

## EDUCATION COMMITTEE

March 9, 1977

The meeting was called to order at 10:25 a.m., with all members present except Reps. Gilligan and Kessler, who were excused, and Rep. Kennerly, who was absent.

Senate Joint Resolution 25 was discussed first. Senator Boylan, chief sponsor, said it honors the Bobcat football team because they were national champions this year. After the resolution is passed there will be a reception in the Governor's Mansion for them. Rep. Lory questioned page 5, lines 23-25, and said they set a bad precedent. Senator Boylan agreed that they should be deleted.

Senate Joint Resolutions 32 and 33 were discussed next. Senator Boylan, chief sponsor, said they both give approval for construction at MSU; one for new handball and tennis courts, one for auto repair shop. It will be done entirely with student money; no state funds are involved. Proponents were Beau Bradley, student body president, who said both items have been voted on by students. The vote was 1222 for, 435 against, and 20% of the student body voted. It was then approved by the administration and the Board of Regents. Student fees will pay maintenance and operation at the auto shop; the state will pay for the maintenance and operation of the courts. What is planned is 6 stalls, a bicycle repair facility and 2 lavatories in the auto repair building. There will be no increase in enrollment fees, which are presently \$129.75 per year. Other proponents were Joni Wright, Gary Waylander, Kevin Kephart, Mary Pat Day, Edward Bumgarner, Bill Lannon and A. A. Van Teylingen. There were no opponents. Rep. Scully will carry these resolutions on the floor.

Senate Bill 387 was discussed next. Irving Daton explained that the bill will give the Board of Regents the power to regulate course offerings. The net effect of the bill will be to put out-of-state accredited institutions under the Board of Regents. In-state institutions are still covered under 75-8502. He said Dr. Kerins supports the bill; private schools are not affected. This is consumer protection legislation. Continuing education in most institutions is under very minimal control and in the position of having to pay for itself. They do business in other states and if the other state has no control there is no recourse for the students. OSPI is also interested, mostly in continuing education for teacher certification, but only the Board of Regents should be involved in approval of courses for higher education. Many of the programs of continuing education or correspondence have just been under the umbrella of the home campus and have never been really looked at as to their content. When questioned whether this gives too much power to the Board in limiting course offerings in Montana, Mr. Daton said other states have more sweeping legislation than this. Steve Vezie distributed material, which is attached. Mr. James Burns, Bureau Chief, Proprietary School Bureau, Department of Business Regulation, said he supports the bill.

The following witnesses said they were not proponents or opponents but had reservations about the bill. John Voorhis, OSPI, Supervisor of Teacher Certification, agreed with the Commissioner's Office that something should be done. His testimony is attached. Maurice Hickey also questioned the bill as it might affect teacher certification, especially in areas where a neighbor state is closer for purposes of certification courses (North Dakota, for example, is closer for teachers to attend if they are from eastern Montana). He said the Board of Regents should accept their own accrediting agency's decisions.

Dennis Winger testified as an opponent. He said they realize that some correspondence and extension courses are not up to standards, but said this bill is poorly written. He questioned who will approve the courses and do inspections. If it is the Board, where will they get money or time to do them. He asked if they can supersede the Board of Education's constitutional right to accredit certain institutions.

The Chairperson said amendments to this bill must be submitted to the committee Monday, when executive action will be taken on it.

Bill Lannon was given permission to talk about Senate Bill 241, as he will be out of town Friday when it will be heard. He said the bill establishes a financial assistance program for resident students. There will be created an advisory council made up of people involved in financial aid programs. This council will be appointed by the Board of Regents and will pay all their own expenses. They now grant students incentive grants under Title IV of the Higher Education Amendments of 1965. It is in the second year of operation. Only the 6 units and the 3 community colleges are eligible to participate. P.L. 94-482, Education Amendments of 1976, which amend Title IV, provide that all nonprofit institutions are eligible to participate. The only reason this bill is necessary is to get private sector into the program because as of July, 1977, they will be able to participate under federal law. We were designated to administer this program, and delegated the authority to each unit. We don't know yet exactly how much will come from the federal government this year, it could be up to \$175,000.

There being no further business, the meeting adjourned at 12:03 p.m.

---

ANN MARY DUSSAULT, Chairperson