

NAME: ALRY HOLMES DATE: 3/14/79

DATE: 2/19/79

ADDRESS: 1409 SOUTH FIFTH - DEZPERADO

PHONE: 586-3495

REPRESENTING WHOM? REGIONAL SPEED BELGRADE

APPEARING ON WHICH PROPOSAL: 624

DO YOU: SUPPORT? AMEND? OPPOSE?

AMEND?

OPPOSE?

COMMENTS: SEE ATTACHED TESTIMONY

PLEASE LEAVE ANY PREPARED STATEMENTS WITH THE COMMITTEE SECRETARY.

Senator Bob Brown
Chairman, Senate Education Committee
Capitol Station
Helena, Montana 59601

March 13, 1979

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Without the pre-school program,
our son David would never have progressed
to the point where he is now.

David entered the Pre-School when he
was four years old and was nearly non-
verbal and his self-help skills were nil.
Through the dedicated and early services
provided him, he is now communicating
almost at his age level and his program
has been expanded to include partial
mainstreaming into the kindergarten
Program.

Ann E. Petersen

Through a series of meetings and discussions
with the staff of the program, you
have been able to provide for David
a program that is individualized and
designed to meet his needs. It is
our hope that this program will
continue to provide for David's
needs and that he will continue to
progress and thrive.

Jo Ann C. Benson

Wendy L. Benson

Wendy L. Benson

E. Corine Hancock

Shirley Marie

Sue Johnson

Sam Johnson

Carolyn R. Galenkin

George B. Galenkin

Paul H. Windsor M.D.

Joanne C. Hamueller

Alvin E. Peterson

Wendy L. Christie

Vera L. Christie

Donald A. Reddy

Barbara A. Reddy

Barbara LaValley

James Stewart

Nancy Franklin

Allen B. Rhoads

Mary Price

Josephine Nelson

Liz Miller

Geraldine L. Prother

Sharon K. Christensen

Bernelle K. Bolton

Kathleen A. Lee

Sandra Harris

John R. Olson

Rosemarie Sampson

Alvin's preschool education would certainly not be in his best interests. He has been learning so many things this year, and his potential at this time looks so good -- due to his preschool experience. Please reconsider any move to eliminate state funding for this program.

Jack McGuire, Alvin's mom
Stephen McGuire

Damon has been in the pre-school program for 4 years. He has gained strength in physical & academic areas. Without the pre-school program Damon would not be functioning so well on his own or in our society.

Judy Hunter

Coming to Bryan and finding this program was a relief to my husband and I. All the doctors we have consulted with have advised this sort of program. We would hate to see it discontinued, not only for Cassie but the other children who could benefit from this program in the future.

Alvin's Mom

Johnny Hall

4-7



BOZEMAN PUBLIC SCHOOLS

TELEPHONE: 587-3885

SCHOOL DISTRICT NO. 7
P.O. BOX 520
BOZEMAN, MONTANA

JOYCE P. HYNES
DIRECTOR
SPECIAL EDUCATION

March 13, 1979

Senator Bob Brown
Chairman, Senate Education Committee
Capitol Station
Helena, Montana 59601

Dear Senator Brown:

We the undersigned parents of handicapped children in the Bozeman Public Schools oppose HB 624. This bill fails to require school districts to provide services to preschool handicapped, ages three and four.

Although districts may provide services under this bill, we believe that very few districts on their own will serve preschool handicapped. The proposed lid on state funds for Special Education will begin to put the cost back on local districts. Local boards of trustees will cut corners in order to avoid having their levies defeated. We predict that only mandated services for handicapped will be funded.

The Bozeman School District has offered preschool handicapped services since 1975-76. In this time, fifty-six students have received services in the program. Twenty-two of those students are still in the program with fifteen expected to leave at the end of this school year. None of the students leaving at the end of this spring quarter are being recommended for self-contained Special Education classes. Six students will likely not require any additional service. Of those who have left the program in earlier years, fourteen have not required any additional services; nine are receiving resource services and two receive speech therapy only. Nine students have moved out of district and their placements are unknown at the present time with one student deceased.

Early intervention of handicapped children, in our experience, reduces the amount of time a handicapped child has to spend in Special Education for the balance of their school years. Preschool programs pay dividends!

Pauline Miles

the area of preschool education.

Presently the public school system can ideally provide the services necessary for complete and appropriate education for the preschool handicapped child. The administration for special education programs is already established. The systems for delivery of service for handicapped children have already been established. The outlining of the kinds of services that are needed for handicapped children is already provided. Granted, we do not have preschool programs for handicapped children in every school district in the State of Montana, but we do have programs that have been established within the system and are working effectively and efficiently to provide services to the preschool handicapped child. Perhaps there are some ways in which all of these organizations who are providing the services for the preschool aged child can cooperate in order to provide the most appropriate program for young children. However, it would still appear that the most effective and basic system for serving all types of handicapped preschool children and providing the most appropriate services is within the public school. Regardless of what finding approach is taken in support of preschool programs, there is one other issue that needs to be addressed. That is the fact that there is presently no preschool certification of any kind in the State of Montana. Presently the university system does not offer a degree in this area. There are special education degrees, child development degrees and elementary teaching degrees. None of these degrees qualify a person to work with preschool handicapped children. In other words, there are presently no education programs in the State of Montana that produce well trained people who can effectively walk into a situation with preschool handicapped children and handle it with some good knowledge, training and background. I do hope that the state will continue to pursue setting up some kind of certification that will outline the curriculum needs and indeed certify those people who are qualified to be working with the preschool aged child with handicapping conditions. Only then can we feel comfortable with offering the best possible programs for our handicapped preschool age children.

Pauline Miles

In the 1977 Report on Preschool Education, Lazer confirms that early intervention may prove effective for different kinds of children and for different types of programs. These programs are usually those which provide considerable structure. It was stated that these may, in fact, reduce the need for special education as children reach school age. The study also showed that children served in early intervention programs seldom are retained in a grade later on. This is great evidence for the economic benefits for early intervention.

The evidence from our own preschool program in the Bozeman Public Schools also support some of the evidence presented. Out of the fifty-six children served in the preschool over the last four years, twenty-two are still receiving services from the preschool staff. Twenty-four of those children have gone on to other situations. Of those children, thirteen or fifty-four percent have gone on to regular education programs. Nine or thirty-eight percent have gone on to resource programs and two or eight percent are receiving speech only services. Of the twenty-two in the preschool program presently, fifteen are designated to leave the program this year. Of those fifteen, seven or forty-six percent are designated to receive resource assistance. ^{the other seven of that twenty-two are still of} the age appropriate to be in the preschool program for next year. The ten other children not mentioned left the Bozeman area before school age. We feel confident that we have had an impact on the development of the preschool children for whom we have provided programs.

There is another issue that I would like to address. That is, who can adequately serve the preschool handicapped child? Presently there are several programs that are attempting to do this. The Head Start programs in the state are mandated to integrate their programs with ten percent handicapped children. This has been a good idea in theory and in practice in some areas of the state. However, it has been my observation that Head Start has had much difficulty in attracting qualified people to provide the support services that are needed for handicapped children. Also, I have noted that in some programs some of the people that have been hired as support people are minimally trained to do a said service or there is a position open and no one to fill it. Some of the speech therapists have been people with BA degrees in speech, little clinical experience and no state certification. {Programs were also using local mental health clinics for psychological consultation. These people were not well versed in early childhood development.} It is difficult for these programs to provide enough funds and/or full time positions to make these situations attractive to well qualified personnel. Easter Seal has been providing speech and language and audiological services to preschool children in the state. They are serving a very limited population of defined preschool handicapped children. Developmental Disabilities has been providing programs for preschool children through their Family Outreach Programs. Again, they are serving a limited population of children in that not all children qualify as developmentally disabled or potentially developmentally disabled. They offer home programs but not a combination center based program which may be more appropriate for some children. It has also been my experience that people that have been hired to work with this population are not necessarily trained in

TESTIMONY ON SUPPORT FOR PRESCHOOL PROGRAMS FOR HANDICAPPED CHILDREN

Paulette Mills, Early Childhood Education Specialist

Bozeman Public Schools

First of all, I would like to present some information that supports the need for services for the preschool aged child with a handicapping condition. The intention of early intervention for children identified as handicapped is to prevent remediation or reduce the possible impact of a handicapping condition, and to provide services to the parents of these children. There are several earlier studies which offer support for this intention. In 1965, Kirk reported some studies in which young mentally retarded children were provided with preschool programs. He concluded that intervention did help in reversing the depressed growth patterns seen in children who had received no intervention before that time.

In 1966 Skeels conducted a twenty-one year old follow-up of children placed in an orphanage (where they received little adult attention) or state institution for the mentally retarded (where they received a great deal of attention from staff and older girls on the ward). It appeared that the children placed in the more stimulating environment demonstrated dramatic long-term differences in independent living skills and in educational attainment.

In 1961 and 1966 Hunt summarized his information regarding the effects of early experience on intelligence. In conclusion he reported that inadequate skill development may be due to experiential deficits. He suggested that the different kinds of experiences that a child may have had during the early years may significantly effect intellectual development.

There is some recent data to also support early and continuous intervention as indeed being effective. In 1976 Hayden and Harring reported preliminary data showing that children with Down's Syndrome who had received special education as young children or infants performed better in upper grade levels of school than the Down's Syndrome children who had received no early intervention.

Summary of presentations made at the Office of Child Development "Parents and Children Continuity Conference" in El Paso, Texas, in 1977 reported that early intervention was indeed effective. Some studies reported that gains originally thought to have washed out by second grade actually reappeared by the fifth grade. Also, it was reported that of five completed studies with data on special education, four out of those five studies showed between fifty percent and ninety percent fewer special education placements among children with preschool education.

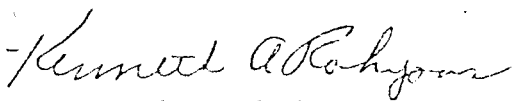
A follow-up study was conducted at the Model Preschool Center for Handicapped Children at the University of Washington in 1977. Kaiser and Hayden indicated that 36.45 percent of the children who had been in the center programs were now in regular class placements.

Now we are dependent on the school teachers, help that will be denied us if this bill passes unamended. I say this because, historically in Montana, anything made permissive in special education does not happen.

In 1973, The Montana Legislature, in its' wisdom, passed without a single dissenting vote HJR-11. This committed Montana to the proposition that "...retarded (Developmentally Disabled) persons have the right to as normal a life as possible and shall be provided maximum opportunities to develop to potential." With that commitment we have a proposition of economics. Give these children a running start at a reasonable cost and the probabilities are that they will gain enough in school to be productive. Ignore their early years and school becomes a series of failures, social promotions and a need for adult training and support after school at a much higher cost.

Please stand in the shoes of we parents for a moment. We know that the expertise to help our children exists; they are benefitting hugely from it today. We saw the pilot program open in Helena and thought that the future was bright and great things were ha-pening for our kids and later for all in the state. Now we see this bill slamming a door and blotting out that brightness. I assure you that it is all any of us can do to state our case calmly.

Please amend HB 624 and make special education mandator for the ages 3 to 5 years.


Kenneth A. Rohyans

Testimony

HB-624

Kenneth A. Rohyans
801 Maynard Rd.
Helena, MT 59601
443-5878

Mr. Chairman and Members of the Committee:

I represent Becki here; our adoptive daughter.

I ask that HB-624 be amended in all sections necessary to make the provision of special education mandatory from the age of 3 years.

Becki is 3 1/2 years old. She is Down's Syndrome or Mongoloid. She says a few words but, essentially she does not talk. She has been attending a pre-school class at Smith School in Helena since September. These wonderful people have taught her much including enough sign language to avoid the frustration of non-communication. Also, sign is an excellent key which can open the door to talking as has been proved by Progress, Inc. in Helena and many other training facilities about the country.

The forecast for Becki? If she can attend two more years of pre-school, she will probably be able to do well in first grade with special help. Without the pre-school and speech therapy, she will possibly still be non-verbal at that time. She is now receiving about 30 hours per month of speech therapy. Should we have to purchase that it would cost about \$26 per hour or \$780 per month and we simply cannot afford that.

Children with her handicaps do not learn enough through imitation as normal children do. Each learning step must be taught by teachers who thoroughly understand their problems. Having raised seven children when we took Becki, I thought raising her would be a snap. We found almost immediately that we were utterly dependent on the expert from Infant and Family Outreach to teach us how to help her to progress.

NAME: Ken Pokyau DATE: 14 June 74

ADDRESS: 801 Main St. Helena

PHONE: 458-4131 Home 443-4872 Home

REPRESENTING WHOM? Belmonte Daughter - B. H.

APPEARING ON WHICH PROPOSAL: HB 624

DO YOU: SUPPORT? ☒ AMEND? ☒ OPPOSE? ☐

COMMENTS: _____

PLEASE LEAVE ANY PREPARED STATEMENTS WITH THE COMMITTEE SECRETARY.

NAME: Joe Miller DATE: March 11, 1964

ADDRESS: 700 Bell St. N.W. Atlanta, Ga. 30308

PHONE: 251-2124 (Home) 177-1145 (Office)

REPRESENTING WHOM? President of the American
in Atlanta

APPEARING ON WHICH PROPOSAL: 4. 5. 6. 7.

DO YOU: SUPPORT? ✓ AMEND? ✓ OPPOSE? ✓

COMMENTS: Agreed with the proposal
and will support it.
in the future.

PLEASE LEAVE ANY PREPARED STATEMENTS WITH THE COMMITTEE SECRETARY.

44

Testimony provided by: James R. Meldrum, Chief
Resources and Planning Bureau
Developmental Disabilities Division
Department of Social and Rehabilitation Services

H.B. 624

The Department of SRS/DDD neither supports or opposes the passage of H.B. 624. However, its passage is likely to have a substantial impact on the agency. And for that reason we wish to point out certain considerations for your information.

Before I present these considerations, I would like to make an initial statement of a programmatic nature. The DDD recognizes the need for early intervention, screening, and diagnosis, and treatment for handicapped children. The earlier this can be done, the better off that handicapped individual will be in later life.

For your consideration we would offer the following information:

- There are two age groups affected by this bill in two population categories. Age group #1: Five year olds. Age group #2: Nineteen to twenty-one year olds. The two population categories are: 1) Those presently being served in special education classes by local school districts; and 2) Those individuals estimated to be in need of special education services.

- There are presently 988 students in these age groups being served by special education classes at an average cost of \$2,616 per student or approximately \$2,600,000 per year.

- There are 494 students estimated to be in need of services. OSPI asked for \$1.3 million to serve these students each year of the next biennium.

- Of the 988 presently served students, 817 fall in the 3-5 age range and 171 fall in the 19-21 age range. OSPI estimates that approximately 50 percent of the total are potentially eligible for developmental disabilities services, 409 3-5 year olds and 85 19-21 year olds.

- Utilizing the same age ratio we can project that 82.6 percent of the estimated unserved population is between the ages of 3 and 5 years (409), and 17.4 percent are between the ages of 19 and 21 years (85).

- Again OSPI estimates that from 1/2 to 2/3 of these individuals are potentially eligible for developmental disabilities services: 204-250 3-5 year olds and 43-57 19-21 year olds.

NAME: _____ DATE: _____

ADDRESS: 518-3

PHONE: 409-2995

REPRESENTING WHOM?

APPEARING ON WHICH PROPOSAL: 629

DO YOU: SUPPORT? AMEND? OPPOSE?

COMMENTS: *2. Allen M. Stephens*

PLEASE LEAVE ANY PREPARED STATEMENTS WITH THE COMMITTEE SECRETARY.

Testimony on HB 624

Mr. Chairman and members of the committee. My name is Susan Boone of Helena, Montana. I oppose HB 624.

I feel that an early education is very important for the developmentally disabled person.

Earlier education enables the person to learn things which will help them adjust and advance more rapidly in classes. Delaying education to a later age only hinders advancement.

The younger the child begins to learn the more rapidly he will begin to adjust to and become an important part of the community and be able to share in an everyday normal life along with everyone else without feeling unaccepted.

These children should retain the opportunity and right to learn at as early an age as possible. More education (i.e. beginning education as early as possible) only helps, it does not hinder.

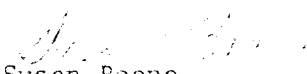
In my own son's case, there were no special education programs available for him at the ages of 3,4, and 5. I feel that he would have benefited greatly by such a program if that program were available at that age.

He is currently in a program at the age of 7. I can't begin to tell you how much he has achieved in the past two years in having the opportunity to be a part of a special education program. I can only imagine how much more progress he could have shown if the programs now available were available then.

I feel the sooner the child is in school, the more opportunity he and other children with developmental disabilities will experience in later years.

Thank you for your time.

Respectfully,


Susan Boone
1211 Williams Street
Helena, Montana 59601

NAME: Susan Brown DATE: 3/14/79

ADDRESS: 1211 Williams

PHONE: 442-2361

REPRESENTING WHOM? James Brown

APPEARING ON WHICH PROPOSAL: _____

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

COMMENTS: _____

PLEASE LEAVE ANY PREPARED STATEMENTS WITH THE COMMITTEE SECRETARY.

PROPOSED AMENDMENTS TO HB 624

THIRD READING BILL

1. Title, line 14.
Following: "CASES;"
Insert: "PROVIDING FOR FUNDING OF PRESCHOOL PROGRAMS;"
2. Page 12.
Following: line 7
Insert: "NEW SECTION. SECTION 5. Funding for three - to five-year-old special education programs. When the board of trustees of a school district decides to provide a special education program for three - to five-year-old handicapped children, the total cost for the program shall be paid by the state through the office of the superintendent of public instruction."

NAME: Carol Anne DATE: 11/1/78

ADDRESS: 493 1st St. N. W. Wash. D. C.

PHONE: 443-8757

REPRESENTING WHOM? Association for the Blind of the U.S.

APPEARING ON WHICH PROPOSAL: AT 6:24

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

COMMENTS: _____

PLEASE LEAVE ANY PREPARED STATEMENTS WITH THE COMMITTEE SECRETARY.

Old Summer
Boulder School Sept.
H2624

SENATE EDUCATION COMMITTEE

March 14, 1979

HOUSE BILL 295 REPRESENTATIVE MARKS

House Bill 295 clarifies the residency status of children in need of special education and requires resident districts of such children to pay the special education costs. Section 1-1-215, MCA, does not clearly define residency status of children who reside in an institution or a foster home prior to entrance into a special education program. In the proposed legislation, a child's residence is the same as that of his parents or guardian unless otherwise determined by the court; or the parent's last known district of residence if the parent has left the state. The resident district of a child in need of special education is required to pay tuition for the child.

HOUSE BILL 298 REPRESENTATIVE DUSSAULT

House Bill 298 authorizes and establishes procedures for contracting cooperative contracts for special education. A cooperative contract is an agreement between two or more school districts to pool resources for the purpose of providing special education. The proposed legislation establishes the type of resources that may be pooled; mandates the contents of special education cooperative contracts; requires the Attorney General to approve each cooperative contract; requires the final approval of the Superintendent of Public Instruction; establishes filing procedures of contract copies; authorizes school districts entering into cooperative contracts to appropriate funds for the contract; and grants tenure rights to teachers who work in cooperative contracts.

HOUSE BILL 453 REPRESENTATIVE SOUTH

House Bill 453 removes retirement benefits from computation of allowable costs for special education. Currently, the state pays the employers share of retirement benefits of teachers employed by special education cooperatives. The state is relieved of this responsibility in the proposed legislation. Local governments will be required to pick up the tab for employers share of retirement benefits by determining a retirement fund levy in accordance with school laws.

HOUSE BILL 624 REPRESENTATIVE MARKS

House Bill 624 changes the age requirements for attending school and makes special education programs permissive in certain cases. The age requirement for attendance is changed to six years old and 19 years for all children. School districts will have the option of providing special education for handicapped persons between the ages of 0 and 25 when such programs are approved by the Superintendent of Public Instruction and the trustees. Approval, however, does not obligate school districts to establish the programs.

COMMITTEE ON

EDUCATION

DATE

March 14, 1979

VISITORS' REGISTER

NAME	REPRESENTING	BILL #	Check One	
			Support	Opp
Ken Kohl	Council of Exceptional Child.			
Lee Sundberg	School District #1			
Dick Carlson	School District #1			
Richard Gustovich	Concerned Parent	624		
Connie Buss	Sp. Educator			
	Sch. Dist #1, Mt. Fall,	624		
	1200 Highland, Trent			
	HELENA - CONCERNED	624		
Maureen Burns	Daily Interlock Kalgis	624		
John R Fero	School Administrator	453		
		295	✓	
		298	✓	
		624	✓	

(Please leave prepared statement with Secretary)

Date 3/24/79

ROLL CALL

EDUCATION COMMITTEE

46th LEGISLATIVE SESSION - 1979

NAME	PRESENT	ABSENT	EXCUSED
Sen. Bob Brown, Chairman	X		
Sen. Ed Smith, Vice Chairman	X		
Sen. Jesse O'Hara	X		
Sen. George McCallum	X		
Sen. Elmer Severson	X		
Sen. Mike Anderson	X		
Sen. Chet Blaylock	X		
Sen. Larry Fasbender	X		
Sen. Richard Smith	X		
Sen. Bill Thomas	X		

Each Day Attach to Minutes.

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Shirley Miller, Director of the Special Education Unit of the Office of Public Instruction, presented her testimony to the committee in support of the bill (attachment #25).

Phil Campbell, representing the Montana Education Association, stated the association does not oppose the bill.

OPPONENTS

Bill Hickey, Administrator of the Anaconda Public Schools, presented his testimony in opposition to the bill to the committee (attachment #26).

Buddy Malee, Anaconda Teachers Union, stated opposition to the bill.

Shauna Thomas, representing the American Federation of Teachers, AFL-CIO, stated opposition to the bill.

There being no further proponents and opponents to the bill, the hearing was closed.

There being no further business, the meeting adjourned to reconvene Friday, March 16, at 12:00 noon.



Senator Bob Brown, Chairman

jdr

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Elaine Cooley, Regional Coordinator, stated Choteau is forming a cooperative of 26 districts and she supported the concept of having all the moneys flow to the host district.

Lyle Grayson, Assistant Director of Pupil Services, Billings, presented his testimony to the committee in support of the bill (attachment #24).

John Fero, representing the School Administrators of Montana, stated support for the bill.

Jim Flanders, Tri-County Cooperative, Broadus, urged support of the bill.

Brad Nimmic, Great Falls Special Education, urged support of the bill.

There being no further proponents and no opponents to the bill, the hearing was closed.

HOUSE BILL 453 REPRESENTATIVE SOUTH

Senator Fasbender presented the bill for Representative South. He stated the bill came about at the request of the subcommittee on special education of Finance and Claims. He said the bill prorates costs where districts cross county lines. He said many local districts have stated approval of the idea as they don't want to have to levy any more. The subcommittee has capped special education and has guaranteed there will be no state wide levy for special education. He stated the bill is permissive and would free up extra money and not harm the programs. He stated it appears the foundation program will be funded at 8% for the first of the biennium and 10% for the second.

PROPOSERS

John Fero, representing the School Administrators of Montana, stated that organization has had a hard time with this. He said it fits in with HB 116 and SB 2 and the cap on special education. He noted it is hard to say they support the bill but they do. If the foundation program is funded at 8% and 10% there will be no problem.

Leonard Sargent, representing the Montana School Boards Association, said their feelings are the same as the School Administrators. They were opposed to the bill in the beginning and also to HB 116 as they considered them a package. He said they do support the bill due to the verbal commitments on the foundation program.

HOUSE BILL 298 REPRESENTATIVE DUSSAULT

Representative Dussault read the title of the bill: "An act authorizing special education cooperative contracts; detailing the contents and requirements of the contracts; authorizing school districts to appropriate funds to cooperatives; providing for teacher tenure for special education cooperatives". She said the bill sets out the details of contracts and how they are ratified for special education cooperatives. She said up to now they have been using the regional services method of providing services. Last session they (regional services) were sunsetted and she pointed out if this bill does not pass, there is no way of providing services equitably. She pointed out up to now host districts must bear the cost of the programs even at 100% state funding which results not in actual cost to the district but in an actual inflated budget. This bill allows the cooperative to be the money holder and the moneys go into the cooperative from all the districts. She said the tenure will rest with the cooperative - the older teachers will not loose their tenure and the new teachers will gain tenure with the cooperative.

PROPOSERS

Shirley Miller, Director of the Special Education Unit of the Office of Public Instruction, presented her testimony in support of the bill to the committee (attachment # 22).

Larry Holmquist, Regional Special Education, Belgrade, stated his support for the bill by pointing out some system is needed to provide service to rural schools since Regional Services has been sunsetted.

Leonard Sargent, representing the Montana School Boards Association, stated the support of that association for the bill.

Barbara Stegner, representing the Helena Valley School District #3, presented her testimony to the committee in support of the bill (attachment #23).

Mike Ikard, representing Regional Services, stated this bill will certainly help as Regional Services has been sunsetted. He felt there are safeguards against the proliferation of cooperatives and said it is critical that all districts have someone to answer to and suggested that perhaps that could be the director of the cooperative or the special education director of the host district.

HOUSE BILL 295 REPRESENTATIVE MARKS

Representative Marks opened by presenting a proposed amendment to the committee (attachment #19) which simply serves to bring the codes into conformity. He said the bill is intended to clarify the definition of residence in the provision of special education services. He said it is necessary in light of legislation intended to put some costs back on the local level to put the responsibility for those costs back on the residence of the parent rather than the district where the child lives in a group home. By paying this portion as a "tuition" amount, the costs stay in the home district as in normal education.

PROPOSONENTS

Bob Laumeyer, Superintendent, Boulder Public Schools, presented his testimony to the committee in support of the bill (attachment #20).

Shirley Miller, Director of the Special Education Unit of the Office of Public Instruction, presented her testimony in support of the bill to the committee (attachment #21).

John Fero, representing the School Administrators of Montana, pointed out that approximately 1/3 of the children in special education classes in Helena are from out of district. He said he urges support of the bill as many districts will realize cost savings if they don't have to carry the load of those out of district students. He felt the bill was an equitable way to distribute the cost.

Larry Holmquist, Regional Special Education, Belgrade, asked that the committee amend the bill to make sure that the clarification is made as to which district is to provide the service, stating he had seen cases where children do not receive any service while schools fight over who is responsible.

Leonard Sargent, representing the Montana School Boards Association, stated he supports the bill for the reasons previously stated. He said school boards are not eager to provide services on a local level at partial local cost if tuition is not provided from the home district.

There were no further proponents and no opponents to the bill and the hearing was closed on House Bill 295.

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opportunities are cut off at age 18 she will only have had the advantage of 10 years of education - not 12 like normal children. He quoted an Attorney General's opinion which says in order to be out of school students must be 16 years of age and have finished 8th grade. He felt this is very unfair as some handicapped students do not meet that criteria.

Brad Nimmick, representing Great Falls Special Education Services, presented his testimony in opposition to the bill to the committee (attachment # 13). He also presented letters to the committee in opposition to the bill from parents and interested persons (attachments #14, 15, 16, 17).

Chet Johnson, Director of Special Education, Billings, stated his opposition to the bill saying the benefits of early education for handicapped children are well known. He stressed the need for a mandatory law and supporting dollars for pre-school education. Without a mandatory provision many programs already developed will fall by the wayside and many won't be developed that should.

Dan Gregier, Great Falls Special Education, presented his testimony to the committee in opposition to the bill (attachment #18).

There being no further testimony on the bill, Representative Marks closed by saying there is a clear distinction in the law which says if you serve 3-21 year olds in special education you have to serve the normal school population in that same age group. All of those who are opposed to the bill have services already, he said. He felt that by the local control inherent in election of school board trustees, parents can be sure programs won't be cut. He replied to Mr. Meldrum, SRS, by saying SRS opposes the bill because they would have more clients to serve, but maybe that's where they belong. He expressed a concern with finances if the foundation program isn't fully funded. He said normal educational programs would be cut if special education is mandated which in effect is discrimination against normal children. Representative Marks thanked everyone for coming and testifying noting programs are obviously doing a good job or they wouldn't all be here supporting them.

The hearing was closed on House Bill 624.

school classes provide a critical function in that area alone. Early intervention, treatment, and education in many cases can resolve problems which will then allow a child to function well in the 1st grade classroom. By using an early intervention approach such as the pre-school program we are saving time and money, she noted. Mrs. Hall told the committee she appreciated their concern about money but felt the first concern must be with the children.

Larry Holmquist, Supervisor of Special Education, Special Education Regional Services, Belgrade, presented his testimony in opposition to the bill to the committee (attachment #8).

Robert Bedinger, a parent of four learning disabled children, told the committee if his two eldest children had been identified as learning disabled in early childhood their educational career would not have been so traumatic. His younger two children had their problems identified through testing and are doing very well. He emphasized the point if those children had been identified and worked with at a pre-school level they would not have been subjected to the problems they have endured for the last 12 years. He noted the time, money, and effort spent and frustration felt by teachers and parents as well as the children need never have happened if pre-school classes were mandatorily available.

Shirley Miller, Director of the Special Education Unit of the Office of Public Instruction, presented testimony stating the opposition of the Office of Public Instruction to the bill (attachment #9).

Judy Gardner, representing her 4 year old handicapped daughter, Theresa, presented her testimony in opposition to the bill to the committee (attachment #10).

Rosemary Zion, representing the Developmental Disabilities Montana Advocacy Program, presented her testimony in opposition to the bill to the committee (attachment #11).

Diane Kielbock, Helena, parent of a four year old profoundly deaf child in a pre-school program, presented her testimony in opposition to the bill to the committee (attachment #12).

Dick Carlson, parent of a 15 year old handicapped child, stated his daughter could not enter school until she was 7 due to her birthday being in December. Therefore, she was eight years old while still in the first grade. He said if her educational

Page 2
Minutes
Senate Education Committee
March 14, 1979

the American Academy of Pediatricians supports programs for the developmentally disabled. Dr. Strickler asked the committee to support pre-school programs for developmentally disabled children by all means as they are very worthwhile.

Susan Boone, Helena, presented her testimony in opposition to the bill to the committee (attachment #3).

John Fero, representing the School Administrators of Montana, stated his organization supports special education but their main concern is where the money is coming from. In that respect they feel the permissive approach is best.

Jim Meldrum, Chief, Resources and Planning Bureau of the Developmental Disabilities Division of the Department of Social and Rehabilitation Services, presented his comments about the bill to the committee (attachment #4).

Sue Moss, presenting the children of pre-school age in Kalispell, and appearing as a mother of a four year old handicapped child, told the committee her son entered the pre-school program a year ago at which time he could not walk, talk or feed himself. Six months later, he sits up, walks and self-feeds. Extensive testing done through his class has determined he is not mentally retarded although he is handicapped. With the head start he has gotten all indications are he will be functioning well in a regular classroom by age 6. She told the committee of another child - deaf, dumb, mentally retarded - whose parents would not put him in Boulder. At this point he is walking and talking and they feel the money which the state has saved by not supporting another child at Boulder for the rest of his life is enormous compared to what training and educating him through established school programs will be.

Ken Rohyans and his daughter, Becki, age 3-1/2, a pre-school handicapped Down's syndrome pupil, presented testimony to the committee asking that provision of special education be made mandatory from the age of three (attachment #5).

Paulette Mills, Early Education Specialist, Bozeman Public Schools, presented her testimony in opposition to the bill to the committee (attachment #6).

Tammy Hall, Chairman of the Bozeman Special Education Advisory Council, presented the committee with letters from parents in opposition to House Bill 624 (attachment #7).

Mrs. Hall stated locating the problem area of a handicapped child is not always easily done but the earlier it is done, the better, both for the child in terms of treatment of the problem and for parents in acceptance and education. Pre-

SENATE EDUCATION COMMITTEE
MARCH 14, 1979

The Senate Education Committee met Wednesday, March 14, 1979, in Room 402 of the Capitol Building. Senator Bob Brown, Chairman, opened the meeting at 1:00 p.m. Committee members present were Senators Brown, Ed Smith, Thomas, O'Hara, Richard Smith, Anderson, Severson, Fasbender, McCallum and Blaylock.

The following bills were heard: House Bill 624
House Bill 295
House Bill 298
House Bill 453.

HOUSE BILL 624 REPRESENTATIVE MARKS

Representative Marks stated the bill changes the present law from mandatory to permissive for special education of 3-5 year olds and 19-21 year olds. He stated there are approximately 809 3-5 year olds and approximately 400 19-21 year olds currently being served in permissive programs in the state. If state law is not changed this session, the state will continue to pay for these classes, however, pending legislative would mandate local districts to pick up some of the costs. Representative Marks said he fears the impact on districts where there is a very small number of students. He said it is necessary to make this statute permissive to avoid that potential problem and to allow districts to take a look at provision of service on an individual basis.

PROPOSERS AND OPPOSERS

There was some confusion among the proposers and opposers of the bill and therefore testimony is presented in the following minutes according to the order of the testimony as presented before the committee.

Bob Laumeyer, Superintendent, Boulder Public Schools, presented his testimony to the committee in favor of the bill (attachment #1).

Aagie Hansen, representing the Associations for the Developmentally Disabled, offered an amendment to the bill (attachment#2) which stated if the bill would pass with the permissive rather than mandatory directive, the state would pick up the total funding of the 3-5 year old segment of special education programs as they are initiated.

Dr. Jeff Strickler, a Helena pediatrician, stated he has an interest in children with developmental disabilities. He said

STANDING COMMITTEE REPORT

..... March 12, 19 72

MR. President

We, your committee on Education

having had under consideration House Bill No. 217

Hirsch (Brown, Bob)

Respectfully report as follows: That House Bill No. 217

BE CONCURRED IN
REPASS

12

ADDRESS: _____

PHONE: 443-1237

REPRESENTING WHOM? *11/13/44* *R* *11/13/44*

APPEARING ON WHICH PROPOSAL: *HA 101*

DO YOU: SUPPORT? AMEND? OPPOSE?

COMMENTS: *I submitted 7-1-68*

PLEASE LEAVE ANY PREPARED STATEMENTS WITH THE COMMITTEE SECRETARY.

March 14, 1979

Bob Brown, Chairman
Senate Education Committee
State Capitol
Helena, Montana 59601

Dear Senator Brown:

I would like to offer testimony in opposition to House Bill 624 - making three to five year old permissive rather than manatory.

I am a parent of a 3½ year old profoundly deaf girl. Stacey was born a normal baby. At 14 months old she contacted spinal meningitis. As a result of that illness she was left profoundly deaf. We as parents knew within the first couple hours that she could not hear. But what good is early detection without any services.

She started pre-school half days this last fall. I can't begin to tell you how well she is progressing in school. The first thing the school did was to write an Individual Education Plan for her. Many professionals had input with this; along with us as parents. At first I felt many of the goals they expected her to achieve was asking too much of a handicapped three year old. But we were soon to learn that they knew what they were talking about. She is not only meeting the expectations but exceeding many.

Stacey signs about 300 words, and says about 25 words. She knows all of her colors; how old she is and she can count to 5 on her hands. She has said all of her vowel sounds and is learning more speech each day. It still amazes me that they can teach a deaf child to talk. Although she does wear hearing aids she has no real usable hearing. The pre-school is not a babysitting service; these people are trained professionals who know how to teach our very special children and believe me they make the children work.

We as parents can teach her the basics like dressing etc., but I'm only a parent; We're not a trained professional and she needs that kind of guidance. Not only is she in school but we are learning along with her.

If you discontinue the 3-5 year old program, it will be a giant step backwards for us. A normal child learns language by listening, you don't have to teach them and by the time they are 5 years old they are ready to start school. Stacey has to be taught language and speech. Statistics show that 80% of a child's - emotional, social and language is developed between the ages of 0-5. So what happens to Stacey? It will cost more to have her enter school at 5 or 6 and put her in a self contained classroom; or send her to the deaf and blind school - then to educate her now so she can be mainstreamed at 5 or 6. More than anything we want to keep her home. She is normal in every other way, but she has to have services now. With the proper training and education she can live as normal a life as the rest of us. But if we ignore her now it will be impossible to catch up later.

Senator Bob Brown

March 14, 1979

Page Two

If you make House Bill 624 a law you will seriously jeopardize the pre-school handicapped children in all of Montana. Please give Stacey and all the other handicapped children like her the opportunity for a normal life. It will cost less to educate her now; compared to institution costs later.

Thank you for your time and I hope you will give serious consideration to what I have just said.

Sincerely,

Diane Kielblock

cc: Members of the Senate Education Committee

Ed B. Smith
Jesse O'Hara
George McCallum
Elmer Severson
Mike Anderson
Chet Blaylock
Larry Fasbender
Richard Smith
Bill Thomas

NAME: Bert N. Nisnick DATE: 9-1-68

ADDRESS: 1617-1811 Ave. S., C. + B. Bldg.

PHONE: 452-8835

REPRESENTING WHOM? County Falls Special Education

APPEARING ON WHICH PROPOSAL: HB 624

DO YOU: SUPPORT? AMEND? X OPPOSE?

COMMENTS: I support the bill for the purpose of
to be continued until the
service has proven to be the most effective
method of reducing the need for additional
expensive programs throughout the remainder
of the lives of these people.

PLEASE LEAVE ANY PREPARED STATEMENTS WITH THE COMMITTEE SECRETARY.

To Whom It May Concern,

As a parent of normal children I am concerned about the pre-school program. A little boy I know, at one time, did not talk or act as I felt was normal. The child went to pre-school and a year later I saw him, I could not believe the overall change in him. He not only talked but now was outside playing and doing many normal things that he would never have done before. Without the pre-school I know that this little boy would still be sitting inside doing nothing. But because of the pre-school program he is not only talking now but is in public school's in the first grade and doing real well. I feel that if any part of pre-school was cut that it would hurt a great amount of children that need pre-school to be able to go on in a normal life in our world.

Thank you for your time.

March 13, 1974

Stephen Elm.

To Whom it May Concern:

My name is Anne Venetta and I have been teaching the preschool handicapped class in Great Falls for the past 5 years. I would like to testify my support for the program.

In the past 5 years we have been working with 24-36 children ages 3-5 with varying handicapping conditions every year. Approximately 10% of these children go into regular classrooms and succeed while out of the remaining 90% only 10% of our children go to trainable retarded programs within the district. This leaves 80% of the preschool children going into academically orientated programs and succeeding in learning how to cope with life. Many families have greatly needed the support with their young children and greatly supported the Special Education effort to provide early intervention with their children.

I urge you not only as

a teacher, but as a parent, to
support this program and to
encourage the local districts to
do the same.

Thank-you for your time.

Anne M. Varmalla

Preschool Teacher -

Green Falls, Ind.

Shyline Glass.

16
Mr. Chairman and Committee Members:

The following amendment currently attached to HB 624 will seriously curtail any chance of helping children who have special educational developmental problems in the three to six-year-old bracket. Because the condition will be left untreated until at a later time, it will be harder to overcome their handicaps and the damage done may never be corrected in their lifetime.

~~First: In Great Falls, if funding is left to the school board, it will fall under the heading of extra-curricular activity which right now is in the process of extreme budget cuts.~~

Second: It will eliminate qualified professional staff who are especially trained to help children overcome their developmental problems before entering regular school classes. Their training by professional staff will make the transition less traumatic for the child to the classroom.

Third: If the child's developmental problems are not dealt with in the early stages of his life, it will seriously affect his emotional well-being in later life. And, all because someone felt a budget cut was necessary in the school board meeting.

I ask you not to pass this amendment.

Connie Bluedorn

March 13th 17

Dear Sir

I am unable to attend this
hearing on bill 624 and the
attached amendment. But I
thought I would ask Post Nuncio
to read this letter for me. I
thought you all should know
how important Pres school is
to children like my little boy.
When my little boy went to
Preschool he could not hardly

1.
He and needed the special help of

one Charlotte, Sonie Much, and Paul

Wichette could give him. He gets

speech therapy 4 days a week and

is doing so well. He knows is

trying to say different sounds

which he couldn't do before

He knows is able to tell me

the different colors and is

starting to count and do many

other things he was unable

do as they do but just

honestly believe you are not

be doing a great disservice to children

like my son if you don't

make it mandatory for state

pre-school special education and

if you don't defeat that

block amendment because if

it comes to our school district

paying for pre-school. Then

children like Karl will be

I feel that there is hope for these
thanks to the teachers and
support staff here. If we school
is cancelled what will happen
to children like my son? I hope
you will defeat the amendment
to that bill and please keep
it mandatory

Sincerely,

Mrs Linda Antonson

NAME: Dan Lugin DATE: 2/14/60

ADDRESS: 319 20th St SW

PHONE: 453-0551

REPRESENTING WHOM? Threat T.R. Special Committee

APPEARING ON WHICH PROPOSAL: HR 624

DO YOU: SUPPORT? AMEND? ✓ OPPOSE? ✓

COMMENTS: Support pre-school services but don't
to continue at present level but to
bring it up to the present level. It is our district
support the cost partially. But to have
intervention as compared to G. J. (J. J.) and
when pre-school services are not present.

NAME: Betty G. Smith DATE: _____

ADDRESS: 350 12th St. S. Minneapolis, Minn. 55404

PHONE: 453-6826

REPRESENTING WHOM? Agnes M. Jones

APPEARING ON WHICH PROPOSAL: H.B. 634

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

COMMENTS: to be given to the committee

for your review please

PLEASE LEAVE ANY PREPARED STATEMENTS WITH THE COMMITTEE SECRETARY.

Mr. Sherman
Secretary, War Department
Military Department, Washington, D.C.

Dear Sir:

Very respectfully,
Yours truly,
[Signature]

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Handwritten text, mostly illegible due to fading and bleed-through.

NAME: Quintin T. Smith DATE: 11/10

ADDRESS: 49. 75

PHONE: 727-2846

REPRESENTING WHOM? Spencer E. DeLoach - Bush

APPEARING ON WHICH PROPOSAL: H.R.

DO YOU: SUPPORT? AMEND? OPPOSE?

COMMENTS: To keep present

I am not on a

committee

to

be

on

a

committee

to

be

on

a

committee

to

be

on

a

committee

to

be

PLEASE LEAVE ANY PREPARED STATEMENTS WITH THE COMMITTEE SECRETARY.

3-17-79

Wene Lyb Grayson
Asst. Dir. of Pupil Services,
Blg. West.

#B 624-

I approve passage of this bill.

1. There are now about 1000 students receiving services who are aged 3 to 18.
2. These services are being provided on a per-minute basis which suggests that education and school boards are identifying with the needs of young handicapped.
3. According to OPI (convention of 3-13-79) it is judged that there are 1500 handicapped young children in the state. Recall that about 1000 are now being served. These 500 are more than likely in need to very rural West. These children will require thousands of dollars in order to provide services to them.

Syl. Guyon.

HB 624

Page 1

4. With the dollar crunch it is very necessary to weigh what the school can pay & it will mean in regard to the total handicapped population.

5. It is much better for services to be provided on a per-minute basis than on a school basis. We have seen tremendous growth in per-minute services in the past few years. This means that school boards and school management are growing in terms of youngsters covered special assistance.

PROPOSED AMENDMENTS TO HOUSE BILL - 295

Lines 19, 20 and 21, page 1 are in conflict with 20-5-305 MCA.

Suggested amendment:

Line 20, page 1: Insert after the word for: "tuition as established under 20-5-305 and 20-5-312 for special education students."

Strike remainder of lines 20 and 21.

Suggested amendment:

Line 8, page 2: Strike 20-5-303 and insert "20-5-305 and 20-5-312."

HOUSE BILL - 295

The Superintendent of Public Instruction supports House Bill 295 but does wish to alert you that it does not go far enough.

Montana laws relating to residency all speak to the father. What if the father is ^{discovered} out of state and the mother in state but in another district other than the last known district of the father's residence? It will no doubt take a court case to determine a district of residence, a costly determination.

A receiving district serving a child living in a group or foster home, may conceivably send a bill for service to a school district of residency which had never known of that child.

SHIRLEY M. MILLER
Director
Special Education Unit
Office of Public Instruction

March 14, 1979

NAME: LARRY HOLMQUIST DATE: 3/14/77

ADDRESS: 1409 SOUTH FIFTH - BOZEMAN

PHONE: 586-3495

REPRESENTING WHOM? REGIONAL SPEC. ED. - BELLEVILLE

APPEARING ON WHICH PROPOSAL: HB 295

DO YOU: SUPPORT? AMEND? X OPPOSE?

COMMENTS: I agree with the clarification of
residency as to who is responsible for
payment but the school district who
in which the child resides must provide
the service under a mandate. I have
seen cases where children do not receive
any service while schools fight over who is
responsible.

PLEASE LEAVE ANY PREPARED STATEMENTS WITH THE COMMITTEE SECRETARY.

HOUSE BILL - 298

Both Montana and federal law mandate educational services to handicapped children throughout the state. In the past these were provided in the rural areas by regional services which is now sunsetted in 1980. Cooperative services will fill that gap. They are the reasonable alternative to regional services.

Present cooperative laws present some problems in the formation of educational cooperatives. These are tenure, rental, recruitment of staff, cash flow to the host district and governance. House Bill 298 addresses these problems to facilitate the formation and operation of special education cooperatives.

The Superintendent of Public Instruction supports House Bill 298.

SHIRLEY M. MILLER
Director
Special Education Unit
Office of Public Instruction

March 14, 1979

NAME: ARY HOLMQUIST DATE: 2/14/79

ADDRESS: 1409 South Fifth

PHONE: 586-3495

REPRESENTING WHOM? Regional Services - Bdgrades

APPEARING ON WHICH PROPOSAL? H.B. 298

DO YOU: SUPPORT? X AMEND? OPPOSE?

COMMENTS: We need some system to provide
service to rural schools since Regional
Services has been moved out under
the Sunset Division

PLEASE LEAVE ANY PREPARED STATEMENTS WITH THE COMMITTEE SECRETARY.

NAME: Barbara Slegner DATE: 14 MAR 79

ADDRESS: c/o 909 Lincoln RD W

PHONE: 458-9172

REPRESENTING WHOM? Helena Valley Sch. Dist #3

APPEARING ON WHICH PROPOSAL: HB 298

DO YOU: SUPPORT? ☒ AMEND? ☐ OPPOSE? ☐

COMMENTS: have submitted brief written statement
to committee secretary

Jim Wooley
Administrator
Cammi Butterson
Clerk-Business Manager

Helena Valley School District No. 3

Jim Darcy and Warren Schools
990 Lincoln Rd. W. 2690 York Rd.
Helena, Montana 59601

Jack H. Bennett, Chairman
Dean D. Mack, Trustee
Lee Guay, Trustee
Ronald O. Hostad, Trustee
Ralph Olson-Trustee

Business Office 458-9172

14 March 1979

RE: HB 298.- Special Education Cooperatives

As a Special Education Resource Teacher from a rural school district I wish to speak in favor of House Bill 298 which authorizes Special Education Cooperative contracting between school districts; sets up guidelines for the development of such; establishes funding sources; and allows for the tenureship of cooperative teachers.

Barbara Stegner
Special Education/Resource

3-11-79

Name: Lyle Thompson
Asst. Director of Popul. Services
Bly, Me.

HB: 298

I have been directly involved with Regional
and Cooperative services for several years.

There is a good bill and should be passed.

#25
HOUSE BILL - 453

The State Superintendent recognizes there will be an increase in county taxes but it will be equalized over the entire county, which is more equitable than on a school district by school district basis.

This bill would treat the retirement costs for special education teachers the same as for regular education teachers whose retirement is paid out of county funds. Statewide there is a total of 1,145 special education teachers and support staff whose retirement will be affected.

Attached to this testimony is a table of 25 sample school districts which shows the affects of House Bill 453 on those districts.

SHIRLEY M. MILLER
Director
Special Education Unit
Office of Public Instruction

March 14, 1979

RESULTS OF IMPLEMENTATION OF HOUSE BILL 453 - effects in 25 sample districts

DISTRICT	TOTAL BUDGET	RETIRE- MENT	TOTAL BUDGET WITHOUT RETIRE	TAXABLE EVALUATION DIVIDED BY 1,000	NON-VOTED COUNTY LEVY POSSIBLE MILLAGE INCREASES- 453
Bigfork HS	39,828	3,053	36,775	7,490	.41
Bigfork Elem	15,516	1,197	14,319	5,443	.22
Kalispell HS	404,986	36,559	368,427	39,402	.93
Kalispell Elem	600,783	52,532	548,251	21,677	2.42
Great Falls HS	1,171,146	93,261	1,077,885	81,000	1.15
Great Falls Elem	1,987,133	159,940	1,827,193	79,882	2.00
Butte HS	658,164	53,281	604,883	54,624	.97
Butte Elem	1,206,653	94,854	1,111,799	51,000	1.86
Missoula Elem	1,235,241	102,193	1,133,048	73,674	1.39
Lambert Elem	15,886	694	15,192	1,525	.45
Scobey Elem	49,547	1,412	48,135	4,305	.33
Missoula Co HS	745,448	57,382	688,066	103,375	.56
Superior Elem	58,646	4,860	53,786	2,734	1.78
Livingston HS	120,511	9,996	110,515	12,185	.82
Livingston Elem	279,294	24,557	254,737	9,994	2.46
Bozeman Elem	673,349	53,664	619,685	27,499	1.95
Bozeman HS	309,236	21,295	287,941	34,071	.63
Havre HS	199,795	16,550	183,245	24,223	.68
Havre Elem	392,120	34,397	357,723	19,805	1.74
Billings HS	1,222,927	92,859	1,130,068	144,962	.64
Billings Elem	2,429,002	189,147	2,239,855	123,954	1.53
Baker Elem	156,168	12,927	143,241	14,340	.90
Wibaux Elem	24,679	1,705	22,974	4,766	.36
Miles City Elem	340,296	27,211	313,085	12,658	2.15
STATE TOTALS	28,240,640	2,187,953	26,052,687	954,588	1.40

March, 1979

ANACONDA PUBLIC SCHOOLS

P.O. Box 1281
ANACONDA, MONTANA
59711

Special Services
Office

Phone:
563-5101

My name is William F. Hickey. I am an administrator of the Anaconda Public Schools and I am testifying as an opponent of House Bill 116 and House Bill 453. I have been professionally involved with education and special education for over 12 years. I was involved in drafting our current legislation and was the principal drafter of the "Special Education Rules and Regulation Reference Manual." I am also very familiar with Federal laws and regulations governing services to handicapped children. I have been directly involved with educating children and handicapped children through teaching, Special Service work, local district administration, state level administration, and as a college teacher. As an educator, I feel equally responsible to the handicapped as well as non-handicapped children of Montana. Bills, such as House Bills 116 and 453, will hurt both handicapped children and non-handicapped children in their public education through strained funding.

While this bill is referred to as a cut in Special Education, it is really an additional burden on regular education. The money that may be cut from school districts as a result of this bill would be those indirect charges contributed to the district from Special Education. These are fixed charges and will be required to be picked up by the local taxpayer whether the handicapped children are or are not served. Such sums of money are going to place inappropriate burdens on local taxpayers via property taxes. These bills are not limits in taxation, but are shifts from state sources of revenue to local property taxes. Of all of our tax programs, the local property tax is our most strained source of revenue. Such shifts in taxation would minimize the Governor's Homestead Relief Tax Program.

In the Anaconda Public Schools, this proposed change would decrease our revenue from a low of \$87,000.00 to a high of \$100,000.00. The cut overall is figured at about 21% of Special Education budget. This money can be made up only by a large additional mill increase or by cutting approximately 5 staff in the regular education program in the district. Last year economic conditions necessitated reducing our staff by 30 positions. These bills, if picked up by mill levy, may also lead to the ultimate defeat of the district levy and subsequent educational problems for all children within our district. Many other districts within the state would experience problems similar to ours.

I am in favor of the state and federal government, via their respective constitutions, speaking for the rights of its citizenry and defining those rights. When the state and federal government, via constitutional issues or their law define human dignity and individual freedom and equality, then the state and federal government must also supply reasonable means or revenue to support its mandate. Both state and federal constitutions, as well as state and federal law, guarantee the right of free and appropriate education for all of its citizens. This change in funding does maintain a mandate and the guarantee, but lessens the feasibility of such service through the decreased amount of money to support this service. Any mandate has only the integrity of the dollars backing the mandate.

While I am not a constitutional scholar, I do feel that there may be a constitutional issue if these bills are passed as currently written. I would like to make reference to the 1971 California case of Serrano v. Priest. In this court case the California State Supreme Court ordered the state of California to come up with a more equitable funding system. In that the California state constitution guaranteed equal educational opportunity to all of its citizens, it was therefore compelled to have a more fair form of state equalization. The Supreme Court felt that equal opportunity in education could not be had between rich counties and poor counties and that there must be a form of state revenue to equally support the schools. California is now under a state Supreme Court mandate to have this accomplished by 1980. San Antonio v. Rodriguez is another interesting court case determined by the Supreme Court of the United States in 1973. This was a suit attacking the Texas system of financing public education. The question was again between local support in education between rich districts and poor districts. The federal Supreme Court stated that all that was guaranteed in federal constitutions was the education of "common schooling." Further delineation of the intent would have to be found within Texas state constitution. The Texas state constitution also referred to "common schooling" and it was therefore determined that Texas did not have the constitutional problem like that of California. In reviewing the new Montana constitution, Article X, Section 1 states that: "It is the goal of the people to establish a system of education which will develop the full educational potential of each person. Equality of educational opportunity is guaranteed to each person of the state." Article X, Section 3 states: "The legislators shall provide a basic system of free quality elementary and secondary schools....." It seems that if such an issue in Montana were raised, that Montana's constitution would follow that of California. Montana's old constitution's wording was somewhat different and if the suit was crier to the new constitution, then a case would probably lean toward the San Antonio decision.

While I recognize that there has been strong growth in Special Education over the last 5 years, it must be remembered that prior to 1974 Montana had very modest services. Many nationally recognized categories of handicapping conditions were not recognized by Montana law. This changed with the 1974 legislation. Subsequent years showed dramatic increase in services and dollar expenditure. This period of growth should be about over and the program should be leveling off.

In order to assist this process, I publicly support Representative Marks' House Bill 624 which allows service for 3 through 5 and 18 through 21 on a permissive rather than mandatory basis. This type of legislation will prevent rapid growth in the pre-school area and with the older students. I feel it is a wise bill at this point in time.

I also recognize the need for the legislature to place some fiscal limitations on the Special Education program. For this reason, I would like to suggest the following:

#1 1978-80 budget 29.4 (million - state monies)
x1.07
31.458
-2.1 (Revenue project of unexpended monies which are
returned at the end of school year)
29.358 (State share via Foundation)
+1.535 (Federal money, 94-142)
30.893 Full budget
-1.0 (Held back by OPI for emergencies)
29.893 Available for schools in Spring 1979.

1980-81 budget 31.458
x1.05 (Inflationary)
33.0309
-2.1 (Unexpended projection)
30.9309 (State share via Foundation)
+2.847 (Federal money - 94-42)
33.7779
-1.0 (Held back by OPI for emergencies)
32.7779 Available for schools in Spring of 1980.

This would mean that over a three year period (1978, 1979, 1980) the states share of special education has increased only 2.6% per year for an average increase of \$510,300.00 per year. This process limits the growth and certainly handles the 16 to 17 percent growth experienced in past years.

As a result of considering a proposal like this, you would have:

1. Controlled and limited the growth of Special Education;
2. Made reasonable financial resources available;
3. Maintained state fiscal effort and have not jeopardized federal funding by a lack of maintenance of fiscal effort;
4. Avoided a serious constitutional question;
5. Maintained reasonable educational services and equal opportunity for Montana school children.

Over an interim study period, the legislature could review the mandate and determine if the state of Montana wished to continue with existing state mandates. The 1981 legislature could then better deal with the future of this type of service and funding.

I thank you for your consideration in this regard.

453

Boulder Public Schools

ROBERT L. LAUMEYER, Superintendent

Boulder, Montana 59632

JEFFERSON HIGH SCHOOL
Ron Fuller, Principal
Phone 225-3317

Clerk of Jefferson High
Boulder Elementary School
Stella Upman
225-3740

BOULDER ELEMENTARY SCHOOL
Barbara Knesky, Principal
Phone 225-3316

Possible consideration on House Bill 116

Instead of the State paying all of some costs and none of other costs as written or a percentage of all costs as I suggested or on an A.N.B. as it used to be, I believe there is an answer that would cost less for State and districts, and would allow the state department a degree of control.

Classroom Unit Funding - a school district prepares its special education budget only in terms of what classroom units they shall have. They shall document the need of these classroom units to the state special education director. Upon approval of their budget the district becomes eligible for 50% of the classroom unit budget. In May of the school year they receive the balance of the classroom budget depending on how many classrooms they have had in operation during the year as prorated for part of the year. This could exceed the amount budgeted for if during the year they had applied to the special education director and show need for additional classroom units it could be less than the amount budgeted for and they would receive the classroom unit payment for the actual number of classroom units they had.

A classroom unit shall consist of one special education teacher - all related services - all supplies. 1978-79 estimate about \$30,000, Allow 1 1/3 classroom unit for 1 classroom with special education teacher and teacher's aide.

Robert L. Laumeyer
Superintendent
Boulder Public Schools

P.S. If all cooperative expenses were to be paid from this classroom unit budget the first unit would have to be somewhat higher than the second units. I think cooperative expenses could be paid as a dollar amount per ANB.

Name: Lyle Shaugen
citizen
Bldg, MIT

HB: 453

As a citizen and taxpayer I oppose passage
of HB 453. This will raise our road taxes
but it puts additional costs in the transportation
unit costs they should have been in the
first place.

Box 507
Choteau, Montana
March 7, 1979

Senator Robert Brown
Montana State Senate
State Capitol
Helena, Montana 59601

Dear Senator Brown:

On March 14, 1979, the Senate Education Committee will consider several bills on the funding of special education. One of those bills would require local districts to pay for certain benefits for special education staff (e.g. teacher retirement, social security). Another bill would require local school districts to pay for "indirect" costs.

I am opposed to both bills for two reasons: (1) they would cause reduced quality special education to be provided in a more restrictive environment; and (2) they would result in increased costs for the State of Montana. I urge that all suggested changes in the present law be rejected and the question of special education funding be referred to an interim legislative study committee.

First, the changes would result in reduced quality special education provided in more restrictive environments. For example, the proposed changes would make local school districts pay for special education teachers benefits and indirect costs. At the same time the law would have the State of Montana pay the cost of contracted services.

I will use the example of a self-contained special education program of six handicapped children. I will assume that they are presently in a classroom in a school with non-handicapped children. With the proposed law change a local school district would save money by contracting with a private institution to provide special education. This is because contracted services are paid for completely by the state. The private institution would be more restrictive than the public school. The children would have no opportunity to be with non-handicapped children during mealtimes, recess and other non-academic periods.

Further, the private institution would not be under the direct supervision of the school trustees and the Superintendent of Public Instruction. For that reason the instruction could not be monitored for quality as closely as present programs are. The result would be reduced quality special education programs in more restrictive environments.

Second, the proposed changes will result in increased costs to the State of Montana. This is for a similar reason as discussed above. School districts can save on payment of staff benefits and indirect costs by contracting for them. In that way the State of Montana General Fund would pay for educational services instead of a local district.

Once again, I will give an example to illustrate. A School District may need a full time physical therapist. The services of a physical therapist may be obtained in two ways: (1) the School District may add one to its staff; or (2) the School District may contract for services with a nursing home or other facility.

Under the proposed changes the School District would have to bear some of the cost of the physical therapist if one was added to the staff. Certain employee benefits and indirect costs would have to be paid from local school district funds. But if the School District contracted for physical therapy services, all of the costs would be paid by the State of Montana.

Contracted services cost much more than hiring a staff person. For example, the rate for a contracted physical therapist is between \$20 to \$25 per hour. That is \$800 to \$1000 per week (based on a 40 hour week).

I do not mean to suggest that these are the only problems with the bills. These are only a few problems I see with the proposed changes. I have read the amendments very briefly. That is why I believe the subject should be studied very closely. Perhaps some of the special education costs should be paid from local school district funds. But the method used here will result in increased special education costs with a loss in quality of education.

At this time I believe the Senate Education Committee should be aware of another problem. That is the lack of adequate special education programs in the Boulder River School and Hospital. Many school age children in the Boulder River School and Hospital have no special education teacher. Further, they do not receive a full 6 hour day of schooling. Many do not receive all of the special programs that they need. For example, some do not receive speech therapy.

As important, no efforts are made to establish special education classes for these children in the public schools. Montana law requires that public school classes be established for all children who are capable of attending special education classes in public schools. The Officials of the Boulder River School and Hospital have not referred any children to the Boulder Public Schools. This is despite the fact that there are children who are capable of attending special education programs in the public schools.

If the institution officials would refer the children, the Boulder Public Schools would not accept them. One foster child cannot be placed out of the Boulder institution because the Boulder Public Schools have made no efforts to identify children in the institution who could attend public school special education programs. Nor have they tried to establish special education programs for them.

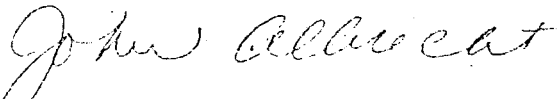
The Boulder River School and Hospital should receive increased funding to adequately meet the needs of the handicapped children there. That would solve the problem of the children who need to be educated in our institution or hospital.

However, that does not solve the problem of the refusal of the Boulder Public Schools to establish special education programs for handicapped children who are capable of attending public school programs. The Boulder Public Schools have for a long time tried to avoid any responsibility for establishing adequate programs of special education for those children. They tried to obtain an Attorney General's opinion which stated that they were not responsible for any children in the institution; they failed. They are now involved in litigation on the issue.

One solution would be to remove the school age children from the Boulder School and Hospital to another facility in different city whose public schools would establish special education programs for them. For example, the Great Falls Public Schools have a decreased enrollment. Perhaps a residential facility in Great Falls could be obtained for the institutionalized children. If the Great Falls Public Schools would establish special education programs for these children, then these children would have an opportunity to attend an adequate special education program in a public school.

I urge you to consider my suggestions at the meeting on March 14, 1979. Specifically, I ask that you reject all amendments to the special education law. In place of them, I urge you to establish an interim study committee on transferring special education costs to local districts. Finally, I urge you to consider moving the school age children of the Boulder institution to another city where they would have an opportunity to attend special education programs in a public school.

Yours truly,


John Albrecht

cc Ed Smith
Jesse O'Hara
Larry Fasbender
Bill Thomas
Chet Blaylock
Mike Anderson
George McCallum
Elmer Severson
Richard Smith

905 4th Ave. W.
Kalispell, Montana 59901
March 7, 1979

The Honorable George McCallum
The Senate of Montana
Capitol Station
Helena, Montana 59601

Dear Senator McCallum:

Previously, I sent you some materials on P.L. 94-142 and special education.

I urge you again to consider money spent in special education as a financially sound move. "...society will pay a heavy price if it refuses to help them. Of the 750,000 adolescents who drop out of school each year, it is estimated that one-third end up on relief rolls or in institutions. It is probably that a large proportion of these young people are learning disabled. With our growing knowledge of the ways in which youngsters learn, we should be able to turn many of them into learners and achievers." (Lauriel E. Anderson, Helping the Adolescent With the Hidden Handicap)

A study identifying and remediating handicapping conditions in committed juvenile delinquents reduced recidivism dramatically.

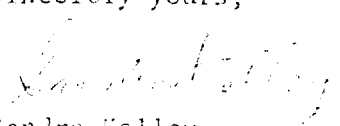
The enclosed articles by Dr. Poremba of Colorado further clarify what is needed.

It is not enough to treat the symptoms of a problem with a "get-tough" policy. It is necessary to get at the cause of a problem. A child experiencing success in school does not get in trouble. For children with hidden handicaps, (intelligent children who have difficulties learning), special education holds the key--the key to their future as responsible citizens.

Learning disabled are approximately 10% of the total population. Artificially contrived figures, such as 2.5%, deny an appropriate education to many children, and puts Montana in non-compliance with the federal law P.L. 94-142 which states that special education must serve all handicapped children, regardless of severity.

If you need more information about this, please call.

Sincerely yours,


Sandra Kelley
755-5878

enc.

SK:go

Hope Expressed for Learning-Disabled

By BOB JAMES

Denver Post Staff Writer

Juvenile delinquents with learning disabilities should be not if there is no hope for them, Dr. Chester D. Poremba, chief psychologist at Children's hospital, said last week.

"We do shoot horses, don't we, to put them out of their misery?" he asked in an interview.

The facetious remark was uttered to make the point that there is hope for everyone.

"As long as a human heart beats, we've got to have hope," he said. "... For too long, we've operated on the premise that there is no hope, and I think that half our rehabilitative processes and penalties are based on the belief that there is no hope."

People who insist that there is always hope are laughed at, he said, particularly by "the older guys who say 'You're crazy, you can't do anything with these birds,'" Dr. Poremba said.

With that attitude, he said, we guarantee failure.

Learning disabilities, Dr. Poremba explained, are physical. They may affect any of the five external senses — the senses of sight, hearing, taste and smell — or the inner senses of proprioception and kinesthesia.

ATTITUDINAL POSITION

Proprioception, he said, involves "that information that we get in terms of our attitudinal position within space, or relationship to objects and our immediate environment."

Kinesthesia he defined as the musculo-skeletal information that tells us where we are in relationship to ourselves, such as our arms, our legs, or head, in relationship to the body.

As much as a quarter of the boot-age population may have one or more such disabilities, he said, hampering them educationally and then in the important business of living.

Just as important, he said, are statistics early in life that showed that more than 50 percent of the juvenile delinquents clash with the law, and that the more provable handicaps, the more likely the delinquency.

First, Dr. Poremba said, these children are not being helped for today, although they tend to hang around with the same crowd.



DR. CHESTER D. POREMBA EMPHASIZES A POINT

He was less than kind on comments on juvenile courts.

... or he may have the more subtle inability to place numbers in sequence. He may, like Leonardo da Vinci, have mirror vision and see everything backward.

As a result he may advance into junior high school or even high school without learning to read or write properly. Confronted with a heavy reading schedule he fails, while his peers move ahead easily. With the "failure syndrome" set up he drops out of the humiliating school milieu and seeks success elsewhere. For, Dr. Poremba says, unremitting failure is the worst punishment that can be given a person.

"Schools should be required to make sure every pupil has at least one success every day," he told a Chamber of Commerce breakfast meeting.

But the youngster whose disabilities make him fail in school finds success in field where reading and writing aren't necessary — in trading, producing, inventing, or in the more serious offense of drug peddling, where he can give them the product.

Not all young men with learning disabilities become drug peddlers, Dr. Poremba said. Some drift into the drug subculture or into other harmful

exceptional persistence manage to graduate from high school — and that opens up still another avenue of failure.

"There's that miserable (job) application to fill out," Dr. Poremba said. "He can't handle it, and that adds to his own miserable concept of himself. And if he gets the job he may be fired half a day later because he can't handle that either."

He knows a 32-year-old college graduate, Dr. Poremba said, who can't succeed in any job involving figures because he is unable to put them in their proper sequence. Even in writing down a telephone number, he said, he will include all the numbers but in wrong sequence.

There would be a solution "if industry would only take time to look at a person's weaknesses and strengths, then offer jobs commensurate with abilities," he said.

... but today "you don't see too many judges" doing that.

day, Wednesday and Thursday, license applicants unable to use the written examination are given oral examinations instead.

A human touch helps too, Dr. Poremba said, as in the case of a 22-year-old man who flunked the written driver's examination.

"The fellow (at the license bureau) suggested that the man take the written exam again. The questions he got right would be counted as right, he said, and those he got wrong would be given to him orally. That approach so relaxed the man that he took the written exam and passed it.

"The simple, human response helped. That kind of operation we need lots more of."

SIMPLE THOUGHTFULNESS

But simple thoughtfulness often is lacking.

"Now, when we're talking about gross handicaps, society tells the cripple what it thinks when it builds a brand new building without facilities for a wheelchair, or it installs telephones only for people who are 5-foot-10," he said.

"What I'm saying is that handicapped people can make an adjustment, can succeed, (but) so very often the lack of success is not the patient's lack of ability, it's society's fault," he said.

The younger those "invisible disabilities" are detected, the better chance there is of correcting or compensating, Dr. Poremba said. With his sophisticated staff at the hospital that isn't difficult, he conceded, but in public and private schools creation of such staffs is just beginning.

The "handicapped person, child or adult, 'is not going to do anything (to correct or compensate) until somebody recognizes that problem and he recognizes it himself."

"The idea is to say 'Okay, you can't do it that way, let's figure out another way to get there from here,'" Dr. Poremba said. A program must be set up to emphasize strength and help weakness, he said, as well as to educate concerning harmful stereotypes and the law.

... but today "you don't see too many judges" doing that.

children, he said, as license applicants unable to use the written examination are given oral examinations instead.

"People are polarized between two extreme concepts of juvenile court," he said. One extreme calls the court legalistic, and some how bad. The other extreme is legalistic and somehow good. The crass irony is arguing these extremes is forgotten."

The legal system has diagnostic services, he said, and "they are being changed by those who feel that should be in the legal system not the diagnostic service."

"I don't think 'tough' in the sense of punishment is the answer at all (to juvenile delinquency)," Dr. Poremba said. "I think more sophisticated judges are required."

But as culpable as the nation and justice system, the real responsibility change lies with the community, he said.

"I think industry, labor, need very much involved," he said. "I have any idea how difficult to get one of these kids ... He's not in the market finding jobs, Dr. Poremba said, but "sometimes you can't get involved because you're involved with the kid."

The state has a Rehabilitation Division, he noted, but kids are not covered by it.

Youth Crime, Learning Disability Found

(First of three articles)

By HERB STOENNER
Denver Post Staff Writer

secret marriage between youth crime and learning disabilities is beginning to surface.

Strange bedfellows and strange partners through society. Each has been known for years in studies of bizarre behaviors, but the alliance seems to be getting new.

At least in Colorado, statistics are showing that 84 per cent of juvenile offenders have clinically provable learning disabilities. Several other states such as Oklahoma and Minnesota are busy moving their percentage points on this age.

Dr. Chester D. Poremba, nationally known researcher on learning disabilities and chief psychologist at Children's Hospital, discussed the implications of this linkage. He presents an unusual background for comment inasmuch as he has served for many years as chief psychologist for Denver's Juvenile Court.

He also is the holder of three degrees in the University of Denver and served internship at Colorado General Hospital. He supervised training at DU Psychological Services for Children and the Children's Speech Clinic. He has long been a supporter of the National Association of Children with Learning Disabilities and now serves as a vice president of the organization.

"The percentage of youths involved in crimes who have learning disabilities is rising," Dr. Poremba said. "In my opinion, the linkage was there all time. . . . We just weren't smart enough to know about it."

Year of Testing

The Colorado survey producing the link—detailed results of a year's testing in the area of delinquency commitments to the Mountain School for Boys in Golden II showed that of those having learning disabilities, each youth had an average of 24 deficits (kinds of disabilities). This survey was conducted by the Youth Services Division of the Department of Institutions.

Though highly critical of educational terms, Dr. Poremba made it clear that he was looking at the problem on a national scope rather than pointing a finger at the Colorado or Denver Public Schools. He called the "fairly advanced" early leaders in recognizing the disabilities problem.

Dr. Poremba said that the linkage received a burst of interest at the 1974 International Conference of the Association of Children with Learning Disabilities, which was held in Houston, Tex., Feb. 2 to March 2. He was a speaker and work-moderator at that session.

He then, informal statistics have



DR. CHESTER D. POREMBA RAISES SOCIAL QUESTIONS OVER STATISTICS
Children's Hospital chief psychologist led learning disabilities workshop.

shown that Oklahoma has a linkage of about 85 per cent between youth crimes and disabilities, and the percentage in Minnesota is in the upper 80s, he explained.

He emphasized in an interview that these children involved in crimes have average or above-average intelligence. They are definitely not retarded. He was not speaking of obvious disabilities, such as lameness which anybody can see, but of the hidden disabilities, such as inability to read, transposing of letters and words, inability to think in the abstract and inability to adjust to the public education systems.

What the linkage really does is to bring into focus disturbing questions and challenges for society. Among them are: Why does the linkage exist at all? What is the nature of juvenile crime? What are the costs of crime compared to treating disabilities in early childhood? Is there a lag in the diagnostic systems in schools and courts and in teacher training to identify problems? And does the linkage apply to adult criminals?

Dr. Poremba noted that what is really involved is success in living and he challenges the educational and correctional systems to look at themselves to see if they are really providing success

training or whether it is failure training in the cases of children with learning disabilities.

"Our statistics, if true, are shocking," Dr. Poremba said, "but they do say two things. First, we have done a lousy job prior to the delinquency of the kid. Secondly, if you look at the philosophies of the rehabilitative program we've participated in, a number of the programs have been totally irrelevant. And that, I think, is where the ultimate impact of the statistics is."

Dr. Poremba said that it's no longer adequate to say that the kid didn't do well in school and, therefore, he becomes delinquent. Knowing why he didn't do well can prevent duplication of failure. "Kids fail not accidentally but because of a deficit within themselves or a deficit within the system," he said.

He offered several profiles of juvenile delinquents:

—The kid who can't articulate. When he tries to verbalize, it comes out badly, sarcastic or smart. He can't find the right words, and there is a subtle reaction of a kind of withdrawal that is interpreted as recalcitrance. This is the kid tagged as a smart aleck.

The kid who is a con artist. He is great with words and will schmaltz it up

to get what he wants. He charms you to the hilt. Then you catch him in the big lie. He never produces.

The kid who thinks concretely. He doesn't abstract very well. We ask him, "What was your intent?" and he doesn't catch the meaning. He never thinks of delinquency as a legal process but rather as some system for getting burned. He doesn't get caught, he gets "busted."

Dr. Poremba drew on his long experience with juvenile offenders to explain what the court does with this "busted" kid.

The court calls for the school history of the delinquent which may or may not refer to a learning disability (it may not have been picked up at school because of a lag in diagnosis). Court diagnostic tests are not automatic, not all children are tested and no extensive medical examination is given except in treatment for flu or other immediate problems.

The court doesn't stop to say, "Hey, he's reading at the third-grade level." Instead, it gives him an official paper, which he probably can't read, and he goes back to school. Then he must bring to the probation officer a weekly report from the same people in school who pointed to the failure in the first place.

Dr. Poremba added, "If the kid is sent to an institution, he gets the same tests given in school. The institution says, 'He needs an education' and sets up a system for him which is a duplicate of the system that until recently, killed him in public school. Nowhere along the line is the question asked 'Can he do it? If not, why not? What other ways can we find to do it?'"

He recommended a complete medical examination and a complete testing for learning disabilities in the courts for delinquents.

Mount a Campaign

But, he said that he was unsure where the responsibility for setting up such systems lies. "It would take some kind of special services on the part of the court. It's not legislative now, so I guess it's court procedural, but then, testing on a broad spectrum isn't in the courts either. I would like to see someone mount a campaign to get this program into the juvenile court system."

"Even so, the courts would probably argue that their function is not medical. Juvenile court started in Denver in 1829 because there was a feeling that we ought to have a court in the interests of children. After all, the state of Colorado against John Jones is a hell of a majority. Obviously, something went wrong with the kid, and the original idea was that this should be a rehabilitative court to study what's wrong and to plan remediation."

"And look what's happening now. The move is to take the juvenile court back to

a legal court with remedies eliminated because of the feeling that it isn't the court's role," he said.

"We're extremely weak in testing juvenile delinquents," a psychologist said. "We don't give medicals. We don't know left-handed kids we've got in or right-eyed or mixed-up kids. And we don't know what coordination is."

Thorough Evaluation

He suggested that a sophisticated disciplinary testing is necessary to establish a linkage between disabilities and delinquency. It meant a thorough pediatric, thorough medical and social, neurological, ophthalmologic, audiological, educational and testing.

Dr. Poremba said that he could fairly sophisticated neurologist on children with what was minimal brain damage (now learning disabilities). He was dealing kids in which the damage toxic insults were known.

"And when I got into the most went crazy," he said, "was seeing the same symptoms delinquents that I saw in the."

He said that he didn't see a juvenile court, but the more ones, not necessarily the more. They were usually referred probation officers or investi-

Courtesy
The Chi
1056 E
Denver,
(303) 8

Teacher Training Urged in Spotting Learning

(Second of three articles)
By HERB STOENNER
Denver Post Staff Writer

Dr. Chester D. Poremba, chief psychologist at Children's Hospital in Denver, took up a pencil stub and began to mull. The memo pad soon looked like a crumpled report.

"There you have it," he said. "There are 604,800 learning disabilities or combinations of them possible in human beings the bags of the input of the senses. There are 5,040 basic combinations of deficits in learning."

If you use a five-point scale from 1 to 25, and cross the possibilities, you reach that unbelievable total. Not included are the possibilities from the task-oriented system and from retardation, which is ruled out by definition (the degree in learning disabilities is to be normal or above-normal IQ).

8 to 28 Pct. Affected

That is how Dr. Poremba demonstrated the scope of the problem which, he said, is 18 to 28 per cent of the normal population. Of these, 3 to 8 per cent are juvenile delinquents.

Classified learning disabilities (deficits) into roughly seven categories involving visual motor, visual perception, motor (or fine), auditory, processing, language reception and language expression.

He emphasized that input is only one of the total range of learning disorders. Additional problems can evolve in processing information and output. He likened this to a triangle with input at apex and output and processing at other base.

Last month Dr. Poremba added fuel to a complex problem by citing a report stating that 20.4 per cent of the male delinquents at Lookout Mountain and for boys over the last year have learning disabilities. The average is 2.4 per cent.

Houston Conference

These statistics were presented at the International Conference of the Association for Children with Learning Disabilities which met in Houston, Tex. "We're finding kids with disabilities or than we're training teachers to handle them. Many teachers don't know about disabilities. You can't fault a teacher if they haven't been taught to handle them," Dr. Poremba said.

The bulk of U.S. teachers are pitifully ignorant on disabilities, and I use this language not in condemnation, but to make a point about the severity of the problem. When something new is added on the front lines in disabilities, there is a seven-year lag in teaching it to the teacher preparation institutions, he said.

He indicated that many school districts are developing special programs for youngsters but that it would take a long time to cover all the kids.

Difficult to Diagnose

There is no sophisticated electronic device to pinpoint these difficulties. They must be found by rather sophisticated interdisciplinary testing.

Poremba said that most learning-disabled children develop a very poor self-

some things well, things which become the standard. "Then starts the monotonous admonition that he could do better if he tried, or he's lazy or he's mean," the psychologist said.

"These kids go to school every day, and failure leading to their lower self-image is reinforced by academic failure. The whole school system says we are here to provide you with an education so you can succeed, and then it promptly fails them," Dr. Poremba said.

And so the learning-disabled child frequently seeks excitement from a situation other than the one he's in. Dr. Poremba explained.

Peer-Group Importance

He noted that most delinquency occurs, not singularly, but with more than one child and much of it is done to seek approval from peer groups. The child is attracted to others like him and joins a subculture in which certain behaviors are rewarded. He then gets status and ego fulfillment which is not provided in schools. (Dr. Poremba speaks out of many years' experience as chief psychologist of the Denver Juvenile Court.)

He suggested that the education system could profit by studying the teaching methods used clandestinely in the development of criminal careers because they are far more successful than the failure systems used in schools.

"We need to learn the techniques and transfer them to education. There is no such thing as failure in the development of criminal careers," he said. "If you can't learn how to steal a truck, you can learn to pilfer. And to get along with the gang, you don't beat them but you learn to give them strokes."

Contract System Scored

He took issue with the contract system in which schools state what they will do, when this is so different from what the kids think the schools should do.

The school contract says, "you have got to go to school and learn, and that's law," but the kids are screaming, "I don't understand it, it's not relevant, it has nothing to do with my life."

"If the kid succeeds, the program works; but if he fails, then there is no program, and those who fail soon learn that they are failures by reinforcement," Dr. Poremba said.

He said that he's not necessarily a proponent of mandatory education unless it is radically revised to include other systems of education to help learners with special problems. This could be special departments for children with disabilities and handicaps, special schools for them or split learning techniques (partly class sessions and partly on-job training).

World's Biggest Monopoly

"Education, as it now stands in terms of teachers, is the biggest monopoly in the world and is, therefore, illegal," he said. "The education fraternity is highly censored. The teacher has to carry the school card, join the union and carry out the qualifications. The kid has no choice. He has to go to school. And that is assumed to be education. But, ironically, education occurs almost until we die. We can't stop the learning process even if we want to."

He noted that a youth is going to learn more from a book he's interested in, that turns him on, than he'll learn from spending 30 days in a cell because of delinquent

He said he has even wondered about having a learning-disabled child teach a class of first graders to read, as a learning experience.

Realize His Responsibility

Here the "uncertified teacher" would realize for the first time the responsibility of staying ahead of the class, the awareness of dealing with other human beings and finding their special interests. And, if his pupil had an interest in dogs, the pupil would be assigned dogs books instead of the customary "Jane ran up the hill."

"I pay my psychologists X number of dollars, and then I have to write a check to the plumber for three times that amount," Dr. Poremba said. "The plumber didn't learn his trade at school, but in a union. Also, the carpenter working on a 20-story building generally is not a college graduate, but he can't go into the wood shop and teach because he doesn't have the credentials... the teacher may be the math teacher of last year for whom the schools have no place at the moment, but he has tenure."

He said that since World War I, we have been telling the kids that they aren't successful unless they're graduates of Harvard, but the kids are rejecting this. He didn't presume to have the answers to the complex problems but suggested that noncredit courses are to the point because if a person is interested and wants to do something, he's going to succeed.

And for the estimated 18 to 23 per cent of the school population with learning disabilities in Colorado, and specifically for the 3 to 8 per cent of them caught in delinquency problems, Dr. Poremba suggested a mode of rehabilitation that he hopes will become a model in the United States.

"All of the information about this kid is put through a system of evaluation directed to management by objective. Under this concept, you build on the strengths rather than the weaknesses... teach him reading. If that is the need. You judge the reading, not the behavior, and you don't judge what is required and the fact that he's failed."

"We want to know specifically why he

failed and avoid the generalities of being emotionally disturbed... where did he break down in the world around him. Or, how did limitation prevent a success... We reinforce the... thereby hope to bring... cesses.

"Then you set goals... intermediate and long-term... body is responsible for... You review periodically... the kid is to the goal."

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He said he has even wondered about having a learning-disabled child teach a class of first graders to read, as a learning experience.

Realize His Responsibility

Here the "uncertified teacher" would realize for the first time the responsibility of staying ahead of the class, the awesomeness of dealing with other human beings and finding their special interests. And, if his pupil had an interest in dogs, the pupil would be assigned dogs books instead of the customary "Jane ran up the hill."

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failed and avoid the generalities such as being emotionally disturbed . . . exactly, where did he break down in terms of the world around him. Or, how did his own limitation prevent a successful experience. We reinforce the strengths and thereby hope to bring along the weaknesses.

"Then you set goals . . . short-term, intermediate and long-term . . . and somebody is responsible for the follow-through. You review periodically to see how close the kid is to the goals.

"And it may be that the goals will have to be revised or scaled down to a more reasonable basis, but often it's helpful to let the kid take a step backward to let him find his own level. If the kid really wants to learn something and has the interest, he will come up with his own program. At least, where this concept has been used, the recidivism rates have dropped drastically," Dr. Poremba said.

(This system is being used at Ladrop Park Youth Camp near Golden, Colo., under the aegis of the Institutions Department Division of Youth Services.)

Yes, the alternative learning systems, special schools, departments within schools cost more money. (The cost has been placed at \$1,200 more per year for child with learning disability.) "But," said Dr. Poremba, "this is the concept of success in learning at any price . . . for maybe the idea that not every kid belongs in school . . . which is gaining favor among some educators."

New directions for his troubled area? society? Yes, according to Dr. Poremba. "For 12 years we have been concentrating on learning disabilities of children in elementary schools. Now, we are turning to the junior high and senior high levels.

And the suggested linkage between learning disabilities and juvenile crimes raises another possibility for research. How many adults in prison have clinically provable learning disabilities? Could early diagnosis and special treatment of disabilities pare the crime rate?

NEXT: Denver Public School estimates toll of changes and gains in special education for the learning disabled.