

MINUTES OF THE MEETING
EDUCATION COMMITTEE
MONTANA STATE SENATE

March 3, 1977

The twenty-first meeting of the Senate Education Committee was called to order by Senator Chet Blaylock, Chairman, on the above date, in Room 402 of the State Capitol Building at 11:00 o'clock A. M.

ROLL CALL: All members of the Committee were present.

CONSIDERATION OF HOUSE BILL No. 443: An act to provide a statement and hearing before the board of trustees for termination of a public school teacher.

JoEllen Estenson, Representative from House District 32, sponsor of the Bill, was called on to present her testimony. She explained this act would amend the present law which calls for written statements to non tenure teachers when dismissed by a school board to provide that a clear and explicit statement be given of the reasons for termination. School boards have been using such general language since the previous law was passed that it is impossible for teachers to know what the reasons may be for nonrenewal of their contract and feel they have the right to know of his or her deficiencies.

Proponents of the Bill included:

Lloyd Markell, representing the M. E. A., affirmed that there were many cases reported where even with glowing evaluation reports of the teacher's work, non tenure teachers were let go without being given a reasonable explanation. Objection was that this creates harassment of school boards, but the provision states a board is required to furnish a statement within 10 days only if a teacher requests it and simply rearranges the wording to read the requested statement be clear and explicit. The main objection to this Bill regarding hearings before the board was stricken. He also explained that the M.E.A. has insurance coverage available to reimburse teachers for expenses of law suits should they have instituted a suit against a school board, but that also has not been taken advantage of; so, they would not contemplate any problem with school boards being sued on this.

Opponents of the Bill included:

Chad Smith, representing the Montana School Boards Association, submitted written testimony in opposition, copy of which is appended, to the effect that these requested explicit, written statements could be used against the school district by the non tenure teacher which gives the effect of instant tenure regardless of the established teacher selection system of probationary hiring, year by year up to 3, as boards will be reluctant to do this from the standpoint of getting involved in litigation. Especially with \$2,500.00 immediately available from the M.E.A. for court costs, there is an increased risk of law suits against the school boards.

Glen Sargent, representing the School Boards Association, said he felt a responsibility to find out some facts regarding the number of letters introduced to the Committee on the Senate bill dealing with the same matter. He stated his inquiries indicated that there was some problem in the districts with the evaluation reports, that teachers in these cases were actually aware of the reasons for their termination without getting a formal written statement and that there were no malicious attempts to fire teachers.

In closing, Representative Estenson pointed out that the case cited by Mr. Chad Smith was decided in 1972, prior to the enactment of the 1975 law providing non tenure teachers could request statements on termination.

Lorence Simonsen, Superintendent of Shelby, Mont., in opposition to the Bill, testified that he concurred with Mr. Smith's statement and that he felt requiring additional reporting procedures created an administrative burden; that beginning teachers should have an opportunity to make mistakes without having them written out and on his record for life and suggested a career counselling evaluator as an alternate method.

Questions by the Committee dealt with the evaluation reports done on teachers during the school term, establishing that there was no prescribed format, each district doing their separate reports, with Senator Warden remarking she was in favor of the suggestion made by Mr. Simonsen and asked him if the O.S.P.I. or Board of Education had any uniform report form, to which Mr. Simonsen replied he had not seen one if such existed. Senator Warden then suggested the heart of the problem was the need for a basic, uniform way of evaluating teachers, utilizing a standard, comprehensive form. Senator Smith commented that when new teachers are hired, they know it is only for one year, and the school board is supposed to hire the best person for the money.

The Chairman closed the hearing on House Bill No. 443.

CONSIDERATION OF HOUSE BILL No. 119: An act to provide for community education programs within the existing adult education scheme.

Dorothy Bradley, Representative from House District 77, Bozeman, Mont., sponsor of the Bill, was called on to present her testimony. She stated this was enabling legislation to set up an optional community education system. Presently, the law allows a levy of up to 1 mil for adult education; this Bill originally allowed up to 2 mils, but that portion was amended out. She explained that the term "community education" was defined on page 3, starting at line 13, and advocated full-time use of existing facilities and the opportunity for lifelong learning. There would have to be community support for the proposed program; so, this is not something that is automatically created, and requested that the Committee consider amending the 2 mil levy back into the Bill to allow for expansion of the program.

Proponents of the Bill included:

Milton K. Negus, Superintendent of Schools, Bozeman, Montana, stated they had explored a community education program in Bozeman along the line of the school becoming a center for community activities as it used to be several generations ago when there were more rural areas served by the school; but that they do not want to be limited to just educational matters as their goal also would be to build a closer community relationship.

Donna Weisenborn, Mont. State University, Bozeman, Mont., stated M.S.U. has developed a center for training people to go into the communities to plan and create programs involving the total community, and they also have the facilities to train the local citizens through workshops and seminars. She handed out an information letter, copy of this being appended.

Gloria A. Gregg, M. S. U., Bozeman, Mont., passed out a written Resolution of Support, copy of which is attached, which she explained included additional information regarding these programs, and added that Libby had formed such a plan and they were working with the school administrators and staff to develop this idea; that she was originally from Mich. where they have a very successful community education program, so had some knowledge of the project.

Len Sargent, Mont. School Boards Assoc., supported the original language of the Bill allowing for the 2 mil levy as the Missoula program has already expended the original allotment and must now charge if these services are to continue.

There was no opposition to the Bill.

Upon questioning by the Committee, Ms. Gregg explained that the Mich. program was funded by both the local school district and the state, depending on the type of program, and that they have a community coordinator and work with the citizens council on recreation programs for persons of all ages.

Mr. Negus responded that Bozeman was setting up a citizens advisory council in order to make comprehensive decisions about what activities they want for their particular area.

To Senator Warden's question regarding cost of keeping schools open extra hours, Ms. Gregg stated they estimate around 6%, depending on the number of hours the facility is kept open.

Rep. Bradley, answering Senator Boylan's suggestion, said school districts are not receptive to having additional taxes put on the public in an elective situation, and further stated there was no conflict between this resolution and H. B. 565 or 305 as this is for total local participation and handled by local elected persons.

Responding to Senator Thomas' question regarding the difference between adult education and community education, Ms. Gregg explained that community education is an effort and process of solving local problems and needs, offering broad area of services and activities; adult basic education pertains to those persons over a certain age who have very little basic education and is limited to academic subjects.

The Chair closed the hearing on House Bill No. 119.

CONSIDERATION OF HOUSE BILL No. 409: An act to provide that whenever a school district receives another district into its boundaries by reason of abandonment of the other district, all of the territory within the boundaries of the enlarged district becomes subject to the indebtedness of the original territory of the receiving district.

Representative Meloy, Helena, District 29, sponsor of the Bill, was called on to present his testimony. He stated that under this legislation, it would be more equitable to all taxpayers when school districts merge or annex by reason of abandonment and the receiving district is enlarged, as under the present law, taxpayers in the sending district are not subject to the bonded indebtedness of the receiving district and this seems unfair when the receiving district must absorb the new students and all associated additional

expense immediately and the abandoning district waits the 3 years to get around having to share in the bonded indebtedness.

Proponents to the Bill included:

Chad Smith, representing the Montana School Boards Association, explained school districts presently can send their students to another school and not pay any expenses of the services provided by the receiving district, which situation should be remedied by this Bill to help allocate operating expenses of the district providing the services.

Wayne Buckanan, Mont. School Boards Assoc., had three points in favor of this measure: abandonment, voluntary and usually only occurs when there is an insufficient number of persons to serve on a board of trustees; this Bill affects only abandonment; and there should be a law to prevent one district from taking advantage of another district.

Larry Simonsen, Superintendent from Shelby, Mont., School Dist. 14, stated there should be mutual consideration for payment of debts as a district being abandoned may have built a new facility for which it is still liable.

Robert H. Radley, East Helena, School Dist. 9, rose in support of the Bill.

There being no opponents, questions were called for.

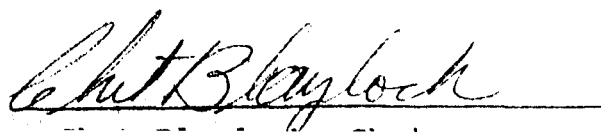
Senator Mathers questioned the taxpayers in the districts having the opportunity to vote on the abandonment issue, to which Rep. Meloy replied that he believed the only recourse taxpayers had would be to go directly to the trustees, other than the 3 year time period.

Upon further questioning, Rep. Meloy stated it was not retroactive and the indebtedness of the old district stays in that district as the debt is usually small and it would be unfair to ask the receiving district to take on debts of the abandoned district.

There being no further questions, the hearing on House Bill No. 409 was closed.

ADJOURNMENT:

There being no further business, the meeting adjourned at 12:30 P.M.

A handwritten signature in cursive script, appearing to read "Chad Smith", is written over a horizontal line at the bottom right of the page.

EDUCATION COMMITTEE

Date March 3,
1977

[illegible]

SENATE

EDUCATION

COMMITTEE

USEBILLS 119, 409

& 443

VISITORS'

REGISTER

DATE March 3,

1977

Please note bill no.

(check one)

SUPPORT

OPPOS

[illegible]

NAME: Leonard Sargent

DATE: 3-3-77

ADDRESS: 501 N. Sanders

PHONE: 442-2180

REPRESENTING WHOM? MSBA

APPEARING ON WHICH PROPOSAL: 119, 409, 443

DO YOU: SUPPORT? 119-409 AMEND? 119 OPPOSE? 443

COMMENTS: We are seeking re-instatement of the 2 mill
funding allowance in HB 119. With expanded definition
of community education the ^{original} addition should be
included.

We oppose HB 443 - See statement by Chad
Smith.

PLEASE LEAVE ANY PREPARED STATEMENTS WITH THE COMMITTEE SECRETARY.

NAME: Wayne Buchanan DATE: March 3

ADDRESS: 501 N Sanders

PHONE: 442-2180

REPRESENTING WHOM? Montana School Boards

APPEARING ON WHICH PROPOSAL: 409

DO YOU: SUPPORT? ☒ AMEND? ☐ OPPOSE? ☐

COMMENTS: _____

PLEASE LEAVE ANY PREPARED STATEMENTS WITH THE COMMITTEE SECRETARY.

NAME: Gloria A. Gregg DATE: 3-3-77

ADDRESS: 1104 S. Montana HB Bozeman

PHONE: B. 586-3559

REPRESENTING WHOM? Montana State Univ.

APPEARING ON WHICH PROPOSAL: HB 119

DO YOU: SUPPORT? ☒ AMEND? ☐ OPPOSE? ☐

COMMENTS: Bill expands current Adult education legislation
to include concept of Community Education

PLEASE LEAVE ANY PREPARED STATEMENTS WITH THE COMMITTEE SECRETARY.

NAME: Donna Hewson DATE: Mar 3

ADDRESS: 1215 S. Grand

PHONE: 586 8964

REPRESENTING WHOM? Montana State U.

APPEARING ON WHICH PROPOSAL: 119

DO YOU: SUPPORT? X AMEND? OPPOSE?

COMMENTS: Communities who are interested in
the Community Education Concept can work
through the Univ. to obtain facilities
& resources through workshop, seminar
etc. From this well developed, carefully
planned Comm. Ed. programs can be
implemented throughout the Montana
Community.

PLEASE LEAVE ANY PREPARED STATEMENTS WITH THE COMMITTEE SECRETARY.

NAME: Milton & Negus DATE: Nov. 3, 1972
ADDRESS: 1217 So. Grand Bozeman, Mont.
PHONE: 587-8126
REPRESENTING WHOM? School Dist. No. 7 Gallatin Co., Bozeman
APPEARING ON WHICH PROPOSAL: H.B. 119
DO YOU: SUPPORT? X AMEND? OPPOSE?

COMMENTS:

Expands definition of adult education to
provide for broader services within the community.

PLEASE LEAVE ANY PREPARED STATEMENTS WITH THE COMMITTEE SECRETARY.

COMMENTS:

PLEASE LEAVE ANY PREPARED STATEMENTS WITH THE COMMITTEE SECRETARY.

NAME: Lloyd A. Marshall

DATE: 3/3/77

ADDRESS: Helena

PHONE:

REPRESENTING WHOM? MEA

APPEARING ON WHICH PROPOSAL: HB 443

DO YOU: SUPPORT?

AMEND?

OPPOSE?

COMMENTS :

PLEASE LEAVE ANY PREPARED STATEMENTS WITH THE COMMITTEE SECRETARY.

STANDING COMMITTEE REPORT

..... March 15 1977

MR. President

We, your committee on EDUCATION

having had under consideration HOUSE Bill No. 443,

Respectfully report as follows: That HOUSE Bill No. 443,

Third Reading,

Nancy

~~RECOMMENDATION~~

WITHOUT RECOMMENDATION

SENATE COMMITTEE EDUCATION

Date March 15, 1977 House Bill No. 443 Time 9:16

NAME	YES	NO
Senator Chet Blaylock, Chairman	✓	
Senator Ed Smith, Vice Chairman		✓
Senator George McCallum		✓
Senator Bill Mathers		✓
Senator William E. Murray		✓
Senator Frank Dunkle	✓	
Senator Paul Boylan		✓
Senator Larry Fasbender	✓	
Senator Bill Thomas	✓	
Senator Margaret Warden	✓	

Jennie Lind
Secretary

Chet Blaylock
Chairman

Motion: Motion was made by Senator Bill Thomas that House Bill No. 443 DO PASS; motion was seconded and on vote was tied, with Senators Blaylock, Dunkle, Fasbender, Thomas & Warden voting "Yes", and Senators Smith, McCallum, Mathers, Murray & Boylan voting "No". The BILL will be reported out WITHOUT RECOMMENDATION.
(include enough information on motion--put with yellow copy of committee report.)

H 119
(Sonne)
W.

COMMUNITY EDUCATION

The Center for Community Education at Montana State University was established in September 1976 as part of a national network of similar Centers. This network now numbers 85 Centers. The MSU Center is funded with resources from MSU and a grant from the C.S. Mott Foundation which has played a leadership role in Community Education development since the mid-30's. The position of Center Director is a joint appointment of the College of Education and the Cooperative Extension Service.

The major functions of the Center fall into three general categories.

1. Dissemination of information about the concept of Community Education.

This includes hand-out material, audio-visual aides and presentations to groups desiring to learn more about Community Education.

2. Technical assistance to schools and communities who are developing Community Education programs. Included is assistance in areas such as needs and resource assessment, establishing and working with community councils, determining goals and objectives, developing agency coordination, over-all planning, etc.

3. Providing training opportunities for Community Education Directors/ Coordinators, other school administrators, teachers and interested community members. Training may take the form of seminars, workshops and formal credit classes at the university. The Center also acts as liaison to several national training programs.

These services are available free of charge to any interested Montana school or community.

To provide you with a brief overview of the status of Community Education on a national basis, I would like to point out several pertinent facts:

As of January, 1976:

1. Seven states have legislation passed and funded while six other states had legislation passed.

were set up at the fall meetings of the Montana School Administrators and the Montana School Curriculum Development.

3. Libby, Great Falls and Bozeman are giving serious consideration to the development of Community Education programs.

4. The State Board of Public Education and the Montana School Boards Association have passed resolutions in support of Community Education. Copies of these resolutions are in your packets of information.

I would like to comment at this point that my previous experience with the development of Community Education in that state of Michigan would allow me to conclude that the development of Community Education in Montana has been considerably faster than I had anticipated. The over-all reception here has been most positive and encouraging. I have no doubt that passage of the proposed changes in existing legislation would be another positive step in the development of Community Education in Montana.

To close out my statement, I would like to draw your attention to a few of the national groups who have supported and/or indicated an interest in Community Education:

National School Boards Association

U.S. Jaycees

American Association of Community and Junior Colleges

National Congress of Parents and Teachers

American Association of Leisure and Recreation

National Parks and Recreation Association

Adult Education Association of U.S.

National Association for Public Continuing and Adult Education

Thank you for your time. I would be most happy to respond to any questions you might have.

H 119
(Balance Sec.)

RESOLUTION TO SUPPORT THE CONCEPT
OF COMMUNITY EDUCATION

- WHEREAS public schools are owned and maintained by the people and most often represent the largest single investment of tax money in a community, and
- WHEREAS schools are most often strategically located in communities, and possess facilities and equipment which are adaptable for broader community use, and
- WHEREAS the traditional use of schools for the purpose of educating young people six to eight hours a day, five days a week, thirty-six weeks a year, does not realize the full potential usage of these important facilities for the good of the larger community, and
- WHEREAS the problems facing community members today as they attempt to adjust to a changing society are so great that no one agency, organization or institution can continue to operate independently of the other, and
- WHEREAS no single coordinated strategy for the development and utilization of community resources presently exists, and
- WHEREAS the philosophy of Community Education provides that vehicle by expanding the traditional role of the school from that of a formal learning center for the young people to a community center which provides lifelong learning opportunities to all segments of the population on a schedule that is virtually around-the-clock, around the year,
- THEREFORE BE IT RESOLVED that the Montana State Board of Public Education extend their support for the development and expansion of the Community Education process which encourages the development of a comprehensive delivery system, based on local citizen involvement, greater utilization of school-community facilities and resources, interagency coordination, and improved school-community relations, in order to provide for the educational, recreational, social, and cultural needs of all community members.

ADOPTED BY THE MONTANA BOARD OF PUBLIC EDUCATION, JANUARY 10, 1977

RESOLUTION ADOPTED AT THE FALL MEETING OF THE
MONTANA SCHOOL BOARDS ASSOCIATION

WHEREAS, expanded services are expected of school districts for adult learning and community involvement, and

WHEREAS, schools have the facilities and are so located as to provide for many needed community services including that of leadership for community action,

NOW, THEREFORE, BE IT RESOLVED, that the one mill adult education levy (cited under 75-7207 and 75-7515) be increased to a maximum of two milles. Further, that the current law be amended to include expanded services under the description of General Community Education

FACTS AND FIGURES

As of January, 1976 --

- Eleven states had state-wide advisory councils for Community Education
- Seven states had passed, funded, and implemented legislation which supports Community Education
- Six states had passed but not necessarily funded and/or implemented legislation for Community Education
- Five states had developed, approved (by State Board of Education), and implemented state Community Education plans
- Five additional states had plans developed but not necessarily approved and/or implemented

As of June 30, 1976 --

- 1185 school districts had developed Community Education
- 5062 school buildings were designated community schools
- 2775 individuals occupied positions as Community Education Directors/ Coordinators
- 85 Centers for Community Education were in operation

In August, 1974

- The first federal legislation supporting Community Education was passed

In June, 1976

- 94 grants were awarded as part of the federal funding for Community Education
 - 48 grants went to Local Education Agencies
 - 33 grants went to State Education Agencies
 - 13 grants went to institutions of higher learning

DID YOU KNOW THAT

- The Montana School Boards Association has passed a resolution in support of Community Education and the changes in legislation
- Libby, Great Falls, Bozeman and Wolf Point are seriously considering Community Education
- The National School Boards Association, the American Association of School Administrators, and the National Advisory Council on Adult Education have all issued statements in support of expanded use of school facilities
- In November, 1974, the American Association of Community and Junior Colleges' Board of Directors adopted a position statement in support of Community Education
- In 1972, the Board of Directors of the U.S. Jaycees adopted a resolution in support of Community Education

- In 1972, the Convention of the National Congress of Parents and Teachers passed a resolution in support of Community Education
- In 1975, a National Joint Continuing Steering Committee composed of members from the National Community Education Association, the American Association for Leisure and Recreation and the National Parks and Recreation Association was appointed to explore how these organizations can cooperate to promote the concept of Community Education.
- In 1975, representatives from the Adult Education Association of the U.S., the National Association for Public Continuing and Adult Education, and the National Community Education Association met to explore ways the three groups might cooperate and work together to better serve all community members

Dr. Lee Watt
Executive Director
National Community Education Association
Avon Street
Flint, Michigan 48503

October 15, 1976

Dear Mr. Watt:

I have been interested in the Community Education concept since I first saw the film *To Touch a Child* about five years ago - - so interested in fact, that as Governor of Georgia, I made a short lead film to introduce *To Touch a Child* to the people of my state. In the sound track of that 1971 introductory film, I expressed the following views:

"I'm Jimmy Carter, Governor of Georgia. I know that in many communities around our nation tonight, the school building lights are burning, and teachers, adults and young people are coming together to make use of a very valuable facility.

"The community school concept offers our people the chance to participate in the learning process when they can - - which is often outside of regular school hours. In so doing, it offers us the chance to extend the learning process to the whole community.

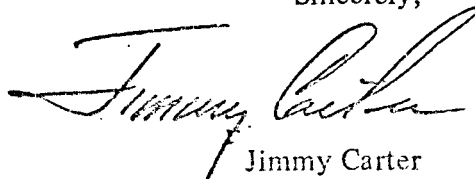
"I'd like to see the community schools concept initiated wherever possible, and I believe that local communities in every state, including Georgia, ought to seriously examine this chance to improve themselves through a process that brings people closer together and extends educational opportunity to all our citizens."

I am aware of the tremendous growth of the Community Education concept in the past few years and would like the nation's Community Educators to know of my continued interest in this worthwhile movement which can mean so much for all of us.

You may also be interested to know that my daughter-in-law Judy Carter, is a professional educator who has been actively involved as a teacher in a Community Education workshop in Jacksonville, Florida.

We have a tremendous need to develop more sense of community throughout the nation, and I feel that the Community Education concept, if fully implemented, could make an impact in meeting this need.

Sincerely,



Jimmy Carter

CONGRESSIONAL STATEMENTS ON COMMUNITY EDUCATION DEVELOPMENT ACT

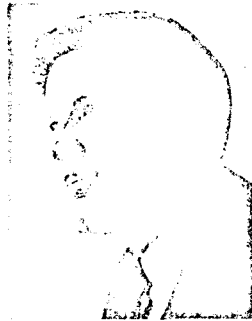
EDITOR'S NOTE: Several Congressmen and Senators who were instrumental in the development of the Community Education Development Act were invited to submit statements regarding the legislation. The statements of those responding are given below:

Mr. Paul W. Tremper
Associate Director
Mid-Atlantic Center for
Community Education
University of Virginia

Dear Mr. Tremper:

As things now stand, the prospects are certainly encouraging for the Community School Development Act which I first introduced in 1971. The bill has now been signed by the President, and the Commissioner on Education

now has the authority to make grants to state and local educational agencies for the purpose of developing, expanding, and maintaining community education programs. Additionally, the bill will provide funding for higher educational institutions to establish community education centers for the training of community educators.



To my way of thinking, money spent on community education has been a very wise and prudent investment. This point was made very compellingly by C.S. Harding Mott when he testified before the Senate Subcommittee on Education last spring. For every dollar the Mott Foundation has invested in community schools, 20 additional dollars have been generated to make the program "active and viable in other communities." We don't need any more proof that the community school concept will work. What is needed now is a genuine national commitment to expand such efforts. And that is precisely what my legislation is designed to do.

Enactment of this measure, however, is only one of several important tasks to insure the sound development of the community school concept. Other crucial steps — such as the development of regulations, the creation of a National Clearinghouse, and the naming of an Advisory Council — will also be necessary. These measures will, of course, require input from all community educators. Your knowledge and day-to-day experience will be invaluable for these future tasks.

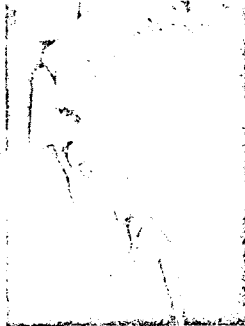
Once again, my thanks for all your assistance. You have been the catalysts for my legislation, and I look forward to working with you in the future.

With best wishes,

Sincerely,
Frank Church
Chairman

CONGRESSMAN DONALD RIEGLE — MICHIGAN

An Educational Experiment that began in Flint, Michigan, nearly 40 years ago under the direction of the late Charles Stewart Mott and the Mott Foundation has finally been incorporated into our federal education program.



With the signing of the Elementary and Secondary Education Act, the Federal government has endorsed the concept of community education and taken a giant step towards making public education in the United States a life-long experience. The principle behind community education is that school facilities should remain open after regular hours, in the evenings, and on weekends to serve the diverse needs of all our citizens — students, pre-school children, adults and senior citizens.

Under the direction of the Mott Foundation, the community education program has spread to over 500 school districts across the country and has proven extremely successful in a variety of settings — urban, suburban and rural.

A major attraction surrounding community education is the return for every dollar invested. On the average, community school programs cost 2%-8% of the net cost of the regular K-12 program. Yet, with the community school program, the buildings and facilities are used

(Continued on page 8)

CONGRESSIONAL STATEMENTS ON COMMUNITY EDUCATION

(Continued from page 7)

approximately 3 times as many hours as before — and by the entire community, thus providing needed programs and services to many times the total K-12 school age population.

We have found with community schools that providing a place for people to come together for a variety of activities has helped to create a sense of community. We have found among other things when people are asked to vote on school bond issues in areas where there are community schools that there is usually overwhelming acceptance because the people have the feeling that the money is well-spent.

This new nationwide community education program will bring new and more complete opportunities for self-development to all the citizens of our country. For those who have worked for so many years to promote community schools, this national legislative breakthrough is a dream come true.

Congressman Donald Riegle

CONGRESSMAN WILLIAM LEHMAN — FLORIDA

A line from a poem by W.H. Auden reads, "with heads as empty of brains as a schoolhouse in August." I interpret that to mean that when a school building is left empty in the late afternoon and evening, the community is really not using its brain.



Consequently, one of my goals upon arriving in Washington to serve my first term as the Representative from the 13th District in Florida was to enactment of a Federal program to encourage the development of community education.

As former Chairman of the Dade County School Board, I had seen the great success of the Florida community education programs, and believed that such a program would be welcomed in other parts of the country as well.

In developing the bill I later introduced, I consulted with, among others, the Florida Department of Education, Mr. Wilbur Cohen, Mr. Larry Decker of the Mid-Atlantic Center on Community Education, and Mr. Lou Tasse, Director of Dade County's community education program.

In September, 1973 I introduced H.R. 10049, the "Community Education Development Act of 1973,"

which called for a Federal program of grants to the States for the establishment, expansion and improvement of community education programs.

Hearings on this bill and others which had been introduced were held on September 6, 1973, by the House General Education Subcommittee. During the following weeks, the question I was most frequently asked was, "What is a community school, anyway?" Once explained, I found considerable interest in the concept among the other Members of the Committee.

On October 31, 1973, the full Education and Labor Committee approved the community education amendment which I offered to H.R. 69, the omnibus education bill. My amendment essentially contained the provisions of H.R. 10049.

On the Senate side, community education was also being considered. I had previously testified before the Senate Education Subcommittee on July 12th, and when the Senate passed its counterpart to H.R. 69, a community education program was included.

The primary difference between the House and Senate versions of community education was the issue of whether funding should be a system of discretionary grants made by the U.S. Commissioner of Education to the local educational agencies, as the Senate bill provided, or a system of States' grants, with each State Department of Education receiving an allocation based on the States' relative populations, as my amendment called for.

This difference has been resolved by the conference committee on H.R. 69 and S. 1539 by a compromise which combines a system of State and local educational agency funding.

The conference agreement also includes funds for training, a National Clearinghouse on Community Education, and a National Advisory Council.

President Gerald Ford signed the Education Bill on August 21, 1974, in the HEW Auditorium, Washington, D.C. Attending the signing ceremonies from the NCEA were Curt VanVoorhees, President NCEA, 1972-73; Dan Cady, President NCEA 1973-74; President Elect William Bright, 1974-75; LeRoy Watt, Executive Secretary, NCEA; and Harding Mott, President, Mott Foundation.

A GOVERNOR LOOKS AT COMMUNITY EDUCATION

By
CECIL D. ANDRUS
Governor of Idaho

In Idaho—and I suspect the same is true in most other states—there is increasing general concern over greater utilization of our public schools. We in Idaho not only recognize that great additional educational benefits could result from greater use of our schools, but have taken the first steps to try to find a sensible solution to the problem.

We are faced with a unique situation inasmuch as the majority of our schools are in rural areas with sparse population. Of our 115 public school districts, 99 are under 3,000 total enrollment. Only 16 range from 3,000 to 20,000 plus. Nevertheless, the State Department of Education under its planning and development division is exploring the feasibility of several plans dealing with greater utilization of our schools.

One of these plans of the year 'round school concept is the so-called 45-15 plan, in which students and teachers go to school for 45 days and are off 15 days, allowing year 'round use of buildings for increased enrollments when new classroom facilities can't be built.

It is unfortunate that at the present time only a few of the larger districts offer programs which utilize some school buildings on a year 'round basis, including summer months. And the smaller districts offer even less in the way of summer programs, leaving most of the buildings vacant June through August.

However, the community school concept is showing signs of progress in the state's two largest school districts—Boise and Pocatello. Many of the schools in these two districts are conducting summer and evening programs for both adults of all ages as well as students. This same concept, even with the sparsity of population factor, could be applied at least to some degree in many of our other schools with proper planning. The implementation of various new activities and programs without doubt would immeasurably benefit both the patrons and the students of every community by utilizing both the buildings and the staff, not only during the summer months but throughout the regular school year.



The Honorable Cecil D. Andrus

It is true that Idaho school districts, to a degree, have always allowed outside organizations and activities use of school buildings. However, I feel a great deal more use could be projected in the way of community participation through flexible planning and innovative ideas.

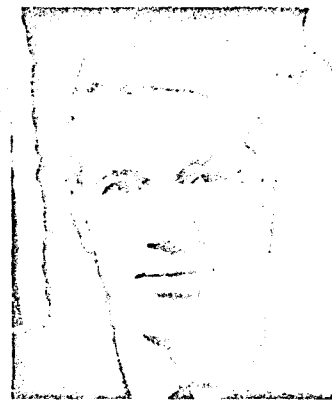
Educational needs have a high priority in Idaho. My administration, the legislature, educational leaders and parents have a keen awareness of the problems facing our schools. We all want our children to have every advantage. We want to stretch our limited tax dollars as far as they will go. Better utilization of our school buildings is one way to accomplish these goals. We are heading in this direction. Perhaps not as fast as we would like, but at least some progress is being made.

Several recommendations for legislative action in the next session are being proposed by a citizen's Task Force on Public School Planning which could have a dramatic effect on our educational system. One proposal in particular—the reorganization of school district administrations—would be a giant step forward in getting more for our educational dollars. The end result would be a more efficient, economical operation with extended program opportunities for every child, regardless of geographic or socio-economic considerations.

While Idaho is not faced with the critical problems that exist in most urban areas, we must nonetheless constantly strive to offer a better quality education to every youngster. We cannot maintain a status quo. We cannot be satisfied with mediocrity. And we cannot settle for minimal use of our school buildings.

A GOVERNOR'S VIEW OF COMMUNITY EDUCATION

By
WENDELL ANDERSON
Governor
State of Minnesota



Wendell Anderson

Community Education is growing by leaps and bounds in Minnesota, and it is indeed a pleasure for me to be a part of such growth.

For the first time in many parts of our State, mayors, city councilmen, park and recreation people and school officials are sitting down to discuss mutual concerns, set priorities, develop alternative methods of attacking these concerns, and then setting out to solve them.

It is encouraging to see how local school districts have taken a small grant under our Community School Programs Act of 1971, and through a local community school director, have helped many areas meet urgent educational needs.

Because of the success of this concept of Community Education, I have recommended that more than \$500,000 be allocated to the State Department of Education for Community Education during the 1973-75 biennium. These funds will go far to expand the use of this concept.

One might wonder why a governor is so interested in Community Education. The reason is that a governor is concerned with meeting the needs and wants of people in the most efficient way, and this is what Community Education is all about.

The vital role of Community Education and its importance to state government is outlined clearly in a recent study by Fred Smith entitled, *Man and His Urban Environment - A Manual of Specific Considerations for the Seventies and Beyond*. In this report Mr. Smith lists nine needs of man in an urban setting. These include:

1. Livable shelter
2. Effective Urban Services
 - Transportation
 - Police
 - Social & Welfare Services
 - Education
3. Reasonable Security
 - Shelter, job and safety

4. Hope for personal and community improvement
5. A source of income and a sense of belonging
6. Reduction of waste that increases living costs
7. Cultural and recreational facilities
 - More action-oriented programming - less passive enjoyment
8. Public Transportation
 - Highways
 - Bicycle Paths
 - Airports
9. Minimum of pollution and ecological disruption.

All of these are areas of daily concern for a governor.

Although these needs are listed as urban needs, most of them are also applicable to suburban and rural areas. Each of these needs, however, can be attacked by the process of Community Education. These needs can be met at least partially by developing community processes, that is, communities can and must join hands to make more efficient use of community buildings, more effective use of social and governmental agencies and their services, and more efficient use of the human resources which exist in every community.

The time for empire building is gone. Accountability demands the elimination of the duplication of facilities and programs. A financial squeeze is on in Minnesota, as it is everywhere, while the needs and wants of people continually increase. The time for action is now.

It behooves every community to join forces to solve mutual programs. And as I have stated before, I am convinced that the community school concept can save Minnesota taxpayers a great deal of money.

I am also convinced that the program can help us solve some of our society's other ills. This is not to say that I see Community Education as a panacea to the world's ills, but I do see it as an important component in man's battle to improve the human condition.

MEMORANDUM IN OPPOSITION TO H.B. 443

H. B. No. 443 proposes that a non-tenure teacher be given explicit and detailed reasons for non-renewal of the teacher's contract for the following year. The result of this bill is to provide non-tenure teachers with the opportunity for Court review of the reasons for non-renewal of contract by arguing that the reasons have damaged the teacher's reputation and affected the teacher's opportunity for re-employment. Under Montana law (75-6103, R.C.M.), it is provided that a teacher attains tenure status when he or she enters into the fourth consecutive annual employment contract. Until such time, the teacher does not have tenure status and the School District has the opportunity to observe the teacher during this probationary period to determine whether he or she is the best teacher that the district can obtain for the money available. If the board of trustees is not satisfied with the teacher, the board need not review the teacher's contract for future school years.

After tenure is obtained, a teacher can only be dismissed for cause, and the teacher may demand and receive reasons for termination and a hearing before the board of trustees. A tenure teacher may thereafter appeal to the County Superintendent of Schools, to the State Superintendent of Public Instruction, to the District Court and eventually all the way to the Montana Supreme Court, or possibly even into the Federal Courts. The bill addresses both termination and non-renewal of non-tenure teachers, but is meaningless insofar as termination is concerned because a

non-tenure teacher's contract can only be terminated during the year for specific cause (75-6107, R.C.M.), and the teacher has a right to a hearing upon the charges. The bill only has application in cases of non-renewal of contract for non-tenure teachers the following year.

Detailed and explicit reasons are not required for non-tenure teachers and for good reason, as stated by Russell E. Smith, U.S. District Judge, District of Montana, in Cookson vs. Lewistown School District No. 1, decided July 19, 1972 and affirmed December 20, 1972 (No. 3062, Great Falls Division). In the Cookson case, Judge Smith pointed out:

"These three years are the testing years during which not only may the teacher's merits be weighed but the school's need for a particular teacher assessed. It may be, and perhaps this reasoning underlies the Montana policy, that in the interests of creating a superior teaching staff a school board should be free during a testing period to let a teacher's contract expire without a hearing, without any cause personal to the teacher, and for no reason other than that the board rightly or wrongly believes that ultimately it may be able to hire a better teacher."

Section 75-6105.1., R.C.M. presently provides that within ten days after receipt of notice of non-renewal of contract, the non-tenure teacher may request a statement in writing of the reasons for non-renewal of employment and the trustees must furnish the same within ten days after the request. The reason need not be detailed but assures the teacher that no defamatory reasons were entered on the record.

The proponents of the bill may argue that federal constitutional law requires that reasons for termination be given to non-tenure teachers, but this is not true. Federal District Judge Russell E. Smith reviewed the leading case on this point rendered by the U. S. Supreme Court, being Board of Regents vs. Roth, decided June 29, 1972, 40 U.S.L.W. 5079, 408 U.S.564, and found that there is good reason why school districts in Montana let a non-tenure teacher's contract expire "without any cause personal to the teacher, and for no reason other than that the board rightly or wrongly believes that ultimately it may be able to hire a better teacher.". The Roth case ruled that neither rights of property or liberty are involved in such non-renewal. Judge Smith did, however, observe that if the statement or notice states reasons that reflect upon the teacher's reputation and good name, then it must grant a hearing under the due process provisions of the United States Constitution, as decided in the Roth case, because everyone has the right to defend against charges that are damaging. Therefore, the school board must be very cautious not to state any reason that can in any way reflect upon the teacher's reputation or damage the teacher in any way. It is to the advantage of both the teacher and the board that the probationary relationship be dissolved as routinely as possible to avoid any misinterpretation regarding the non-renewal. There is no way that specific detail can be recited to the teacher's ability or competency without

forcing proof as to the cause of non-renewal and this would serve as a basis for a hearing and court review allowing the non-tenure teacher to go immediately to court without exhausting any other administrative remedy because no other administrative remedy is provided in the statute. In other words, the non-tenure teacher could seek judicial relief quicker and more effectively than can a tenure teacher, because the tenure teacher must first appeal to the County Superintendent of Schools and the State Superintendent of Public Instruction and the result is that the three-year probationary period is destroyed. This is the reason this bill is referred to as the instant tenure bill.

This bill would destroy the teacher selection system and would seriously deteriorate the calibre of public school teaching staffs as the years progress. The continual strife between teachers and school trustees in the struggle for management of the school district should not be allowed to reduce the quality of education offered to Montana's children. The children are often the forgotten individuals in the battle. H.B. 443 should be reported as not concurred in.

Respectfully submitted,

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