

State of Montana
46th Legislative Session

EDUCATION COMMITTEES

Minutes of Meeting

JOINT HEARING ON HB 219

A Joint Hearing of the Education Committees of the House of Representatives and Senate was called to order at 12:30 p.m., in Room 104, Capitol Building, February 2, 1979 by Chairman, Peter J. Gilligan.

The roll was taken and shows Representatives Kemmis, Pistoria, Magone, and Eudaily excused; Senators Blaylock, Fasbender, and Senator Richard Smith absent.

The purpose of the meeting was to hear House Bill 219 (an act to amend section 20-4-213, MCA, to make the law requiring that certain teachers obtain instruction in American Indian Studies permissive rather than mandatory).

Chairman Gilligan asked Representative Carl Seifert, cheif sponsor, to present his testimony regarding HB 219. Rep. Seifert stated, "It is my feeling that the present law was carried far beyond the intent of the original legislation that was enacted by the legislature of the State of Montana. My amendments to the bill, which is presently law, would make these studies permissive rather than mandatory. It would leave the studies up to the discretion of the local board of trustees in given areas."

Representative Seifert provided the committees with statistics obtained from legislators who had voted on HB 343 (the current law, which HB 219 is amending). Rep. Seifert explained, "I feel that the result of these questionnaires tells us a great deal as to the intent of the original legislation. My interpretation of this intent is that it would be an in-service program by the local board of trustees -- implying as they deem appropriate for their district. We rely upon our local boards to control the quality of reading and math curriculum; therefore, I feel that we should trust them to implement appropriate training for teachers." (For complete written testimony, SEE EXHIBIT 1)

Representative Seifert passed-out amendments to HB 219 to the committees, and breifly explained what they would do.
(See Exhibit 2)

It was announced by Chairman Gilligan that oral testimony would be limited, and the available time would be divided equally between the proponents and opponents of the bill.

PROPOSERS of House Bill 219 providing oral testimony to the committees were:

Senator Carroll A. Graham - Senator Graham reiterated the point made concerning the intent of the original legislation. He feels HB 219 will correct the situation and be beneficial since local controls can better evaluate their particular situations.

Lee Christensen, Superintendent, Polson School Dist. 23, Polson, Mt. - Mr. Christensen stated, "HB 219 makes the requirement a local option and therefore has built into it: 1. Local support; 2. Local control; and 3. Local administration... I would not favor repeal of the present law -- there has been positive progress made as a result of the law -- but, again, I feel the most positive programs have been locally designed and locally administered." (For complete written testimony, SEE EXHIBIT 3)

Ray Randels, 1232 E. Sixth Ave, Helena, Mt. - (Representing the Montana Education Association) - Mr. Randels, Interim Executive Secretary for the MEA, said, "We wish to make it clear at the outset of this testimony that MEA will continue to support legislation that preserves and promotes the Indian culture of this fine State. The major thrust of the current Indian Studies Law is very honorable and does work towards that end; and we do, and will continue to support that thrust." (For complete written testimony, SEE EXHIBIT 4)

Richard Nelson, Kalispell, Mt. - (Representing the teachers at Flathead High School) - Mr. Nelson stated, "In all my years of experience, I have never seen anything that has been as potentially detrimental to the education of Montana's students as the "Indian Studies Law". As the rather belated exposure of the teachers to the ramifications of the law soaked in, and the rulings of the Attorney General have been announced, those teachers directly affected have become one of the most hostile groups of people you could possibly have in the classrooms of the state.... I would urge the Montana Legislature to at best rescind the entire Indian Studies Law, and at least to enact HB 219 making it permissive, so that the school districts of the state can meet their own individual needs in the instruction of their students." (For complete written testimony, SEE EXHIBIT 5)

Henry Elwood, Kalispell, Mt. - (Representing Kalispell High School Teachers) - "I regard the Indian Studies Law as an unfortunate effort to vilify the teachers and the substantial achievements these teachers have made to help unify a state as diverse as Montana is, geographically and culturally...." (For complete written testimony, SEE EXHIBIT 6)

Wayne Buchanan, Montana School Boards Association, 501 N. Sanders, Helena, Mt. - Mr. Buchanan expressed the MSBA's support for HB 219 saying this bill will place the responsibility for Indian Studies Programs into hands of the local school boards who are in the best position to know the needs of their particular schools. (See Exhibit 7)

David B. Warne, 333 Terry Ave., Billings, Mt. (Representing Teachers of Billings Senior High - Mr. Warne supports HB 219 for the following reasons: "1. Mandatory requirements alienate teachers; 2. The previous law allows too many inequalities; and 3. The intent of school districts is the best education possible for the students." (For complete written testimony, SEE EXHIBIT 8)

Angela Romain, Box 82, Simpson Rt., Havre, Mt. - Ms. Romain related to the committees her personal experiences as a teacher who has taken two of the Indian Studies Program classes. She feels the programs did not help her as a teacher, and, "In fact, Montana history was much more beneficial." (For complete written testimony, SEE EXHIBIT 9)

OPPONENTS of House Bill 219 that gave oral testimony were:

Edward Eschler, Environmental Consultant, Basic Instructional Services Department, Office of the Superintendent of Public Instruction, Helena, Mt. - "Because the goals of the law are being met; because of the important educational and social leadership fostered by the law, and because of the constitutional commitment made to a unique and distinct people, the OPI is opposed to passage of HB 219." (For complete written testimony, SEE EXHIBIT 10)

Carmen Taylor, Helena, Mt. - Ms. Taylor stated, "I refer to HB 219 as a "polite repeal" of the present Indian Studies Law; will that repeal assist in bettering relationships, promoting understanding or opening communication lines? I prefer to think the opposite -- that the Indian Studies Law can be a method by which to obtain those very things." (For complete written testimony, SEE EXHIBIT 11)

Daniel F. Decker, Rt. 1, Arlee, Mt. - "Obviously, these proposed changes are a result of certified school personnel who are dissatisfied with the necessity of receiving Indian Studies training. I have found in my experience of working with this requirement, teaching at Dawson Community College, assisting in the development of in-service training for two years in the OPI, and now, teaching at the U of M, that people are reluctant and skeptical when starting with the training. But after receiving the training, they felt that it was worthwhile and of value for teachers of all children..." (For complete written testimony, SEE EXHIBIT 12)

Carson Boyd, Browning-Brockton, Mt. - Mr. Boyd told the committee that his grandfather was a Sioux medicine man. His grandfather was not permitted by laws in this country to teach Mr. Boyd the rituals and culture of his people, so they went to Canada and there he learned these practices. Mr. Boyd said, "I thank all of you gentlemen, and I'm praying to the Great Spirit to allow you to see many more days and many more sunrises. The best way I have to express my honesty and open my heart to you is to tell you what I have learned. Not religion, but there is a balance of nature and of all things, it is our way of life... You want the land, we come with the land. So you owe us this little bit. You have been cramming European history down our throats and now you all object to learning a little about us...We elected you to do what is right." (See exhibit 13)

Charles Trinder, P.O. Box 1045, Poplar, Mt. - (Presently serving as Chairman of the Board of Trustees for Ft. Peck Community College and High School Instructor at Brockton High School.) "... in spite of the initial negative response on the part of the teachers being required to take the 6 credit hours of Indian Studies, the benefits and insight into the culture of the Native American is paying off ten-fold. Many of the myths and stereo-types that new teachers bring with them when coming on to the reservations for the first time are being dispelled. The teachers who have completed these courses will be among the first to tell you of these benefits. (For complete written testimony, SEE EXHIBIT 14)

Dwight Billeddeaux, Browning, Mt. - "I am an enrolled member of the Blackfeet Tribe, Curriculum Coordinator of Browning School Dist. No. 9, Chairman of the Blackfeet Board of Education, and President of the Montana Indian Education Association... Since our teachers have started their Indian Studies requirements, our teacher turn-over has dropped from 50% to less than 10%. Our elementary students attendance has gone up to 96% from 83%, our secondary attendance from 57% to 78%. Our achievement level has not risen that rapidly." (For complete written testimony, SEE EXHIBIT 15)

James Zion, 201 Power Block, Helena, Mt. - (Representing the American Civil Liberties Union of Montana) - Mr. Zion spoke in opposition to HB 219. He questioned why Montana can't incorporate Indian Studies into teacher instruction when this has been accomplished in several other states. He also pointed out differences in culture which would affect teachers not aware of them. (See Exhibit 16)

W. Stanley Juneau, Browning, Mt. - (Representing the Blackfeet Tribal Business Council) - "The Blackfeet Tribal Business Council is the official governing body with the exterior boundaries of the Blackfeet Indian Reservation, and is organized

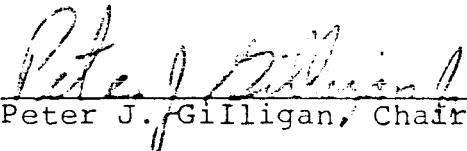
to represent, develop, protect and advance the views, interests, education and resources of the Blackfeet Indian Tribe. Therefore, the BTBC is very concerned and disturbed over the language of HB 219 to change the Indian Studies Law, HB 343, from mandatory to permissive. As Vice-Chairman of the BTBC, I have been directed to convey our concern to the sub-committee on education in this legislative session of the State of Montana." (For complete written testimony, SEE EXHIBIT 17)

Chairman Gilligan asked Representative Seifert to make closing remarks concerning the Bill. Witnesses present that were not allowed (by time) to testify, were requested to submit written testimony. (SEE EXHIBITS 18 THROUGH 42)

Representative Seifert expressed his desire for the committees to DO PASS this bill since he feels the present law does not comply with the intent of the legislature that passed it and HB 219 will correct this situation.

The committee was allowed to question witnesses.

The meeting adjourned at 2:25 p.m.


Peter J. Gilligan, Chairman

MJW