

MINUTES OF THE MEETING
EDUCATION COMMITTEE
MONTANA STATE SENATE

March 8, 1977

The twenty-third 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, with the exception of Senator Larry Fasbender who was excused.

CONSIDERATION OF HOUSE BILL No. 305: An act to establish a state policy for adult basic education, allowing a state fund administered by the Superintendent of Public Instruction for its support.

Representative Kessler, Billings, Mont., House District 66, sponsor of the Bill, was called on to present his testimony. He stated this was enabling legislation to fund the adult basic education in the State which has been partly funded by the 1 mil permissive local levy, and, in addition, by grants and with matching federal funds; but this is not to be confused with continuing education or community education. This is necessary because people who have not finished high school are provided the opportunity for learning the essential basics of education to get them enough knowledge so they can get jobs. He felt it the best investment the State could subsidize.

Proponents of the Bill included:

Bill Cunneen, OSPI, testified that presently, there was no State appropriation for this adult basic education; it is funded from local sources and with matching federal money. He passed out file folders on the subject matter, and explained the information contained in the packet, mentioning that there were approximately 171,119 adults over the age of 18 with less than a high school education, about the same number as students currently enrolled in elementary and secondary schools in Montana.

James Watkins, Libby School Dist. #4 Superintendent, stated Libby had successfully operated the program since 1970, graduating 40 - 50 students and felt it was a very worthwhile program which merited continuing.

Maurice Hickey, MEA, stated they supported the Bill since its introduction in the House for the reason that the more of these people who can be put on the gainfully employed rolls, the less we have to support them on the welfare rolls.

Pat Lee, Adult Learning Center, Billings, Mont., testified there were a number of persons graduating from high schools who could not read; it is thought because of a malfunction in the neurological process, some people couldn't learn while in school, but when they mature, they have that ability and adult basic education tries to teach these people, utilizing the knowledge such students bring with them from their life experiences and alleviate the stigma of not being able to read or know the basic education process.

Jim Corbett, Kalispell A.B.E., stated there were about 250 students enrolled in adult education at present who come from all over the Flat Head area. This is very much supported because there is no other community in NW Mont. which handles this type of student or offers much in the way of programs as there are mainly small towns and it is not that easy to develop new programs.

Pat O'Leary, Supervisor of ABE, Helena, said they started in 1971 with about 25 students, and now have about 450 and can't handle that many with the available staff and facilities. One of the reasons for the large increase is because people who have been institutionalized and in nursing homes are now enrolling, and these programs barely scratch the surface of their needs.

Anthony LeDesma, ABE student from Billings, testified through the efforts of the staff at the Billings center, he now has a job with the Mont. Migrant Workers Council as coordinator for farm workers; without this school, he would still have been in the fields. Many people are in the same situation he had been in, and he hoped they have the opportunity for this education. He commented on the individual attention shown students attending this type school by the staff, benefits obtained and that they are allowed to progress at their own speed.

Linda Haines, teacher in Havre ABE, stated she had seen the enrollment in these classes growing each year and they have now reached the point where help is needed to handle the program.

Maureen Dolan, ABE teacher from Chinook, said in her small community 20 people had enrolled this year; that they had very limited facilities and needed this Bill.

Anna McLane, ABE student, Helena, endorsed the program, stating there was no other place she could have gone for this type of education as she could not afford to attend Vo Tech.

James E. Moyer, ABE student at Kalispell, testified he had joined the Army at an early age, stayed in the infantry and now with a

family to support and out of the Army, there was no other school he could attend and was thankful for this help, adding other members of his family were also attending.

Florence Monteau, former ABE student, now teaching kindergarten at Rocky Boy, Mont., said she went back to school after raising a large family through this program and was able to pass the G.E.D.

There was no opposition to the Bill.

In closing, Representative Kessler felt the important thing was the growth of the program and the additional funding necessary to take care of the increased enrollment.

The Chair opened the hearing for questions by the Committee. To Senator Mathers' question, Rep. Kessler replied he hoped the funding would come from the general budget but realized they have to set priorities and that this was a line item in the OSPI budget. Senator Boylan inquired if this schooling is through high school level, to which Rep. Kessler answered they went through high school graduation or the equivalent of the G.E.D.

Jim Reno, from the Adult Learning Center, Billings, responded that if a person could function at the 8th grade level, they could pass the G.E.D.; that they teach basic reading, English, history and math. Rep. Kessler added subjects like typing falls under the Vo Tech. Senator Dunkle questioned the fiscal note accompanying the Bill, to which William J. Cunneen, OSPI, responded that present funding of this program is mostly on a local level with a federal grant on a 90-10 match; that the 1 mil permissive levy is available for all of adult education, not just adult basic ed, and for those reasons this very worthwhile program needs additional funding.

There being no further questions, the Chair closed the hearing on House Bill 305.

CONSIDERATION OF HOUSE BILL No. 485: An act regarding the use and administration of corporal punishment in public schools.

Representative Jack Gunderson, District 35, Cascade, Mont., sponsor of the Bill, was called on to present his testimony. He commented that because of a discipline problem, his son had quit teaching, and asked the representative of the MEA to explain the Bill further.

Proponents of the Bill included:

Lloyd Markell, MEA, stated this had great significance for teachers and school boards because schools are in a precarious position when it comes to disciplining students in that it has been established by courts they have a right to due process and a right to a hearing

before they can be suspended from school for misconduct. Without some protection such as this Bill offers, the MEA felt teachers were open to tort charges and therefore, they have increased liability coverage for them in this regard. This Bill proposes to do what now takes place in practice, providing the teacher has authority to discipline a student in school, but if corporal punishment is involved, the teacher is to take the student to the principal who will administer the punishment. He explained the amendments the House endorsed and that because of the courts' recognizing the rights of students, it was advisable to provide whenever disciplinary action was to be taken, it would be in the presence of another person.

Len Sargent, Director, Mont. School Boards Assoc., endorsed the Bill and suggested an amendment providing for the proper individual to administer punishment in communities with no principal.

In closing, Rep. Gunderson remarked that we've taken beer away, now if we can just paddle them, we'll be okay.

The hearing was opened to questions by the Committee. Senator Blaylock commented it was his opinion that a teacher has lost control over his class when these occurrences arose and that this type of punishment does more harm than good as these kids are usually the kind who are being beat at home. Discussion centered on amending to include two witnesses, advisability of notification of a child's guardian and definition of the term "corporal punishment", with Senator Thomas remarking that the practicality of the present situation is no teacher will risk losing his job by touching a child. That the major problems arise because of the large size of some schools which breed discontent. Senator Blaylock felt teachers and principals should be supported and have definite guide lines, but that teachers should be encouraged not to use corporal punishment because of insinuations of passion, to which Senator Murray questioned what action a teacher could take with students who say teachers' can't touch them so they don't care what they do.

There being no further questions, the hearing on House Bill 485 was closed.

FURTHER CONSIDERATION OF HOUSE BILL No. 147: Staff attorney Bobinski stated the Committee could amend the Bill to include the leasing of land for the 99 year term which would require a change in the title but would not change the intent of the Bill. Discussion centered on amendments to include leasing from municipalities and pertaining to lease of land.

Senator Bill Mathers moved that the proposed AMENDMENTS BE ADOPTED to House Bill 147; motion was seconded and carried unanimously.

DISPOSITION OF HOUSE BILL No. 66: Relating to a fire services training school; discussion was carried on as to expansion of the program, related cost and its being put under the direction of the Vo Tech Center.

Senator Larry Fasbender moved that House Bill 66 BE CONCURRED IN; motion was seconded and carried by unanimous vote. Senator Fasbender will carry the Bill on the floor.

FURTHER CONSIDERATION OF HOUSE BILL No. 239: Discussion of the amendments proposed by the two separate factions resulted in the Chairman requesting Chad Smith, Pat McKittrick and Fred Barrett get together with the staff attorney, work the amendments through and then present them to the Committee for consideration.

DISPOSITION OF HOUSE BILL No. 409: Senator Bill Mathers moved that House Bill 409 BE CONCURRED IN; motion was seconded; carried unanimously. Senator Murray will carry the Bill on the floor.

DISPOSITION OF HOUSE BILL No. 315: Senator Murray moved that House Bill 315 BE NOT CONCURRED IN; motion was seconded and by majority vote carried, with Senators Blaylock, Boylan, Fasbender and Thomas voting "no".

FURTHER CONSIDERATION OF HOUSE BILL No. 305: Senator Smith moved that House Bill 305 BE CONCURRED IN. Discussion was heard as to Bills 305, 119 and an additional bill all pertaining to adult education, upon which Senator Smith withdrew his motion as premature and House Bill 305 would then pass consideration at this time.

ADJOURNMENT:

There being no further business, the meeting was adjourned at 12:35 P.M.



Chet Blaylock, Chairman

ROLL CALL

EDUCATION COMMITTEE

45th LEGISLATIVE SESSION - - 1977

Date March 8,
1977

SENATE

Education COMMITTEE

HOUSE BILL 305, 485

VISITORS' REGISTER

DATE Mar. 8,
1977

NAME	REPRESENTING	BILL #	(check one) SUPPORT	OPPOS.
Rep Jack Gunderson	Dist 35	HB 485	✓	
Rep. A. Marshall	MEA	HB 485	✓	
Bill Cunneen	Off of Subj	HB 305	✓	
Pat Lee	Billings Adult Learning Center	HB 305	✓	
Anthony LeComte-Bly	Mont. Migrant Council	HB 305	✓	
Glarene Monteau	Rocky Boy, Mont. Kindergarten teachers	ABE teacher HB 305	✓	
Linda Hornes	School Dist 16-A (Harve)	HB 305	✓	
Maureen Dolan	Chinook (ABE teacher)	HB 305	✓	
Gene McPhee	Mont. Student	HB 305	✓	
James J. Watkins	School Dist 004 Libby	HB 305	✓	
Patrick O'Leary	ABE Helena	HB 305	✓	
James Corbitt	ABE Kalispell	HB 305	✓	
James Moyer	ARC Kalispell	HB 305	✓	
John Price	Mont. Mt. St. Norm	HB 305	✓	
Jim Reno	Adult Learning Center	HB 305	✓	
Donald Kessler	Sponsor HB 305 ABL	HB 305	✓	
John Pidott	Mont. Dem Party	HB 305	✓	
Chet Smith	Mont. Sch. Bd. Assn	HB 485	amend	
John Sargent	MSBA	HB 485	amend	
Maurice J. Hickey	MEA	HB 305	✓	
John (Lord) Drew	Myself	HB 485	✓	John, Senator Drew
R. S. Palmer	Myself	305		

NAME: James E. Reno DATE: 3-8-22

ADDRESS: 1443 Janie St. Billings,

PHONE: 259-2883

REPRESENTING WHOM? Adult Learning Center

APPEARING ON WHICH PROPOSAL: HB 305

DO YOU: SUPPORT? ✓ AMEND? _____ OPPOSE? _____

COMMENTS: Here to answer questions on HB 305
rather than Testify

PLEASE LEAVE ANY PREPARED STATEMENTS WITH THE COMMITTEE SECRETARY.

NAME: Anthony S. DeCarma DATE: 3-8-77

ADDRESS: 241 Terry ave Billings Mont

PHONE: 252-3015

REPRESENTING WHOM? Mont Migrant/Seasonal Farmworkers Council

APPEARING ON WHICH PROPOSAL: HB 305

DO YOU: SUPPORT? ✓ AMEND? _____ OPPOSE? _____

COMMENTS: en ill give oral testimony

PLEASE LEAVE ANY PREPARED STATEMENTS WITH THE COMMITTEE SECRETARY.

NAME: J. Michael Pickette DATE: 3-8-17

ADDRESS: Bx 802 Helena

PHONE: 442 9520

REPRESENTING WHOM? Mont. Democratic Party

APPEARING ON WHICH PROPOSAL: HB 305

DO YOU: SUPPORT? AMEND? OPPOSE?

COMMENTS : _____

PLEASE LEAVE ANY PREPARED STATEMENTS WITH THE COMMITTEE SECRETARY.

NAME: Terence Recouer DATE: 3/17/77

ADDRESS: Rocky Boy, Mont

PHONE: 395-4721

REPRESENTING WHOM? Rocky Boy ABE

APPEARING ON WHICH PROPOSAL: HB 305

DO YOU: SUPPORT? yes AMEND? _____ OPPOSE? _____

COMMENTS: This program is very important to us on our small reservation. They are trying to help our people become self-supporting.

PLEASE LEAVE ANY PREPARED STATEMENTS WITH THE COMMITTEE SECRETARY.

NAME: Sandra Hayes DATE: 3/24/11

ADDRESS: 433 4th Ave. Nanaimo

PHONE: 265-9376

REPRESENTING WHOM? School Dist 16-A

APPEARING ON WHICH PROPOSAL: HB 305

DO YOU: SUPPORT? X AMEND? _____ OPPOSE? _____

COMMENTS: Naanre + Chinook have the only ABE programs along the Hi-Line. There is a need for more programs. We find that each year our enrollment increases, but that funding is not increasing proportionally.

PLEASE LEAVE ANY PREPARED STATEMENTS WITH THE COMMITTEE SECRETARY.

NAME: P. St. Olie DATE: 3-3-77

ADDRESS: 820 Cheyenne Dr., Billings, MT. 59102

PHONE: 248-8324

REPRESENTING WHOM? Adult Learning Center, Billings

APPEARING ON WHICH PROPOSAL: HB 305

DO YOU: SUPPORT? ✓ AMEND? _____ OPPOSE? _____

COMMENTS: Between 30 - 50 % of the people in
Billings, in Montana do not have a high
school diploma. Many of these people
are on welfare or in jail. This money
is better spent on prevention rather
on custodial care. Adult basic education
helps get people on to the tax rolls
or to jobs. It promotes good citizenship.

PLEASE LEAVE ANY PREPARED STATEMENTS WITH THE COMMITTEE SECRETARY.

NAME: Maurice Dolan DATE: 3/8/77

ADDRESS: 1613 River Rd.

PHONE: 265-7179

REPRESENTING WHOM? A.B.E.

APPEARING ON WHICH PROPOSAL: A.B. 305

DO YOU: SUPPORT? ✓ AMEND? _____ OPPOSE? _____

COMMENTS: I am an A.B.E. teacher that has seen
many people take advantage of the class
time. I wanted their education and gone out
into the work world. I hope you support
the bill A.B. 305.

PLEASE LEAVE ANY PREPARED STATEMENTS WITH THE COMMITTEE SECRETARY.

NAME: James W. H. H. DATE: 3/8/71

ADDRESS: 105 Broadway

PHONE: 442-1153

REPRESENTING WHOM? ABE.

APPEARING ON WHICH PROPOSAL: HB-305 -

DO YOU: SUPPORT? AMEND? OPPOSE?

COMMENTS: I think it is necessary to continue
program. If it were not for CEP I
would not have been able to finish school

PLEASE LEAVE ANY PREPARED STATEMENTS WITH THE COMMITTEE SECRETARY.

NAME: Patrick Ellberry DATE: 3-8-11

ADDRESS: 2009 E. 6th Avenue

PHONE: 442-7371

REPRESENTING WHOM? ABE - Nicena Vo-Tech

APPEARING ON WHICH PROPOSAL: HB 305

DO YOU: SUPPORT? X AMEND? _____ OPPOSE? _____

COMMENTS:

As a local supervisor, I am aware of the tremendous need for increased support for Adult Basic Education.

PLEASE LEAVE ANY PREPARED STATEMENTS WITH THE COMMITTEE SECRETARY.

NAME: Lea Sergeant DATE: 3-8-71

ADDRESS: 521 1/2 Sanders Rd

PHONE: 442-2180

REPRESENTING WHOM? MESBA

APPEARING ON WHICH PROPOSAL: HB 485

DO YOU: SUPPORT? AMEND? OPPOSE?

COMMENTS: This bill does not speak to those schools
which do not have a principal. OSPI report
that there are over 400 such schools. The bill
probably needs to be amended to authorizing a
lead teacher or someone to act in the role of
principal.

PLEASE LEAVE ANY PREPARED STATEMENTS WITH THE COMMITTEE SECRETARY.

NAME: _____

James W. Walker

DATE: 3/5/71

ADDRESS: 111 E. Lincoln Blvd. Library Mts.

PHONE: 293 6204

REPRESENTING WHOM? School Dist No 4

APPEARING ON WHICH PROPOSAL: HB 305

DO YOU: SUPPORT? AMEND? OPPOSE?

COMMENTS:

PLEASE LEAVE ANY PREPARED STATEMENTS WITH THE COMMITTEE SECRETARY.

NAME: Walter Finucane DATE: 2-8-77

ADDRESS: 330 Graham - Athens

PHONE: Bus 449-3082

REPRESENTING WHOM? Supt. of Pub. Instruction

APPEARING ON WHICH PROPOSAL: HB 305

DO YOU: SUPPORT? X AMEND? _____ OPPOSE? _____

COMMENTS: Has its basis in the state constitution
Provides educational opportunities for underserved
or educationally disadvantaged adults

PLEASE LEAVE ANY PREPARED STATEMENTS WITH THE COMMITTEE SECRETARY.

NAME: Wendell R. Kessler DATE: 3/8/77

ADDRESS: 1627 Wyoming, Billings

PHONE: 248-1030 (442 4423 - Helene)

REPRESENTING WHOM? Myself

APPEARING ON WHICH PROPOSAL: H.B. 345 - open

DO YOU: SUPPORT? ✓ AMEND? _____ OPPOSE? _____

COMMENTS: Spencer

PLEASE LEAVE ANY PREPARED STATEMENTS WITH THE COMMITTEE SECRETARY.

NAME: John L. Johnson

DATE: 3/8/77

ADDRESS: 1102 21st and D St. Missoula, MT.

PHONE: 549-6687 (home) 728-2400-253 (o)

REPRESENTING WHOM? Montana Public Education Fund

APPEARING ON WHICH PROPOSAL: HB - 805

DO YOU: SUPPORT? Yes AMEND? _____ OPPOSE? _____

COMMENTS: 10% of those over 25 are unemployed in a high school system -
presently only 1 school & local money
support education for those who need
of gaining in basic skills - in particular
to get a job, to run a home - our state
economy presently supports this over 30%

While this is a local problem, I do not
feel it is a local responsibility because we
have a great influx of people from the man-
ual areas

PLEASE LEAVE ANY PREPARED STATEMENTS WITH THE COMMITTEE SECRETARY.

NAME: Anna Leekett DATE: 3/8/77

ADDRESS: 1304 8th Ave. E. Kelowna, B.C.

PHONE: 403-755-6378

REPRESENTING WHOM? Adult Basic Education

APPEARING ON WHICH PROPOSAL: HB 305

DO YOU: SUPPORT? X AMEND? _____ OPPOSE? _____

COMMENTS: Support of this bill will help ensure the free opportunity for adults in B.C. to receive the basic education (math, reading, English) required to function better as well as to continue an education if so desired.

I am pleased that the state constitution supports the ~~same~~ right of our residents and I hope that the legislature sees fit to enable this issue to continue through HB 305. Thanks

PLEASE LEAVE ANY PREPARED STATEMENTS WITH THE COMMITTEE SECRETARY.

NAME: James E. Moyer DATE: 7-8-17
ADDRESS: 328 3rd Ave E. Kalispell Mont
PHONE: 755-1159

REPRESENTING WHOM? _____

APPEARING ON WHICH PROPOSAL: HB 305

DO YOU: SUPPORT? ✓ AMEND? _____ OPPOSE? _____

COMMENTS: My wife and I raised our family of 6 and now have time to go on with our education. We have one daughter at home and she and my wife are attending BAE. With out this Bill I don't see how it will be possible for them to attend

PLEASE LEAVE ANY PREPARED STATEMENTS WITH THE COMMITTEE SECRETARY.

SENATE COMMITTEE EDUCATION

✓ [✓]
 Date February 22, 1977 HOUSE Bill No. 66 Time

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: Senator Larry Fasbender moved that House Bill No. 66
BE CONCURRED IN; motion was seconded and carried unanimously.
Sen. Fasbender to carry on floor.

(include enough information on motion--put with yellow copy of committee report.)

STANDING COMMITTEE REPORT

March 8, 1977

MR. President,

We, your committee on EDUCATION,

having had under consideration HOUSE Bill No. 66,

Respectfully report as follows: That HOUSE Bill No. 66,

Third Reading Bill,

DO PASS

BE CONCURRED IN

STANDING COMMITTEE REPORT

March 9, 1971

MR. President,

We, your committee on EDUCATION,

having had under consideration HOUSE Bill No. 409,

Respectfully report as follows: That HOUSE Bill No. 409,

Third Reading Bill,

APR 1971

BE COMICURRED IN

SENATE COMMITTEE

EDUCATION

Date March 3, 1977

House

Bill No. 409

Time

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: Senator Bill Mathers moved that House Bill No. 409
BE CONCURRED IN; motion was seconded and carried by unanimous
vote. Sen, Murray to carry on floor.

(include enough information on motion--put with yellow copy of
committee report.)

SENATE COMMITTEE EDUCATION

March 8
 Date February 24, 1977 HOUSE Bill No. 315 Time 1:45

NAME	YES	NO
Senator Chet Blaylock, Chairman		<input checked="" type="checkbox"/>
Senator Ed Smith, Vice Chairman	<input checked="" type="checkbox"/>	
Senator George McCallum	<input checked="" type="checkbox"/>	
Senator Bill Mathers	<input checked="" type="checkbox"/>	
Senator William E. Murray	<input checked="" type="checkbox"/>	
Senator Frank Dunkle	<input checked="" type="checkbox"/>	
Senator Paul Boylan		<input checked="" type="checkbox"/>
Senator Larry Fasbender		<input checked="" type="checkbox"/>
Senator Bill Thomas		<input checked="" type="checkbox"/>
Senator Margaret Warden	<input checked="" type="checkbox"/>	

Jennie Lind
Secretary

Chet Blaylock
Chairman

Motion: Senator William Murray moved that House Bill No. 315
 BE NOT CONCURRED IN; this was seconded and by majority vote
 carried, with Senators Blaylock, Boylan, Fasbender and Thomas
 voting "no".

(include enough information on motion--put with yellow copy of
 committee report.)

STANDING COMMITTEE REPORT

..... March 4..... 1977...

MR. President.....

We, your committee on EDUCATION

having had under consideration HOUSE Bill No. 312...

Respectfully report as follows: That HOUSE Bill No. 315.....

Third Reading Bill,

DO PASS

BE NOT CONCURRED IN



..... Chet Blaylock

Chairman.