation - travel and transportation, ability of school districts to contract, service programs for the 21-25 age group, school districts' costs, gifted child programs.

Senator Blaylock commented that the legislators should be defended by all when someone says they raised taxes. People come to the Legislature and want 100% financing and we give it to them. They then turn around and criticise us for raising taxes when they do it themselves by demanding these programs.

There being no further business, the meeting adjourned at 5:15 p.m.