

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

SENATE

Education

COMMITTEE

HOUSE BILL 305, 485

VISITORS' REGISTER

DATE Mar. 8,
1977

NAME	REPRESENTING	BILL #	(check one)	
			SUPPORT	OPPOS.
Ray Jacob Gunderson	Dist 35	HB 485	✓	
Frank A. Marshall	MEA	HB 485	✓	
Bill Cunniff	Off of Supt	HB 305	✓	
Pat Lee	Billings Adult Learning Center	HB 305	✓	
Anthony La Donna-Blymont	Mont. Migrant Council	HB 305	✓	
Florence Montau	Rocky Boy Mont. Kindergarten teacher	HB 305	✓	
Linda Hornes	School Dist 16-A (Harre)	HB 305	✓	
Maurice Nolan	Chinook (ABL teacher)	HB 305	✓	
Lana McPhee	Helena - Student	HB 305	✓	
James F. Watkins	School Dist 104 Libby	HB 305	✓	
Patrick O'Leary	ABE Helena	HB 305	✓	
James Corbett	ABE Kalispell	HB 305	✓	
James Moyer	ARC Kalispell	HB 305	✓	
John F. Fice	Mont. Nat. Ed. Assoc	HB 305	✓	
Jim Reno	Adult Learning Center Billings	HB 305	✓	
Donald Kessler	Spencer H/B 305 ABL	HB 305	✓	
Kiki Schotte	Mont. Demo Party	HB 305	✓	
Chris Smith	Mont. Sch. Bds. Assoc	HB 485	amend	
Don Sargent	MSBA	HB 485	amend	
Maurice J. Pickney	MEA	HB 305	✓	
Jeffrey Lloyd Drew	MSLB	HB 485	6/10/77, 11/2/77	
R. B. Palmer	myself	305		

NAME: James E. Reno

DATE: 3-8-77

ADDRESS: 1443 Janic 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
father Brian Test.

PLEASE LEAVE ANY PREPARED STATEMENTS WITH THE COMMITTEE SECRETARY.

NAME: Anthony J. Deanna DATE: 3-8-77

ADDRESS: 241 Terry Ave Billings Mont

PHONE: 252-3005

REPRESENTING WHOM? Mont Migrant/Seasonal Farmworkers Council

APPEARING ON WHICH PROPOSAL: HB 305

DO YOU: SUPPORT? ☒ AMEND? ☐ OPPOSE? ☐

COMMENTS: will give oral testimony

PLEASE LEAVE ANY PREPARED STATEMENTS WITH THE COMMITTEE SECRETARY.

J. Michael Pichette

3877

Bx 802 Helena

442 9520

Mont. Democratic Party

AB 305

SUPPORT?

✓

AMEND?

OPPOSE?

This image shows a single page of white paper with horizontal ruling lines. The lines are evenly spaced and run across the width of the page. There is no handwriting or other markings on the paper.

PLEASE LEAVE ANY PREPARED STATEMENTS WITH THE COMMITTEE SECRETARY.

NAME: Lorance Montau DATE: 5/8/77

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. We
are trying to help our people become
self-supporting.

PLEASE LEAVE ANY PREPARED STATEMENTS WITH THE COMMITTEE SECRETARY.

NAME: Linda Hawes DATE: 3/2/11

ADDRESS: 433 4th Ave. Havre, Mont.

PHONE: 265-9376

REPRESENTING WHOM? School Dist 16-A

APPEARING ON WHICH PROPOSAL: HB 305

DO YOU: SUPPORT? X AMEND? OPPOSE?

COMMENTS: Havre + 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:

Pat Lee

DATE: 3-3-77

ADDRESS:

820 Circle 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, adults, in Montana do not have a high school diploma. Many of these people are on welfare or in jail. Tax monies are better spent on prevention rather than custodial care. Adult basic education helps get people on to the tax rolls on to jobs. It promotes good citizenship.

PLEASE LEAVE ANY PREPARED STATEMENTS WITH THE COMMITTEE SECRETARY.

NAME: Maurice Nolan DATE: 5/8/77

ADDRESS: 1613 Pine Dr.

PHONE: 265-7179

REPRESENTING WHOM? A.B.E.

APPEARING ON WHICH PROPOSAL: H.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
have continued their education and gone out
into the work world. I hope you support
our bill H.B. 305.

PLEASE LEAVE ANY PREPARED STATEMENTS WITH THE COMMITTEE SECRETARY.

NAME: James H. [unclear] DATE: 8/8/77

ADDRESS: 128 Broadway

PHONE: 442-453

REPRESENTING WHOM? ABE

APPEARING ON WHICH PROPOSAL: 4B-305-

DO YOU: SUPPORT? — AMEND? — OPPOSE? —

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

PLEASE LEAVE ANY PREPARED STATEMENTS WITH THE COMMITTEE SECRETARY.

NAME: Patrick O'Leary DATE: 3 0 11

ADDRESS: 2009 E. 6th Helena

PHONE: 442-7371

REPRESENTING WHOM? ABE - Helena 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 Sargent DATE: 3-8-77

ADDRESS: 501 E. Sanders 1/2 E. 1st

PHONE: 442-2180

REPRESENTING WHOM? NUSBA

APPEARING ON WHICH PROPOSAL: HB 485

DO YOU: SUPPORT? ✓ AMEND? ✓ OPPOSE?

COMMENTS: This ^{bill} ~~law~~ 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 Watkins

DATE: 3/8/71

ADDRESS:

111 E Lincoln Blvd Libby MT.

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: William J. Hansen DATE: 2-8-77

ADDRESS: 330 Graham - Helena

PHONE: Bus 499-3082

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: Frank R Kessler DATE: 3/8/77

ADDRESS: 1627 Wyoming, Billings

PHONE: 248-1030 (442 4423 - Helene)

REPRESENTING WHOM? Myself

APPEARING ON WHICH PROPOSAL: H/BS - spec

DO YOU: SUPPORT? ☒ AMEND? ☐ OPPOSE? ☐

COMMENTS: Specman

PLEASE LEAVE ANY PREPARED STATEMENTS WITH THE COMMITTEE SECRETARY.

NAME: John ... DATE: 3/8/71

ADDRESS: 100 ... Dr. ...

PHONE: 549-0587 (home) 728-2400-253

REPRESENTING WHOM? Montana Adult Education Assoc.

APPEARING ON WHICH PROPOSAL: HB-305

DO YOU: SUPPORT? Yes AMEND? OPPOSE?

COMMENTS: 10% of those over 25 in Montana
lack a high school diploma -
currently only Federal & local monies
support education for those who need
upgrading in basic skills - in particular,
to get a job, to running - so state
monies primarily support this area of help

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 more
central areas

PLEASE LEAVE ANY PREPARED STATEMENTS WITH THE COMMITTEE SECRETARY.

NAME: Ann Carlett DATE: 3/8/77

ADDRESS: 1304 ⁸²⁰⁴ Ave. E. Kalispell, MT.

PHONE: 406 755-6378

REPRESENTING WHOM? Adult Basic Education

APPEARING ON WHICH PROPOSAL: HB 305

DO YOU: SUPPORT? X AMEND? OPPOSE?

COMMENTS: Support of this bill will help
increase the free opportunity for
adults in Montana 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
this ~~same~~ right of our residents and I hope
that the legislature sees fit to enable this
cause 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 2nd 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 ~~4~~ and now have time to go on with our education. We have one daughter at home and she and my wife are attending BAE. Will over this Bill I don't see how it will be possible ~~to~~ 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	<u>L</u>	
Senator Ed Smith, Vice Chairman	<u>L</u>	
Senator George McCallum	<u>L</u>	
Senator Bill Mathers	<u>L</u>	
Senator William E. Murray	<u>L</u>	
Senator Frank Dunkle	<u>✓</u>	
Senator Paul Boylan	<u>L</u>	
Senator Larry Fasbender	<u>L</u>	
Senator Bill Thomas	<u>L</u>	
Senator Margaret Warden	<u>L</u>	

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, 1977

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,

~~DO PASS~~

BE CONCURRED 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

Date March 8
February 24, 1977 HOUSE Bill No. 315 Time 12:45

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 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 1, 1977

MR. President

We, your committee on EDUCATION

having had under consideration HOUSE Bill No. 315

Respectfully report as follows: That HOUSE Bill No. 315

Third Reading Bill,

DO-PASEX

BE NOT CONCURRED IN

