

State of Montana
46th Legislative Session

EDUCATION COMMITTEE

Minutes of Meeting

A meeting of the Education Committee of the House of Representatives was called to order at 12:00 p.m. in Room 5 of the Capitol Annex on Monday February 12, 1979 by Chairman Peter J. Gilligan.

The roll was taken and shows Representatives Oberg, Yardley and Teague excused. All other committee members were present.

The purpose of the meeting was to hear House Bills 35, 239, 240, 480, 485, 516, 537, and 624.

Chairman Gilligan requested Representative Hershel Robbins to explain to the committee House Bill 35 (an act to insure that the State Library provides basic library services to free public libraries). Representative Robbins told the committee there is a fiscal note accompanying the bill and that the additional cost of the proposed legislation from the State General Fund would be \$320,000 in Fiscal Year 1980 and \$339,200 in Fiscal Year 1981. Representative Robbins explained the major points of the bill to the committee.

There were no opponents or proponents of HB 35 present. The committee was allowed to question Representative Robbins and the hearing was closed.

House Bill 485 (an act to generally revise and clarify section 20-9-312, MCA, relating to special funding for seventh and eighth grade middle schools) was explained to the committee by Robert Stockton, Administrator of the Department of Financial Services, Office of the Superintendent of Public Instruction, at the request of Representative Lund who sponsored the bill. Mr. Stockton explained that the bill would allow the ANB calculated for grades 7 and 8 to be funded at the high school rate provided the school meets the standards for accreditation of a middle school. (See Exhibit 1)

Proponents of HB 485 were:

Vince Higgins, Sun River, Mt. - Mr. Higgins representing the Sims High School spoke briefly in support of the bill.

Bob Laumeyer, Boulder Public Schools, Boulder, Mt. - Mr. Laumeyer urged the committee to pass this bill, however, he stated there is no relationship to this bill and the situation in the Boulder Schools.

Leonard Sargent, Montana School Boards Association, 501 N. Sanders, Helena, Mt. - Mr. Sargent stated his organization supported the bill for the same reasons given.

There were no opponents of House Bill 485 present. The committee was allowed to question the witnesses and the hearing was closed.

House Bill 516 (an act to authorize a revolving fund in the Office of Public Instruction for the division of resources and assessment) was explained to the committee by Mr. Robert Stockton, Administrator of the Department of Financial Services, Office of the Superintendent of Public Instruction, at the request of Representative Lund, chief sponsor of the bill. Mr. Stockton explained to the committee this bill would establish a revolving fund within the Office of Public Instruction for the Division of Resources and Assessment; and funds derived from the sale of educational materials or services provided by the Division of Resources and Assessment would be deposited in the fund.

Proponents of HB 516 were:

William Connett, Resources and Assessment Manager, Department of Administrative Services, Office of the Superintendent of Public Instruction, Helena, Mt. - Mr. Connett reiterated the points made by Mr. Stockton of OPI, and urged the passage of the bill. (Ex.2)

There were no opponents of HB 516 present. The committee was allowed to question the witnesses and the hearing was closed.

Chairman Gilligan requested Representative Pistoria to explain to the committee House Bill 480 (an act to require that the exact purpose of a proposed school bond be made known to the voters before a school bond election; requiring that the trustees' resolution or the validated petition calling a school election be published twice, amending sections 20-9-422 and 20-9-423, MCA). Representative Pistoria told the committee this bill was introduced because it requires more information when a school board adopts a bond issue.

Proponents of HB 480 were:

Chad Smith, Montana School Boards Association, Helena, Mt. - Mr. Smith proposed an amendment to clarify the bill, and urged passage of the bill.

There were no opponents of the bill present. The committee was allowed to question the witnesses, and the hearing was closed.

Representative Williams was requested by Chairman Gilligan to explain to the committee House Bill 537 (an act to provide additional funding for secondary vocational and industrial arts programs through the foundation program, amending section 20-9-313, MCA). Representative Williams told the committee this bill would help with funding for vocational education programs which on the average cost more than general academic programs.

Proponents of House Bill 537 were:

Larry C. Key, Ed. D., Director/Administrator, Department of Vocational and Occupational Services, Office of the Superintendent of Public Instruction, Helena, Mt. - Dr. Key stated, "House bill 537

is a very short and simple bill, but with its approval or disapproval rides the future of secondary vocational education in the state of Montana. Presently there are 20,000 plus secondary students enrolled in vocational programs throughout the state and the state and federal vocational funds supporting these particular students is \$311,165 or \$15.50 per student. With an average class size of 15 students, this means that a full year's program in secondary vocational education could expect \$232.50 reimbursement from vocational funds, both state and federal for FY 79....If the state of Montana does not help the local school districts with some of the additional costs for secondary vocational education, then we will all see a continued decline in the number of secondary vocational programs available to the students in our state plus a decline in the quality of those programs that continue to operate on local school district funds." (For complete written testimony, See Exhibit 3)

Representative James M. Schultz, 1210 7th Ave. N., Lewistown, Mt.- Representative Schultz reiterated points made by Dr. Key in the above testimony and urged passage of the bill.

Mike Cavey, 337 W. Central, Missoula, Mt. (Representing the Montana Vocational Agriculture Teachers Association)- Mr. Cavey stated, "Speaking about my own school district, we are in an urban area. Our students have a desire for a career in agriculture, but no agricultural background. In order for our students to compete in the agricultural job market, they must gain the experiences through our program that farm raised youngsters get at home, as well as to keep up with them in their Vo-Ag training. We must use a land laboratory to give students experience in animal production, crop production and horticulture. Our expenses have been much higher than the average of other programs in our school. As budgets become tighter, it will be more difficult for us to fund our programs adequately. HB 537 provides a reasonable system of vocational funding for our district." (For complete written testimony, See Exhibit 4)

Linda K, McGregor, 113 N. Bridge St., Twin Bridges, Mt. - (Representing the Twin Bridges Home Economics Department) Ms. McGregor told the committee, "The weighted ANB for vocational funding is vital for the maintaining of vocational education and consumer-homemaking programs in Montana. These funds will make it possible for small school districts to offer a variety of courses which give the student in a smaller school an educational opportunity at job training more comparable to the student in large school districts." (For complete written testimony, See Exhibit 5)

Laurence F. Krein, Business Teacher, Business and Office Education, School District No. 30, Lake County, Ronan, Mt. - "Enactment of House Bill 537 would be a step in the proper direction for vocational education. As illustrated on the attached pages the basic costs of vocational education per student is \$317.56 versus \$136.23 for a student in a Math oriented curriculum. The total outlay of funds for vocational education is very high compared to the reimbursement for 1978-79." (For complete written testimony, See Ex. 6)

Norm Millikin, Head, Business, Office, & Distributive Education, and President, Montana Distributive Education Personnel (MADEP), School of Business, MSU, Bozeman, Mt. - Mr. Millikin stated, "...It would seem that the bill is well conceived, places the funds where the need is the greatest, treats both small and large schools equitably, and being tied to the ANB System would be relatively easy to implement and control." (For complete written testimony, See Exhibit 7)

Luther Lalum, 404 Solberg, Kalispell, Mt. - (Representing Flathead High School Vocational Department) - "With federal funds being reduced and designated for post-secondary programs in Montana, we are experiencing a hardship to maintain sound and meaningful vocational programs. May I encourage you to recommend and promote the passage of House Bill 537. This passage will assist us in maintaining the commitment that has been made by districts in secondary vocational programs in Montana." (For complete written testimony, See Exhibit 8)

Bill Koenig, State Future Farmers of America Secretary, Kalispell, Mt. - Mr. Koenig stated, "I, Bill Koenig, wish to voice support for HB 537 in behalf of the over 6,000 members of vocational student organizations in Montana. These organizations are: Future Farmers of America, Future Homemakers of America, Vocational Industrial Clubs of America, Distributive Education Clubs of America, and the Office Education Association...These vocational youth groups provide these students with the opportunity to develop leadership, citizenship, co-operation, and experience in public speaking, as well as basic training in the job skills necessary for successful employment. Through these organizations students become actively involved in the democratic process." (For complete written testimony, see Exhibit 9)

Robert A. Aspholm, Montana Council of Local Administrators of Vocational Education, Anaconda, Mt. - Mr. Aspholm told the committee, "This is the first time in my thirty years of tenure as a teacher of Industrial Arts and Vocational Education that a mechanism will be provided for funding and accountability for these programs. The Montana Council of Local Administrators of Secondary Vocational Education find this bill fair and equitable and consistent with the Montana Foundation Study Committee recommendations." (See Exhibit 10)

Harriett Meloy, Chairperson of the State Board of Public Education, Helena, Mt. - Ms. Meloy told the committee, "At its November meeting the Board took action to endorse a "student unit weighted" formula under the foundation program for secondary vocational education funding... The Board therefore favors HB 537 and prefers it over the "classroom unit weighted" formula being proposed under SB 329. While either formula would be an improvement over the current system, the Board believes HB 537 best serves the interests of secondary vocational education students." (For complete written testimony, See Exhibit 11)

Willard Weaver, Consultant, Career & Vocational Education, Great Falls Public Schools, 1100 Fourth St. S., P.O. Box 2428, Great Falls, Mt. - "Historically, priorities in education at the state and local levels have been that of promoting excellence in education. In vocational education we are attempting to serve more students at a time of critically declining resources for financing these programs. In the Great Falls district, 2,221 students are currently being served in vocational education programs. Because of the high cost of offering quality vocational programs that lead to entry level employment, it is critical that the partnership that has existed between the state and local levels continue." (For complete written testimony, See Exhibit 12)

Elroy Letcher, P.O. Box 804, Helena, Mt. (Representing the Montana Council of Cooperatives, Montana Farmers Union, and the Montana Farm Bureau) - "We believe the vocational education programs in Montana are doing a good deal to train our young people to be a productive part of society both today and tomorrow. In addition all segments of vocational education which we are familiar with provide much needed training in leadership. We do not feel Montana can afford to lose either of these." (See Exhibit 13)

Leonard Sargent, Montana School Boards Association, 501 N. Sanders, Helena, Mt. - Mr. Sargent spoke briefly in support of HB 537. (Ex. 14)

Doug Polette, Rt. 2, Box 11110, Bozeman, Mt. - (Industrial Arts Teacher Educator, Montana State University) - "The major need that consistently stands out is the lack of funds to provide adequate instrurctional equipment to carry out the basic fundamentals of industrial education. The vocational program at the secondary level is the last chance for a large number of Montana students to obtain first hand experience with industrial processes and techniques that they will use in a career upon graduation. If the equipment available to them in school shops is inadequate and outdated, then their employment possibilities are diminished considerably." (For complete written testimony, See Exhibit 15)

Carolyn G. Miller, Montana Vocational Association, Legislative Chairman, 3725 Wylie Dr., Helena, Mt. - Ms. Miller stated, "The Montana Vocational Association (MVA), a statewide organization of secondary and post-secondary vocational educators ask that you support HB 537." (For complete written testimony, See Exhibit 16)

Robert M. Job, Rt. 2, Harper Bridge Rd., Missoula, Mt. - (Representing the Missoula County High School Vocational Agriculture Advisory Council and FFA Alumni Association) - "The Vocational Agriculture Department is serving a need of our community and our state, in training these young people. House Bill 537 will allow them to continue and improve this needed services." (For complete written testimony, See Exhibit 17)

Marvin Quinlan, Senior in Agricultural Education at MSU, Bozeman, Mt. - (Representing MSU Students Training to be Vocational Education Teachers) "...HB 537, in combination with the program standards being developed by the vocational staff at OPI will help to assure that the quality of secondary vocational programs is maintained. The maintenance of high quality, adequately funded vocational programs is essential if we are going to serve the needs of the 80 percent of Montana's population that requires our services." (For complete written testimony, See Exhibit 18)

There were no opponents of HB 537 present. The committee was allowed to question the witnesses and the hearing on HB 537 was closed. Testimony not presented orally because of the time factor involved, is attached. (See Exhibits 19 through 24)

Chairman Gilligan requested Representative Marks to explain to the committee House Bill 624 (an act to revise the laws relating to special education, changing age requirements for admission and acceptance of certain pupils to school; requiring the Board of Public Education to establish policies that clarify the educational responsibilities of school districts in serving handicapped children between the ages of 6 and 18 and for the appropriate placement of such children; making school district provision of special education programs permissive in certain cases).

Proponents of House Bill 624 were:

Robert Laumeyer, Boulder Public Schools, Boulder, Mt. - Mr. Laumeyer told the committee, "This new provision in our special education law could save millions of dollars. Presently some parents and school officials operate under the idea that an appropriate education means that every need of a special education student is a financial obligation on the district. If the same criteria of determining needs were used on the regular students every regular student would be found to have unfilled needs." (For complete written testimony, See Exhibit 25)

Chad Smith, Montana School Boards Association, 501 N. Sanders, Helena, Mt. - Mr. Smith told the committee the MSBA supports this bill.

Opponents to House Bill 624 were:

Shirley M. Miller, Director, Special Education Department, Office of Public Instruction, Helena, Mt. - Ms. Miller told the committee, "All professions, across all disciplines in special education, agree that the younger a handicapped child is served the more successful that educational service will be. Present state law requires that all handicapped children be served from ages 3-21 in 1980. This bill would change that to MAY be served from ages 0-5 and 18-25. There would also be a profound effect on regular education students over 18. It would prevent such students who have been held back in classes, some returning veterans, dropouts due to marriage or other reasons and who then return to school from completing their education or it would place a tuition burden on these students." (For complete written testimony, See Exhibit 26)

Larry Holmquist, Supervisor of Special Education, Special Education Regional Services, Belgrade Public Schools, Box 162, Belgrade, Mt.- Mr. Holmquist presented lengthy written testimony to the committee (For complete written testimony, See Exhibit 27). Mr. Holmquist stated, "I would like to go on record as an opponent of House Bill 624. The implications for this legislation have far reaching affects on both normal children as well as handicapped children."

Richard M. Boehmler, President, Montana Speech and Hearing Association, 500 Eddy Ave., Missoula, Mt. - Dr. Boehmler stated, "The Montana Speech and Hearing Association supports legislation which provides services to the handicapped which materially benefit the child in the acquisition of skills for achieving full participation in education and society with a responsible use of public funds. This bill appears to provide for the denial of such services at potentially higher costs to the public." (For complete written testimony, See Exhibit 28)

Aage Hansen, 443 S. Park, Helena, Mt. - (Representing the Association for Developmentally Disabled) - Mr. Hansen told the committee he has been involved with special education for 18 years and that he is a developmentally disabled child's parent. Mr. Hansen's Association went on record as opposing HB 624. (See Exhibit 29)

The committee was allowed to question the witnesses and the hearing on HB 624 was closed. (Also see Exhibit 30 - written testimony)

Representative Anderson made a motion that the committee take executive action on House Bill 219 at a meeting of the committee later in the day. There was discussion among the committee members. The motion carried unanimously.

Chairman Gilligan requested Representative Brand to explain to to the committee House Bill 239 (an act limiting employment contracts to one year for a district superintendent for a county high school principal). Representative Brand told the committee this bill had been introduced because of problems with contracting superintendents of county high schools.

There were no proponents of the bill present.

Opponents of the bill were:

Leonard Sargent, Executive Director, Montana School Boards Association, 501 N. Sanders, Helena, Mt. - Mr. Sargent told the committee, "Since I have been Executive Director of MSBA, we have continuously supported the growth and strengthening of a school management team between the school board, the superintendent, and other administrators. HB 239 works toward the very opposite of a strong management team. Such a law would cause a lack of trust, a weakening of long-range planning, etc." (For complete written testimony, See Exhibit 31)

The committee was allowed to question the witnesses and the hearing on House Bill 239 was closed.

Chairman Gilligan requested Representative Brand to explain to the committee House Bill 240 (an act prohibiting school districts from granting tenure to principals; exempting principals currently tenured).

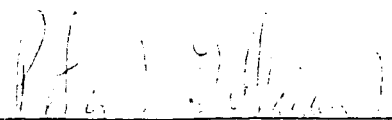
There were no proponents of the bill present.

Opponents of House Bill 240 were:

Patrick H. McGuire, Lewistown, Mt. - (Representing Montana Association of Elementary School Principals). Mr. McGuire stated, "It appears unreasonable to us that if this bill were to pass that the professional staff would be split so that only principals would be subject to non-tenure. The bill states that principals are the ones that would not be granted tenure and it makes no mention to any other administrative position." (For complete written testimony, See Exhibit 32)

The committee was allowed to question the witnesses and the hearing was closed.

The meeting adjourned at 2:35 p.m.



Peter J. Gilligan, Jr., Chairman

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