

MINUTES OF THE MEETING
EDUCATION AND CULTURAL RESOURCES COMMITTEE
MONTANA STATE SENATE

January 12, 1983

The first meeting of the Senate Education and Cultural Resources Committee was called to order by Chairman Bob Brown on January 12, 1983, at 1:05 p.m. in Room 402, State Capitol.

ROLL CALL: Roll was called with all present except Senator McCallum who was excused.

Senator Brown introduced the Committee Secretary, Jill Rohyans, and the Committee Council Attorney, Lee Heiman.

Committee minutes will not be read at every meeting, however, copies of the minutes will be available in the committee room for committee members use.

SENATE BILL 57: The hearing was opened on Senate Bill 57. Senator Pete Story, District 37, sponsor of the bill, introduced Mr. Garrett Franks, Big Timber, on whose behalf he sponsored the bill.

PROPONENTS

Mr. Garrett Franks, Superintendent of Schools and Principal of Big Timber High School spoke in favor of the bill (attached testimony exhibit #1).

Jess Long, Executive Secretary of the School Administrators of Montana, stated that organization supported the change by resolution at their annual meeting (resolution attached exhibit #2). He pointed out the bill would not change the levies but would combine common activities into the same fund. He said his organization has always maintained extracurricular activities are the other half of education.

Wayne Buchanan, representing the Montana School Boards Association, said the bill and the distinction is hard to make and therefore his organization does support the bill.

There were no opponents to the bill.

Following a brief discussion, the hearing on Senate Bill 57 was closed.

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SENATE BILL 35: The hearing was opened on Senate Bill 35. Senator Max Conover, District 36, stated the bill will increase from \$3000 to \$10,000 the allowable end of the year cash balance in a school housing fund. Presently, only \$3000 can be kept in the housing/dormitory fund and any extra monies must be put into the general fund. The few districts which maintain housing/dormitory facilities need the extra monies for upkeep and maintenance.

PROPONENTS

Andrew S. Veis, Superintendent of Schools, Broadview, stated they rent trailers to teachers and have a problem with maintenance and upkeep when the rent goes into the housing fund and the balance cannot exceed \$3000. Mr. Veis conducted a survey of 50 other schools asking their preference as to the balance level and the majority of the responses preferred the \$10,000 level. He urged the committee to support the bill.

John H. Dallum, Superintendent of Schools, Jordan, said they run the only dormitory in the state for which they charge \$170 per student. They received \$5 per day from the state in lieu of transportation but that payment does not come until late in the school year. Because it is a sizeable amount a portion of it inevitably goes into the general fund at the end of the year.

Wayne Buchanan, representing the Montana School Boards Association, stated the bill is a simple housekeeping measure and it does need to be done.

Senator Dave Manning, District 25, stated the \$3000 level was set in the 1940's and it is time to update it.

There were no opponents to the bill.

There being no further discussion, the hearing on Senate Bill 35 was closed.

ACTION ON SENATE BILL 35: Senator Smith moved Senate Bill 35 DO PASS. The motion carried unanimously.

ACTION ON SENATE BILL 57: Senator Severson moved Senate Bill 57 Do Pass. Senator Mazurek made a substitute motion to AMEND Page 3, Line 5, by inserting "school" following "extracurricular". The motion carried unanimously.

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After further discussion Senator Severson withdrew his motion in order to allow the committee further time to study the bill.

ADJOURN: There being no further business before the committee, the meeting adjourned at 1:55 p.m.



Senator Bob Brown, Chairman

jdr

ROLL CALL

EDUCATION AND CULTURAL RESOURCES

COMMITTEE

48th LEGISLATIVE SESSION -- 1983

Date 1/12/83

NAME	PRESENT	ABSENT	EXCUSED
<u>Senator Bob Brown, Chairman</u>	X		
<u>Senator Ed Smith, V. Chairman</u>	X		
<u>Senator Roger Elliott</u>	X		
<u>Senator Delwyn Gage</u>	X		
<u>Senator George McCallum</u>			X
<u>Senator Elmer Severson</u>	X		
<u>Senator Harry Berg</u>	X		
<u>Senator Chet Blaylock</u>	X		
<u>Senator Jack Haffey</u>	X		
<u>Senator Joseph Mazurek</u>	X		

Wed January 12

Education

VISITORS' REGISTER

[illegible]

NAME: Garret Franks DATE: 1/12/83

Box 204
ADDRESS: Big Timber, MT 59011

PHONE: 932-2108

REPRESENTING WHOM? Sweet Grass County High School

APPEARING ON WHICH PROPOSAL: SB 57

DO YOU: SUPPORT? ☒ AMEND? ☐ OPPOSE? ☐

COMMENTS: _____

PLEASE LEAVE ANY PREPARED STATEMENTS WITH THE COMMITTEE SECRETARY.

Two years ago Attorney General Mike Greely issued a formal legal opinion stating that school districts may not use transportation budget funds to pay for use of buses for extracurricular activities.

Mr. Greely went on to say that the term "transportation" as used in state law covering school transportation finances refers only to the conveyance of pupils between their homes and schools, not to conveyance of pupils to athletic and entertainment events, club and band activities or similar functions. Those activities, including any transportation involved, must be financed from the district's general fund according to Mr. Greely.

Prior to Mr. Greely's opinion, many of the schools in Montana financed the travel for extracurricular activities from the transportation fund.

As an advocate of local control, I am seeking support for Senator Story's bill which would give local trustees the right to determine which fund travel expenses for activities would be paid from. Also, to facilitate accounting procedures, I strongly feel, all transportation expenditures should be charged to the district's transportation fund. Transportation of students should be all inclusive and determinations of whether travel is curricular or extracurricular should not have to be made.

Since I strongly advocate financing extracurricular travel from the transportation fund, and some local trustees may want to continue financing extracurricular travel from the general fund, I want to mention that financing extracurricular travel from the transportation fund does not increase the state transportation reimbursement nor the county transportation reimbursement since extracurricular travel is an above scheduled cost. As an above scheduled cost it would be charged directly to the district incurring the expense.

All high schools in Montana belong to the Montana High School Association which promotes the philosophy that extracurricular activities are an integral part of school and not separate from the academic curriculum. This philosophy states that extracurricular activities help in developing a well-rounded

individual with a recognized purpose of promoting the physical, mental, moral, social and emotional well-being of each individual student.

As a school administrator, under the present system, I have difficulty making the distinction between extracurricular activities and co-curricular activities in determining whether I should charge travel expenses to the general fund or to the transportation fund. For example, two curricular areas that view themselves as co-curricular are vocational agriculture and home economics. When either of these curricular areas travel to a judging event, a convention, or take a field trip how do I, as an administrator, make the determination on what fund the travel expenses should be charged to? Is it co-curricular and chargeable to the transportation fund, or is it extracurricular and chargeable to the general fund?

Academic field trips--are they a part of the curriculum or are they extracurricular? District and state music festivals--aren't they an extension of the music classroom and not really extracurricular? Speech and drama, aren't they more academic than football and basketball.

If I have made my point, it is difficult for administrators to make the distinction between curricular activities and extracurricular activities. I feel the best solution to this dilemma is to permit local trustees the right to determine how all local programs and activities will be financed.

Garrett Franks, Superintendent
of Schools and Principal of
Big Timber High School

NAME: Jesse Long DATE: 1-12-83

ADDRESS: 501 N. Sanders

PHONE: 442-2510

REPRESENTING WHOM? School Admin of MT

APPEARING ON WHICH PROPOSAL: S. B. 57

DO YOU: SUPPORT? / AMEND? OPPOSE?

COMMENTS:

The SB 57 allows school districts
to use transportation fund budget
to finance transporting students to extra-
curricular activities rather than using
general fund monies. The legislation
does not increase total cost to a district.

PLEASE LEAVE ANY PREPARED STATEMENTS WITH THE COMMITTEE SECRETARY.

TRANSPORTATION FUND RESOLUTION

WHEREAS, Attorney General Mike Greely declared in a formal legal opinion that school districts may not use transportation budget funds to pay for the use of buses for extracurricular activities and further declared that transportation expenditures for extracurricular activities must be paid for from the general fund; THEREFORE BE IT RESOLVED that the School Administrators of Montana propose legislation allowing school districts in Montana to finance extracurricular transportation expenses from the district's transportation fund.

Rationale:

Extracurricular activities are an integral part of school and not separate from the academic curriculum. Extracurricular activities help in developing a well-rounded individual with a recognized purpose of promoting the physical, mental, moral, social and emotional well-being of each individual student.

Also, to facilitate accounting procedures all transportation expenditures should be charged to the district's transportation fund.

NAME: ANDREW J. VELS DATE: 1/12/83

ADDRESS: Bronx, N.Y.

PHONE: 667-4316

REPRESENTING WHOM? Beardview Public School

APPEARING ON WHICH PROPOSAL: SB 35

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

COMMENTS: _____

PLEASE LEAVE ANY PREPARED STATEMENTS WITH THE COMMITTEE SECRETARY.

NAME: JOHN HADAM DATE: 1/12/83

ADDRESS: Box 409 Jordan Mt.

PHONE: 557-2259

REPRESENTING WHOM? Garfield Co High School

APPEARING ON WHICH PROPOSAL: See Bill 35-

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

COMMENTS: _____

PLEASE LEAVE ANY PREPARED STATEMENTS WITH THE COMMITTEE SECRETARY.

STANDING COMMITTEE REPORT

January 12 19 83

MR. PRESIDENT:

We, your committee on EDUCATION AND CULTURAL RESOURCES

having had under consideration SENATE Bill No. 35

Respectfully report as follows: That SENATE Bill No. 35

DO PASS

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