

SENATE EDUCATION COMMITTEE

March 16, 1979

The Senate Education Committee met Friday, March 16, 1979, in Room 402 of the Capitol Building. The meeting was called to order by Senator Bob Brown, Chairman, at 12:00 p.m. for executive session, the hearing to begin at 1:00 p.m. Committee members present were Senators Brown, Ed Smith, Thomas, O'Hara, Richard Smith, Anderson, Severson, Fasbender, McCallum, and Blaylock.

EXECUTIVE SESSION

Senator Brown asked the committee's opinion on changing the name of the committee to the Senate Committee on Education and Cultural Resources. The committee agreed to ask the Rules Committee to consider the name change as the House Committee has also changed theirs and it would widen the latitude of the committee deliberations.

HOUSE BILL 516

Senator Fasbender moved House Bill 516 Be Not Concurred In. The motion carried unanimously with Senator Blaylock absent.

HOUSE BILL 460

Senator Fasbender moved to amend the bill as per the attached committee report (attachment #1). The motion carried unanimously with Senator Blaylock absent.

Senator Severson moved House Bill 460 Be Concurred In As Amended. The motion carried unanimously with Senator Blaylock absent.

HOUSE BILL 473

Senator Fasbender moved House Bill 473 Be Concurred In. The motion carried unanimously with Senator Blaylock absent.

HOUSE BILL 532

Senator Fasbender moved House Bill 532 be amended as per the attached committee report (attachment #2). The motion carried unanimously with Senator Blaylock absent.

Senator McCallum moved House Bill 532 Be Concurred In As Amended. The motion carried unanimously with Senator Blaylock absent.

Senator Blaylock joined the meeting.

HOUSE BILL 675

Senator Thomas moved House Bill 675 Be Concurred In.

Page 2  
Minutes  
Senate Education Committee  
March 16, 1979

Senator Fasbender made a substitute motion to amend the bill as per the attached committee report (attachment #3). The motion carried unanimously.

Senator Thomas moved House Bill 675 Be Concurred In As Amended. The motion carried on a roll call vote (attachment #4) with Senators Anderson, McCallum, and O'Hara voting no.

#### HOUSE BILL 295

Senator McCallum moved to amend the bill as per the committee report (attachment #5). The motion carried unanimously.

Senator McCallum moved House Bill 295 Be Concurred In As Amended. The motion carried unanimously.

#### HOUSE BILL 298

Senator Fasbender moved House Bill 298 Be Amended as per the attached committee report (attachment #6). The motion carried unanimously.

Senator Fasbender moved House Bill 298 Be Concurred In As Amended. The motion carried unanimously.

#### HOUSE BILL 453.

Senator Fasbender moved House Bill 453 be amended as per the attached committee report (attachment #7). The motion carried unanimously.

Senator Fasbender moved House Bill 453 Be Concurred In As Amended. The motion carried with Senator Thomas voting no.

The committee closed executive session and moved to the regularly scheduled hearing. The following bills were heard: House Bill 864  
House Bill 634

#### HOUSE BILL 864 REPRESENTATIVE DAILY

Representative Daily, sponsor of the bill, stated the bill is an act to allow the Superintendent of Public Instruction and the Board of the Public Education to adopt a specialist certificate.

#### PROPOSERS

John Voorhies, representing the Office of Public Instruction, presented his testimony in favor of the bill to the committee (attachment #8).

Page 3  
Minutes  
Senate Education Committee  
March 16, 1979

Harriett Meloy, representing the Board of Public Education, stated the support of the Board for the bill.

T. Carl Johnson, Executive Secretary of the School Administrators of Montana, urged support of the bill.

Leonard Sargent, representing the Montana School Boards Association, urged support of the bill.

George Camp, representing the University of Montana and the Montana Association of School Psychologists, presented his testimony in support of the bill to the committee (attachment # 9).

Don Nockleby, representing the Montana School Psychology Services, urged support of the bill. He stated the bill is an effort to provide quality services to children. He said the bill is talking about a master's level of qualification whereas school psychologists are paid on a teacher's scale. This bill doesn't raise salaries, but it does establish basic competencies. Now, school psychologists have no authority to work outside the special education program which keeps them from servicing the regular educational student.

Bob Runkel, Montana Association of School Psychologists, stated he agreed with Nockleby's testimony. He has been a school psychologist for three years and assured the committee the qualifications do need to be bettered. He said some students are being sent down the wrong educational track and if some certified standards are established, that could be corrected.

Mary Beneventi, Helena School Psychologist, stated she has been a school psychologist for 20 years and has seen good and bad psychologists come along. She supports the bill in that she only wants to see good ones.

There being no further proponents and no opponents, the hearing on House Bill 864 was closed.

HOUSE BILL 634 REPRESENTATIVE EUDAILY

Representative Eudaily, sponsor of the bill, said Montana has been involved historically in vocational education in Montana. The three primary phases have been 1) the establishment of secondary vocational education in 1919; 2) from 1939- 1964, districts began post-secondary schools with the shared responsibilities of the Office of Public Instruction, local districts and the Board of Public Education; and 3) in 1969 the legislature

authorized the establishment of the five vocational-technical centers and somewhat modified the governmental structure but still involved local districts, OPI, and Board of Public Education. This is the law that the whole vocational-educational structure still operates under. Representative Eudaily said an interim study of vocational technical education was done but the results didn't solve the problems and so this bill is an attempt to solve the governance problems. He reviewed the bill section by section for the committee. The main changes were in the establishment of a Director of Vocational Education with duties assigned by the OPI and Board of Public Education, definition of the roles and responsibilities of local districts, increasing the levy from 1 to 2 mills, allowing the local districts to make up the difference between negotiated amounts in contracting and the legislatively allowed amount. The bill also refines and defines the responsibilities for administrators of vocational technical systems.

#### PROPOSERS

Georgia Rice, Superintendent of Public Instruction, presented her testimony in support of the bill to the committee (attachment #10).

Penny Bullock, Helena School District #1 Trustee, urged support for the bill, saying it clarifies and strengthens the law re vocational technical education; it makes a responsible attempt to address the funding problem; and it allows continuation of local involvement. She further said the Helena School Board had adopted a motion to support the bill as had the Montana School Boards Association on whose Board she sits.

Peggy Ann Eudaily, representing the Missoula High School Board of Trustees, said they have historically supported vocational technical education. The bill involves the high school board and avoids controversy over facilities.

William Milligan, Superintendent of Schools, School District #1 (no identification of what district), stated that under HB 634 as a local administrator his role and the role of the trustees is clarified. He said it would be easier to have cooperation between secondary and post-secondary units with the bill.

Paul Justice, representing the faculties of the five vocational technical centers, stated the faculties have more at stake in the governance question than anyone else as they have to consider

Page 5  
Minutes  
Senate Education Committee  
March 16, 1979

not only salaries, but careers. They support the bill for three reasons: 1) it adequately redefines roles at all levels; 2) it includes supervision by OPI and should better relationships between OPI and the vo-tech centers; 3) it eliminates the transitional costs; 4) it addresses the salary issue adequately; and 4) it provides for increased local revenue.

#### OPPONENTS

Harriett Meloy, Chairperson of the Board of Public Education, presented her testimony in opposition to the bill to the committee (attachment #11).

Ed Nelson, representing the Montana Taxpayers Association, presented the committee with a table of the taxable valuation of counties (attachment #12) and stated the bill includes a one mill tax increase and has the potential of creating other tax increases. He said the bill flies in the face of tax reduction. He felt the impact on taxes as a result of this bill is so great it should have been in the Taxation Committee.

Jack Gunderson stated he agreed with Mrs. Meloy's testimony. He felt the bill creates more problems with governance than it clears up. His primary concern is that \$340,000 in salaries will have to be picked up at the local level as well as the increased 1 mill levy. He felt this would jeopardize other school levies on the local level. He urged the committee to kill this bill and leave things the way they are.

There being no further testimony on the bill, Representative Eudaily closed by saying there would be an increase, but the one mill would be the extent of it. He said the interim committee worked extremely hard but their solution did not appeal to anyone. The governance problem cannot be solved easily or lightly. He pointed out that opponents of the bill want to set it up like the University system, but everyone knows the problems they have. He said the bill is not intended to solve the governance problem but there are many other problems and it is hoped the bill would address some of those. He felt if governance is working the way it is, we better stick with it.

Senator Blaylock moved to have the committee counsel from Legislative Council draw up amendments removing all references to the Board of Public Education and substitute the Office of Public Instruction in all sections of the bill. There were no objections from the committee members.

Page 6  
Minutes  
Senate Education Committee  
March 16, 1979

There being no further bills to be heard, the committee again met in executive session.

HOUSE BILL 624

Senator Fasbender moved the first two amendments on the attached committee report. <sup>4</sup>/<sub>3</sub> The motion carried unanimously with Senator Severson absent.

Senator Blaylock moved to strike Section 5 in its entirety (amendment #3 on attached committee report). The motion carried unanimously with Senator Severson absent.

Senator Fasbender moved House Bill 624 Be Concurred In As Amended. The motion carried on a roll call vote with Senator Thomas voting no, Senator McCallum abstaining, and Senator Severson absent.

HOUSE BILL 674

Senator O'Hara moved House Bill 674 Be Not Concurred In. The motion carried on a roll call vote with Senators McCallum, Richard Smith, Thomas, and Ed Smith voting no. Senator Severson was absent.

There being no further business, the meeting adjourned to reconvene on adjournment of the Senate, March 16, 1979.

Bob Brown  
Senator Bob Brown, Chairman

jdr

Date 3/16/79

## ROLL CALL

EDUCATION COMMITTEE

46th LEGISLATIVE SESSION - 1979

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

Each Day Attach to Minutes.

SENATE EDUCATION COMMITTEE

March 16, 1979

HOUSE BILL 634 REPRESENTATIVE EUDAILY

The proposed relegislation clarifies the governing procedures, the financial management, and raises the mill levy allowed for vocational education centers. The Board of Public Education is charged with the authority to coordinate and govern the operations of vocational education centers. The Superintendent of Public Instruction is responsible for administrating the boards authority and a new position of State Director of Vocational Education is created for the purpose of representing and studying the needs of the state's vocational education centers for planning purposes. The local school districts administer the plans of the State Director in accordance with the Director's regulations and the policies of the Board of Education. The mill levy allowed for operation of vocational education centers is increased from 1 to 2 mills and new sections are added specifying the sources of funds to be used for vocational education centers, raising the mill levy for vocational educational centers from 1 to 2 mills, and allowing additional levies in certain cases.

HOUSE BILL 864 REPRESENTATIVE DAILY

This bill allows the Superintendent of Public Instruction and the Board of Public Education to certify professionals who do not teach, but provide services for special education, such as speech therapy. Under existing law, such professionals cannot technically be hired by school districts because they do not have a teaching certificate. By creating a specialist certificate such persons will be legal. Several other sections of law are amended to clarify that specialists are subject to the same laws and rights, with the exception of tenure, as teachers.

DATE (Month, Day, Year)

COMMITTEE ON

## VISITORS' REGISTER

NAME	REPRESENTING	BILL #	Check Support
Laurie McLaughlin	Board of Education	HB 634	
Mary L. Bransford	School Psychologist	HB 864	✓
Don Mockleby	School Psychologist	HB 864	✓
George Cairns	Univ. of Mont., Psych.	HB 864	✓
Robert Pugh	School Psychologist	HB 864	✓
David K. Eubank	self - interested	HB 634	✓
John Voodin	Supt of Public Inst	HB 864	✓
Paul Justice	Vo-Tech. Faculty Rep	HB 634	✓
Ed Nelson	Mont. Taxpayers Assoc.	HB 634	
J. Carl Johnson	School Admin. of Mont.	HB 864	✓
Reuben A. Diettel	School Board, Missoula Co.	HB 634	✓
Glenn Gering	Teacher, Missoula		
Gene Downey	Mont. Vo-Tech. Ctr	HB 634	✓
Dennis Lerum	Chairman Vo-Tech. Ctr	HB 634	✓
Don Gude	Missoula County H.S. Board	HB 634	—
Peggy Ann Audsley	Office of Public Inst. & E	HB 864	✓
Wgl. Cairns	School Admin. Board Vo-Tech	HB 634	
William A. Ball	School Psychologist G.F.	HB 864	✓
Cliff Sykes	School Psychologist & H.A.S.P.	HB 864	✓
Tom Fitzgerald	" " " "	HB 864	✓
Don Gering	Board of Public Education	HB 634	
Thompson Miller	Mont. Vo-Tech	HB 634	✓
Alfred Kirkpatrick	School Bd. H. I.	HB 634	✓
Penny Bullock	MSBA	1	✓
Ed Gering	School Dist No 1	HB 634	

DATE (

COMMITTEE ON

## VISITORS' REGISTER

NAME	REPRESENTING	BILL #	Check One	
			Support	Oppose
Glenda L. Maltby	Superintendent #1	HB 634	✓	
Wipkin Maltby	School Dist. Mt. Bette	HB 634	✓	
Winnifred Maltby	Wash. Voc Tech Center	HB 634	✓	
Chambers	Bellingham Voc Tech Center	HB 634	✓	
H. J. Maltby	Beth. Voc Tech Center	HB 634	✓	
Bob Lawrence	Boulder Pub. Sch.	HB 634	✓	
Georgia Keri	Supt.	HB 634	✓	

# STANDING COMMITTEE REPORT

March 16,

1979

MR. President

We, your committee on Education

having had under consideration House Bill No. 516

Respectfully report as follows: That House Bill No. 516

BE NOT CONCURRED IN  
SUSPENSE

# STANDING COMMITTEE REPORT

March 12, 1979

MR. President

We, your committee on Education

having had under consideration House Bill No. 450

Thoft (Brown)

Respectfully report as follows: That House Bill No. 450, third reading bill, be amended as follows:

1. Page 6, line 2.

Following: line 1

Insert: "(7) Any equalization or entitlement increases resulting from provisions of this section shall be reviewed at the end of the ensuing school fiscal year. If the actual average number belonging is less than the average number belonging used for foundation program and entitlement calculations, the superintendent of public instruction shall revise the foundation program and entitlement calculations using the actual average number belonging. All payments received by the district in excess of the revised entitlements shall be overpayments subject to the refund provisions of 20-344(3)."

And, as so amended, BE CONCURSED IN  
ADVISORY

# STANDING COMMITTEE REPORT

March 16. 1979

MR. President

We, your committee on Education

having had under consideration House Bill No. 473

Respectfully report as follows: That House Bill No. 473

BE CONSIDERED IN

EXPRESS

# STANDING COMMITTEE REPORT

March 12, 1979

MR. President

We, your committee on Education

having had under consideration HOUSE Bill No. 532

Pavlovich (McCallum)

Respectfully report as follows: That HOUSE Bill No. 532  
third reading bill, be amended as follows:

1. Page 2, lines 12 through 14.

Following: "(2)"

Strike: remainder of lines 12 through "by the" on line 14

Insert: "The"

2. Page 2, line 15.

Following: "initiated"

Insert: "shall reimburse the county served by the county  
superintendent appointed pursuant to subsection (1) for  
actual costs of travel, room, and board as a result of  
the appointment. Such county superintendent is entitled  
to expenses as provided in 20-3-232(1)"

3. Page 4, line 3.

Following: "BE"

Strike: "BORN BY"

Insert: "paid from the general fund budget of"

DO PASS

continued

4. Page 4, line 4.

Strike: "HEARING OCCURRED"

Insert: "controversy is initiated"

And, as so amended, BE CONSIDERED IN

*P.A.*

# STANDING COMMITTEE REPORT

14

March 12, 1979

MR. President

We, your committee on Education

having had under consideration House Bill No. 675

McGee (Thomas)

Respectfully report as follows: That House Bill No. 675, third reading bill, be amended as follows:

1. Title, line 6.

Following: "FOLKLIFE;"

Strike: "AND"

2. Title, line 7.

Following: "PROJECT"

Insert: "; AND PROVIDING AN EXPIRATION DATE"

3. Page 4, line 7.

Following: line 6

Insert: "Section 6. THERE IS A SECTION THAT READS:  
Expiration date. This act expires on July 1, 1981."

And, as so amended, BE CONCURRED IN  
PASSED.

SENATE COMMITTEE EDUCATION

Date 3/16/79 House Bill No. 675 Time

NAME	YES	NO
Senator Ed Smith, V. Chairman	<u>Y</u>	
Senator Jesse O'Hara		<u>X</u>
Senator George McCallum		<u>X</u>
Senator Elmer Severson	<u>Y</u>	
Senator Mike Anderson		<u>X</u>
Senator Chet Blaylock	<u>Y</u>	
Senator Larry Fasbender	<u>Y</u>	
Senator Richard Smith	<u>Y</u>	
Senator Bill Thomas	<u>X</u>	
Senator Bob Brown, Chairman	<u>Y</u>	

Bill Robinson  
Secretary

Senator Bob Brown  
Chairman

Motion: by Senator Thomas that House  
Bill 675 be concurred in  
as amended.

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

# STANDING COMMITTEE REPORT

# 10

March 18, 1979

MR. President

We, your committee on Education

having had under consideration House Bill No. 295

Marks (Fasbender)

Respectfully report as follows: That House Bill No. 295  
third reading bill, be amended as follows:

1. Page 1, lines 20 through 21.  
Following: "for"  
Strike: remainder of lines 20 through 21 in their entirety  
Insert: "tuition as established under 20-5-305 and 20-5-312 for  
special education students."
2. Page 2, line 8.  
Following: "under"  
Strike: "20-5-303"  
Insert: "20-5-305 and 20-5-312"

And, as so amended, BE CONCURRED IN  
DO PASS *Ja.*

# STANDING COMMITTEE REPORT

March 12, 1972

MR. President

We, your committee on Education

having had under consideration House Bill No. 223

Dussault (Fasbender)

Respectfully report as follows: That House Bill No. 223  
third reading bill, be amended as follows:

1. Page 1, line 11.  
Following: "create"  
Insert: "full service"

2. Page 1, line 14.  
Following: "perform"  
Strike: "any"  
Insert: "all"

3. Page 1, line 15.  
Following: "administrative"  
Strike: "service"  
Insert: "services"  
Following: "service"  
Strike: "activity"  
Insert: "activities"  
Following: "activity,"  
Strike: "or"  
DO PASS  
Insert: "and"  
Following: "or"  
Strike: "undertaking"  
Insert: "undertakings"

4. Page 2, line 5.  
Following: "of"  
Insert: "full service"

5. Page 3, line 19.  
Following: "a"  
Insert: "full service"

6. Page 4, line 4.  
Following: "of"  
Insert: "full service"

7. Page 4, line 5.  
Following: "a"  
Insert: "full service"

And, as so amended, BE CONCURRED IN

*G.A.*

# STANDING COMMITTEE REPORT

March 12, 1972

MR. President

We, your committee on Education

having had under consideration House Bill No. 453

South (Fasbender)

Respectfully report as follows: That House Bill No. 453  
third reading bill, be amended as follows:

1. Title, line 10.

Following: "COUNTY"

Insert: "PROVIDING FOR SPECIAL EDUCATION TUITION; ESTABLISHING PROCEDURES  
IF APPROVED BUDGETS EXCEED APPROPRIATIONS;"

2. Title, line 10.

Following: "SECTIONS"

Insert: "20-7-421,"

Following: "20-7-431"

Insert: ","

3. Page 9, line 13.

Following: line 12

Insert: "(6) If special education budgets approved by the superintendent  
of public instruction exceed legislative appropriations available  
for special education, each district shall receive a pro rata  
share of the available appropriations based upon its budget as a  
percentage of all approved special education budgets. The amount

DO PASS

continued

of the approved budgets in excess of the available appropriations may not be reimbursed under the minimal-budget-without-a-vote for special education and is the responsibility of the school district.

Section 2. Section 20-7-421, MCA, IS AMENDED TO READ:  
"20-7-421. Arranging attendance in another district in lieu of a special education program -- tuition. (1) With the approval of the superintendent of public instruction, the trustees may arrange for the attendance of a child in need of special education in a special education program in another district within the state of Montana. Arrangements for the attendance of a child in need of special education are not subject to the laws governing the attendance of pupils in schools outside the district, ~~and no tuition shall be charged the district of residence. However, tuition as required under 20-5-300 may be charged for children who are not considered full-time special education pupils as defined in 20-5-302 except as provided in subsection (2).~~

(2) The resident district of pupils attending a special education program in another district is responsible for payment of tuition as established in 20-5-305 and 20-5-312."

Resubmit subsequent sections

And, as so amended, BE CONCURRED IN

*C.A.*

NAME: J. J. Voulton DATE: 2/1/50

ADDRESS: Office of P.S.S. Distribution

PHONE: 449-3150

REPRESENTING WHOM? Supt of Public Debt

APPEARING ON WHICH PROPOSAL: 864

DO YOU: SUPPORT? ☒ AMEND? ☐ OPPOSE? ☐

COMMENTS: With

PLEASE LEAVE ANY PREPARED STATEMENTS WITH THE COMMITTEE SECRETARY.



OFFICE OF PUBLIC INSTRUCTION

STATE CAPITOL  
HELENA, MONTANA 59601  
(406) 449-3095

Georgia Rice  
Superintendent

March 14, 1979

TO: Senator Bob Brown  
Chairman, Senate Education Committee

FROM: Superintendent of Public Instruction -  
John R. Voorhis, Manager, Teacher Education & Certification

-RE: House Bill No. 864

The State Superintendent supports H.B. 864.

The addition of this certificate into our certification system will allow the Board of Public Education to certify people who are serving a specialist function in the school district. These specialist functions are not appropriate for inclusion under our present classes of certificates for teachers, administrators and supervisors. This piece of legislation is general enough to allow the Board of Public Education to consider future requests for certification from those groups who are serving in these specialist functions and authorize them if the needs of the public schools warrant their inclusion.

At the present time, there are three basic problems that this legislation will address.

1. School districts frequently employ specialists such as school psychologists who will call themselves psychologists when applying for a position but do not meet the guidelines for special education funding. This creates problems for the school districts, for the individual involved and for students. A specialist certificate will ensure that they have met common minimum standards and provide evidence to employers that they are employable.
2. Some of these specialists, such as school psychologists, are involved in situations that result in litigation; i.e., special education study teams. A certificate legitimizes their position and indicates their professional status which frequently is needed to resolve these cases positively.
3. The accreditation process requires a listing of personnel. These people are frequently listed and appear to be misassigned because they have no certificate. This legislation would provide clarity for the districts in accreditation.

We urge a "Do Pass" recommendation to resolve a growing problem.

JV:mr

NAME: Leonard Sargent DATE: 3/16/79

ADDRESS: 501 N. Sanders

PHONE: 442-2180

REPRESENTING WHOM? Montana School Boards Assn.

APPEARING ON WHICH PROPOSAL: HOB 864

DO YOU: SUPPORT? X AMEND? \_\_\_\_\_ OPPOSE? \_\_\_\_\_

COMMENTS: \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

PLEASE LEAVE ANY PREPARED STATEMENTS WITH THE COMMITTEE SECRETARY.

NAME: George L. King DATE: 11/1/67

ADDRESS: Dept of Psychology

PHONE: 243-4731

REPRESENTING WHOM? Univ of Md & Baltimore County

APPEARING ON WHICH PROPOSAL: HB 894

DO YOU: SUPPORT? ☒ AMEND? ☐ OPPOSE? ☐

COMMENTS: See memo passed out

PLEASE LEAVE ANY PREPARED STATEMENTS WITH THE COMMITTEE SECRETARY.

## TOTAL VALUATION OF COUNTIES

	Taxable
Beaverhead	\$ 15,037,718
Big Horn	58,441,935
Blaine	23,278,122
Broadwater	6,611,159
Carbon	19,807,543
Carter	7,174,978
Cascade	93,132,967
Chouteau	26,791,882
Custer	19,236,693
Daniels	7,912,357
Dawson	20,139,269
Deer Lodge	18,506,070
Fallon	34,276,499
Fergus	22,274,192
Flathead	77,720,622
Gallatin	52,065,131
Garfield	6,254,031
Glacier	32,097,444
Golden Valley	3,872,723
Granite	5,291,971
Hill	35,688,901
Jefferson	8,822,078
Judith Basin	9,504,638
Lake	26,401,594
Lewis & Clark	53,575,890
Liberty	12,852,462
Lincoln	26,104,221
Madison	14,730,846
McCone	10,839,873
Meagher	5,007,282
Mineral	4,785,040
Missoula	115,362,499
Musselshell	13,470,069
Park	16,428,153
Petroleum	2,798,986
Phillips	14,543,481
Pondera	18,689,460
Powder River	76,802,965
Powell	11,560,321
Prairie	4,999,387
Ravalli	21,861,131
Richland	41,909,397
Roosevelt	22,040,693
Rosebud	82,766,752
Sanders	18,834,908
Sheridan	19,395,199
Silver Bow	54,809,895
Stillwater	12,023,032
Sweet Grass	6,744,261
Teton	16,172,331
Toole	26,683,617
Treasure	3,653,587
Valley	20,303,887
Wheatland	5,002,907
Wibaux	7,818,698
Yellowstone	175,255,213

THE STATE

\$1,568,166,960

DATE: March 16, 1979  
TO: Senate Education Committee  
FROM: George Camp, Assistant Professor of School Psychology, University  
RE: House Bill 864

This bill permits (but does not require) certification of professionals working in the schools who are not trained as teachers. Without this only persons trained as teachers can be certified, even though many others are significant in the workings in the schools.

A good illustration of to whom the bill might apply is the profession of school psychology. School psychologists are not trained as teachers but are psychologists explicitly trained to work in schools. They work exclusively in the schools and are required by federal law to be involved in the placement of children into Special Education. More than 100 persons are employed in Montana now for this purpose. They are also significant contributors to the educational programming of non-special education children.

Just as it is important to review and credential the qualifications of people teaching in and administering our schools, it is important to carefully credential school psychologists. Poorly-qualified people increase the likelihood of poor decisions and even lawsuits.

School psychologists have actively pursued this legislation for two sessions now. But it is not for their personal gain. We have not sought a licensing law where we would regulate ourselves as a profession. We have sought a means by which the responsible state agency could regulate quality. At last count, 44 states certified their school psychologists by the same regulatory agency that certified their teachers.

That this is an effort for standards relating to quality and not personal gain is further emphasized by the explicit exclusion from tenure rights of persons holding specialist certificates.

In the last session when a similar bill was presented, it aroused confusion regarding accreditation. Accreditation standards do not require school psychologists, nor is it likely they will for some time to come. So a school district who can't get a certified specialist in school psychology cannot lose its foundation program support.

Another issue that came up was the thought that such standards might be high enough to make it difficult to get qualified people. A number of means of avoiding that problem are available.

1. The Montana Association of School Psychologists would propose standards which would permit experienced school psychologists be certified.

Senate Education Committee  
March 16, 1979  
Page 2

2. Those standards would also provide time for school psychologists with limited training and experience to obtain the appropriate training.
3. MASP and the University of Montana would work cooperatively to provide the necessary training opportunities.
4. The University of Montana now has a formal program to train Master's degree school psychologists.

I solicit your support for this quality of education oriented legislation.

NAME: Ann M. M. M. M. DATE: 10/1/68

ADDRESS: P.O. Box 14000

PHONE: 584-2150

REPRESENTING WHOM? None

APPEARING ON WHICH PROPOSAL: A.B.

DO YOU: SUPPORT? ☒ AMEND? ☐ OPPOSE? ☐

COMMENTS:

PLEASE LEAVE ANY PREPARED STATEMENTS WITH THE COMMITTEE SECRETARY.

NAME: Robert W. Smith DATE: 10/10/68

ADDRESS: 1419 H Street NW Washington DC 20005

PHONE: 442-2061

REPRESENTING WHOM? Montana Association of Realtors

APPEARING ON WHICH PROPOSAL: HR 864

DO YOU: SUPPORT? 1 AMEND?        OPPOSE?       

COMMENTS: Bill must be amended to

the state to be made to be

making certain structural changes to

the bill of 1968

0

      

      

      

      

      

      

      

      

PLEASE LEAVE ANY PREPARED STATEMENTS WITH THE COMMITTEE SECRETARY.

NAME: Young B. [unclear] DATE: 1/11/68

ADDRESS: 424 [unclear]

PHONE: 414-2-2156

REPRESENTING WHOM? Subcommittee on [unclear]

APPEARING ON WHICH PROPOSAL: HR 2000

DO YOU: SUPPORT? ☒ AMEND? ☐ OPPOSE? ☐

COMMENTS: \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

PLEASE LEAVE ANY PREPARED STATEMENTS WITH THE COMMITTEE SECRETARY.

NAME: Robert Brown DATE: 11/1/68

ADDRESS: 1000 14th St. N.W. Washington, D.C. 20004

PHONE: 445 - 1527

REPRESENTING WHOM? *Robert M. Williams, Jr.*

APPEARING ON WHICH PROPOSAL: *708 864*

DO YOU: SUPPORT? / AMEND? OPPOSE?

COMMENTS:

PLEASE LEAVE ANY PREPARED STATEMENTS WITH THE COMMITTEE SECRETARY.



OFFICE OF PUBLIC INSTRUCTION

STATE CAPITOL  
HELENA, MONTANA 59601  
(406) 449-3095

Georgia Rice  
Superintendent

March 16, 1979

TO: The Honorable Bob Brown  
Chairman, Senate Education Committee

FROM: Georgia Rice, Superintendent

RE: House Bill 634

I am Georgia Rice, State Superintendent of Public Instruction, appearing before you requesting your favorable consideration on House Bill 634.

First of all, I would like you to know that it has been a pleasure for me to be the Executive Officer for Vocational Education in Montana. It is a pleasure to work with the Board of Public Education, local board of trustees, superintendents and directors at the five vocational technical centers. I am most willing to continue working with these people who do a fine job of operating the centers.

I have several major reasons for supporting House Bill 634:

1. One of the great strengths of the postsecondary vocational technical system in Montana is local administration. As you know, I strongly believe in grass-roots control of all education.

I believe the people in all five local districts should be highly complimented for their constant and unselfish contributions. Not only do they contribute money, reflected in their investment in buildings, but they contribute the involvement, the time and effort of administering the personnel at each center, and serving on their advisory committees. I believe that the basis for the rapid progress and the high quality of vo-tech education in our great state is a direct result of local involvement.

2. I support this Bill because I believe that state employee numbers should not be inflated at 236 people. During my campaign, I did not find a single Montanan who wanted more state employees. As a representative of the people, I cannot support an increase of 236 state employees.
3. This Bill does not ask for additional dollars from this already strapped legislature. It does not ask for money that would take dollars away from district services to students.

In summary, I believe that this Bill will be the kind of legislation that will best serve the students of vocational technical centers. That is really more important than any of the multiple reasons any of us can discuss in this limited time.

NAME: Randy Bullock DATE: 7/1/66

ADDRESS: 1020 Highland

PHONE: 449-5136

REPRESENTING WHOM? Delina Schools, M.S. 134

APPEARING ON WHICH PROPOSAL: AB 634

DO YOU: SUPPORT? ☒ AMEND? ☐ OPPOSE? ☐

COMMENTS: Most important action

of District for the day to

set limits

PLEASE LEAVE ANY PREPARED STATEMENTS WITH THE COMMITTEE SECRETARY.

NAME: Peggy Ann Edgley DATE: 11-2-74

ADDRESS: 601 So. 1st St. Ft. Worth, TX 76102

PHONE: 778-2266

REPRESENTING WHOM? Bureau of Land Management

APPEARING ON WHICH PROPOSAL: 1110-21

DO YOU: SUPPORT? ☒ AMEND? ☐ OPPOSE? ☐

COMMENTS: \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

PLEASE LEAVE ANY PREPARED STATEMENTS WITH THE COMMITTEE SECRETARY.

NAME: Mr. John A. Smith DATE: 10/10/68

ADDRESS: 100 N. 1st St. Portland, Me.

PHONE: 723-3147

REPRESENTING WHOM? School Dist. No. 1

APPEARING ON WHICH PROPOSAL: H.B. 634

DO YOU: SUPPORT? Yes AMEND?        OPPOSE?       

COMMENTS:       

      

      

      

      

      

      

      

      

      

      

PLEASE LEAVE ANY PREPARED STATEMENTS WITH THE COMMITTEE SECRETARY.

DATE:

PHONE:

REPRESENTING WHOM?

APPEARING ON WHICH PROPOSAL:

DO YOU: SUPPORT? ☒ AMEND? ☐ OPPOSE? ☐

COMMENTS :

PLEASE LEAVE ANY PREPARED STATEMENTS WITH THE COMMITTEE SECRETARY.

NAME: Gordon E. Cullen DATE: 7-20-68

ADDRESS: 1045 17th St. N.W.

PHONE: 442-6112

REPRESENTING WHOM? *James J. [unclear] [unclear]*

APPEARING ON WHICH PROPOSAL: *1/2 1 1*

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

COMMENTS:

---

---

---

---

---

---

\_\_\_\_\_

\_\_\_\_\_

PLEASE LEAVE ANY PREPARED STATEMENTS WITH THE COMMITTEE SECRETARY.

# Board of Public Education

## BOARD MEMBERS

### EX OFFICIO MEMBERS:

Thomas L. Judge, Governor  
Georgia Rice, Superintendent of  
Public Instruction and Executive  
Officer of Vocational Education  
Lawrence K. Peltz, Commissioner  
of Higher Education

### APPOINTED MEMBERS:

Earl J. Barlow, Chairman  
Billings  
Neil J. Lynch  
Butte  
Allen D. Gunderson  
Billings  
George A. Johnson  
Great Falls  
Marjorie W. King  
Winnett  
Harriett C. Meloy, Vice Chairwoman  
Helena  
Enid O'Leary  
Havre

March 16, 1979

RICHARD L. (RICK) REESE  
MARILYN F. MILLER  
ASSISTANTS TO THE BOARD

TESTIMONY ON HB-634

delivered by

HARRIETT C. MELOY, CHAIRPERSON  
BOARD OF PUBLIC EDUCATION

before the  
SENATE EDUCATION COMMITTEE

I am Harriett Meloy, Chairperson of the Board of Public Education. I am speaking today as the designated representative of the Board.

The Board has testified about the vocational education governance dilemma three times during this legislative session. Each time we have said as clearly and forcefully as we could that fragmentation of authority and responsibility is at the root of the problems which Montana faces in the administration of its postsecondary vocational education system. Unfortunately, the legislature has not heeded our call for consolidating governance authority and responsibility under one agency.

A majority of the Board of Public Education opposes HB-634 and we urge that it be killed. We have taken this position because it is clear to us that the bill does nothing, not a single thing, to address the problem of state level administrative fragmentation. The main danger we see in passage of the bill is that it will create the illusion in the mind of both legislators and the general public that the 1979 legislative session has done something to solve the fragmentation problem, when in fact it has done nothing. We believe it would be better to kill the bill and say openly to the people of the state that once again we have failed to arrive at a solution to this problem.

When we say this bill does nothing to deal with state level governance fragmentation, we are not implying that the bill does not make some changes in the administrative role of local

school districts and in the mechanism for funding postsecondary vocational education. HB-634 does in fact propose changes in these areas and they are changes which we oppose. Under the guise of "local control," the local residents of the counties where the vo-tech centers are located will be asked (or possibly required) to double the local contribution for funding the centers by raising the local millage contribution from one to two mills. This is a serious problem for the Billings Center in Yellowstone County and the Helena Center in Lewis and Clark County where, respectively, one-half to two-thirds of the students enrolled are from outside the county. We are also concerned about what will happen when county taxpayers are asked to support salary increases in excess of those received by state employees. If the voters don't approve the increases, will there be strikes? Will elementary and high school teachers in the districts be laid off so the district can provide salary increases from the district budget for vocational education teachers?

We oppose the bill because it continues to leave unanswered the sticky question of ownership of the buildings and equipment in the vo-tech centers. How can the state continue to pour millions of dollars into the centers with no clear understanding of who owns the property purchased with state funds?

We oppose the fact that these financing measures signal the beginning of a declining state contribution to the postsecondary vo-ed system. We fear this because we think Montana needs a state-wide system of postsecondary vocational education.

designed to serve the needs of all students in the state. As the local contribution increases, so too will the tendency for each vo-tech center to serve the needs of its immediate area only, without regard for state-wide needs.

We understand the political appeal of this bill. We understand how it presents the illusion of providing more local control and of somehow dealing with the state-level governance problem. We understand the temptation in these times of fiscal stringency to shift the tax burden from the state to local governments. But we firmly believe that the bill creates more problems than it solves and that it will have a destructive and negative influence on Montana's postsecondary vocational education system. It could wreak financial chaos, and at the very least will serve to perpetuate the governance chaos which has so debilitated the system in the past.

Finally, if the legislature insists on passing this bill, we appeal to you one more time to remove the Board of Public Education from vocational education governance altogether. Designate the Office of Public Instruction as "sole agency" and substitute the words "Superintendent of Public Instruction" everywhere in the bill where it now reads "Board of Public Education." This at least would consolidate responsibility and authority in one agency and would relieve the Board of Public Education of the very frustrating and time-consuming duties we now have in trying to work in an essentially unworkable system.

NAME: Bob Jones DATE: 10/1/77

ADDRESS: 1017 N. 1st St.

PHONE: 627 5273

REPRESENTING WHOM? *None*

APPEARING ON WHICH PROPOSAL: 546 646

DO YOU: SUPPORT? AMEND? OPPOSE?

COMMENTS:

PLEASE LEAVE ANY PREPARED STATEMENTS WITH THE COMMITTEE SECRETARY.

TO: SENATOR BOB BROWN AND THE SENATE EDUCATION COMMITTEE  
FROM: THE MONTANA DEVELOPMENTAL DISABILITIES PLANNING AND  
ADVISORY COUNCIL, MEETING IN BUTTE, FRIDAY, MARCH 16.

This message was received by phone from the DD Council who had taken action on this subject by motion at 10:30 a.m. Friday morning:

The Montana Developmental Disabilities Planning and Advisory Council opposes House Bill 624 entirely with or without amendments. With the cap and limits on special education dollars we feel pre-school special education programs would be one of the very first programs cut by the Office of Public Instruction. If education is mandated only to age 18, many special education students will only receive 10 or 10-1/2 years of education due to slower completion of grades. It also appears SRS would not have the money to provide appropriate programs to the 19-21 year old age group as well as the Department of Health in the 3-5 year old group. A letter from Artis Zody, President of the Council will be forthcoming regarding this action.

# STANDING COMMITTEE REPORT

March 16, 1979

MR. President

We, your committee on Education

having had under consideration House Bill No. 624

Marks (Fasbender)

Respectfully report as follows: That House Bill No. 624  
third reading bill, be amended as follows:

1. Page 10, line 2.

Following: "and"

Strike: "25"

Insert: "21"

2. Page 11.

Following: line 2

Insert: "over 21 but not more than 25, inclusive,"

3. Page 11, line 6 through line 7 on page 12.

Strike: section 5 in its entirety

And, as so amended, BE CONCURRED IN

DO PASS

*P.A.*

SENATE COMMITTEE EDUCATION

Date 3/16/79 House Bill No. 624 Time

NAME	YES	NO
Senator Ed Smith, V. Chairman	X	
Senator Jesse O'Hara	X	
Senator George McCallum	<i>absent</i>	
Senator Elmer Severson	<i>absent</i>	
Senator Mike Anderson	X	
Senator Chet Blaylock	X	
Senator Larry Fasbender	X	
Senator Richard Smith	X	
Senator Bill Thomas		X
Senator Bob Brown, Chairman	X	

Bill Robinson  
Secretary

Senator Bob Brown  
Chairman

Motion: by Senator Fasbender that House  
Bill 624 be concurred in as  
Amended

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

STANDING COMMITTEE REPORT

March 16, 19 79

MR. President

We, your committee on Education

having had under consideration House Bill No. 674

Respectfully report as follows: That House Bill No. 674

BE NOT CONCURRED IN  
DO PASS

SENATE COMMITTEE EDUCATION

Date 3/16/79 House Bill No. 674 Time

NAME	YES	NO
Senator Ed Smith, V. Chairman		X
Senator Jesse O'Hara	X	
Senator George McCallum		X
Senator Elmer Severson	absent	
Senator Mike Anderson	X	
Senator Chet Blaylock	X	
Senator Larry Fasbender	X	
Senator Richard Smith		X
Senator Bill Thomas		X
Senator Bob Brown, Chairman	X	

Jill Robinson  
Secretary

Senator Bob Brown  
Chairman (pdc)

Motion: by Senator O'Hara that HB 674  
be not concurred in

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