

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

January 19, 1983

The meeting of the Senate Education and Cultural Resources Committee was called to order by Chairman Bob Brown on January 19, 1983, at 1:00 p.m. in Room 402, State Capitol.

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

Blaise Jette, a student from Capital High, Helena, displayed his oil painting to the committee. Blaise, an outstanding young artist, was the Best of Show winner in the Electrum Art Show this year. He told the committee he has been involved in art most of his life between a family art background and school art programs. He urged support of art classes saying they afford him access to art materials and supplies and instruction that would be hard to afford otherwise. Senator Brown and the committee members congratulated Blaise on his award and thanked him for sharing his talent with them.

SENATE BILL 158: Senator Bob Brown, District 10, sponsor of the bill, introduced Roger Tippy who explained the bill to the committee.

PROPOSERS

Roger Tippy, member of the Montana School for the Deaf and Blind Foundation, stated the amendments to Section 9 are the main reason for the bill being introduced. The Board of Public Education created the Foundation to oversee the disposition of gifts and donations to the school. The establishment of the Foundation was questioned by an audit this year - only insofar as it related to state law. To resolve the situation, the Audit Committee recommended the language in Section 9. Mr. Tippy reviewed the rest of the pertinent sections noting areas where recodification was necessary due to obsolete language re staffing, name change, and establishing rule-making authority to cover rules which are currently operational. The new material includes the establishment of a policy concerning utilization of the campus during the summer and other times of minimal usage. Section 13 is a new section dealing with requiring certain communication skills of staff members.

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Bob Deming, Superintendent, Montana School for the Deaf and Blind, said he supports the bill as it not only cleans up some obsolete language but it clarifies some cloudy issues for the Board and the Superintendent, especially in the bequest/donation area.

Harriett Meloy, member of the Board of Public Education, stated she supported the previous testimony. She noted it is necessary to have clarification regarding donor and bequest monies so those funds can be used for the purposes the donors intended.

Senator Goodover, District 22, stated he is a past Board member of the School for the Deaf and Blind and currently serves as a member of the Foundation. He stated his daughter is blind, attended the School for the Deaf and Blind and Eastern Montana College and then married. But the problem then became - what happens now? The Foundation has a priority of establishing job training in current and new technologies and fund raising to support that training. He cited an example of a talking computer at Fort Harrison which a blind VA benefits counselor operates.

There were no opponents to the bill. Senator Mazurek felt the language on Page 10, lines 14-19, is vague regarding testing of communication skills of staff. Mr. Deming said this has been required by rule; he felt it could either be a rule or in statute.

There being no further discussion, the hearing on Senate Bill 158 was closed.

SENATE BILL 149: Senator Hammond, District 3, sponsor of the bill, stated he had introduced the bill by request of the Board of Public Education. The bill is an act authorizing the Board of Public Education to adopt rules for issuance of documents certifying equivalency of completion of secondary education. He stated the Board has for quite some time had standards for issuing secondary equivalency but is not really authorized to do so.

PROPONENTS

Hidde Van Duym, Executive Secretary, Board of Public Education, stated the Board has not had full authority to issue GEDs but that those already issued would not be called into question by this bill. He presented a statement of intent to the

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committee (attached exhibit #1).

Bill Cunneen, Office of Public Instruction, stated his support for the bill noting it formalizes an already ongoing procedure.

There being no opponents, the hearing was closed on Senate Bill 149.

SENATE BILL 153: Senator Haffey, District 45, sponsor of the bill, stated the bill had been introduced by request of the Board of Public Education. He stated the bill changes the statute to allow accreditation for private elementary as well as private secondary schools upon request. He further stated the bill will facilitate student movement from elementary to secondary schools if both are accredited instead of only secondary schools.

PROPONENTS

John Frankino, Director, Montana Catholic Conference, spoke in support of the bill (attached exhibit #2).

Sister Mary Editha Brown, Superintendent of Catholic Schools in Eastern Montana and also speaking for western Montana Catholic Schools stated her support of the bill. She said the Catholic schools represent the largest segment of private schools in the state serving 4500 students in elementary, mid, and high school levels. She noted elementary schools had been accredited until the state ceased the accreditation program some years ago. They would like the state to resume the program at all levels.

Earle Reimer, representing the Association of Non-Public Schools of Montana, presented his testimony in support of the the bill (attached exhibit #3).

Hidde Van Duym, Executive Secretary of the Board of Public Education, stated the Board feels it is most necessary to have accreditation available at all levels.

Dave Sexton, representing the Montana Education Association, stated that organization supports the bill.

Terry Lynn Minow, representing the Montana Federation of Teachers, said that organization also supports the bill.

Harriett Meloy, representing the Board of Public Education, urged support of the bill. She said the Board has long recognized the need for consistency in accreditation.

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Rod Svee, Assistant Superintendent of Public Instruction, stated OPI supports the bill as it helps eliminate most of the problems with private school accreditation. He said there would be a cost increase if elementary schools were accredited but had no idea what to expect as far as increases. He said at present it runs \$150 - \$200 per school per accreditation.

There being no opponents to the bill, the hearing was closed on Senate Bill 153.

EXECUTIVE SESSION

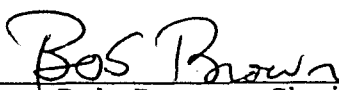
ACTION ON SENATE BILL 153: Senator Mazurek moved Senate Bill 153 DO PASS. The motion carried unanimously.

ACTION ON SENATE BILL 149: Senator McCallum moved Senate Bill 149 DO PASS with the statement of intent attached. The motion carried unanimously.

DISCUSSION ON SENATE BILL 158: Senator Mazurek asked the Committee attorney, Lee Heiman, to research Section 9 of the bill and look at taking Section 13 out of the bill entirely.

ADJOURN

There being no further business before the committee, the meeting adjourned at 2:11 p.m.



Senator Bob Brown, Chairman

jdr

ROLL CALL

EDUCATION AND CULTURAL RESOURCES

COMMITTEE

48th LEGISLATIVE SESSION -- 1983

Date 1/19/83

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		

Jan. 19, 1983

Education:

VISITORS' REGISTER

NAME	REPRESENTING	BILL #	Check One	
			Support	Oppose
Sharon Crommees	School for Deaf & Blind Supt's Advisory Council	158	X	
Robert J. Dyming	Supt. MSDB	158	X	
Charles E. Wright	Principal, MSDB	158	X	
Miael Samraet	MSDB	158	X	
Blaise Jette				
Kay Miller				
Roger Viprey	MSDB Foundation	158	X	
Mary Edina	Catholic Schools	153	X	
John Frankino	Mt. Cath. Conf.	153	X	
Carle Reimer	ANSM	153	X	
Bob Avez	A.P.			
David Sexton	MEA	153	X	
Bill Cunnell	Off of Public Insts	149		
Larry Lynn Nimmo	M.F.T.	153	X	
Dennis C. May	BPE	153 149	X	
Hilde van Deyn	BPE	153 149 158	X	

(Please leave prepared statement with Secretary)

TO: The Senate Committee on Education and Cultural Resources

FROM: Lee Heiman, Committee Counsel

DATE: January 19, 1983

RE: Bill Summaries of Senate Bills 149, 153, and 158

Senate Bill 149. Allows of the issuance of documents certifying equivalency completion of secondary education by the Superintendent of Public under rules adopted by the Board of Public Education.

Senate Bill 153. Allow for the accreditation of all nonpublic schools, rather just high schools by the board of public education.

Senate Bill 158. Provides for a general revision of laws relating to the school for the deaf and blind. Included are provisions relating to rules, management of endowments, adult vocational-type education, clarifying the duties of the superintendent, and changes to delete archaic words and to correct grammar.

Exhibit #1
Jan. 19, 1983

STATEMENT OF INTENT: SB 149

A statement of intent is required for this bill because it delegates rulemaking authority to the board of public education to adopt rules for issuance of documents certifying equivalency of completion of secondary education.

While the board has clearly delineated rulemaking authority to adopt standards of accreditation and establish the accreditation status of every school, its rulemaking authority has only been implied in the area of setting standards for documents which state that an eligible applicant has satisfied requirements for equivalency of completion of secondary education.

At the recommendation of the Administrative Code Committee the Board requested legislation specifically providing the board with the authority to adopt policies for the issuance of high school equivalency certificates and to direct the superintendent of public instruction to issue those certificates.

The bill gives the board the express rulemaking authority to adopt rules in the area of high school equivalency certificates. It is contemplated that:

- (a) the board's current rules in this area will be amended to show proper authority and implementation;
- (b) the board may adopt rules required for other types of programs of similar nature.

NAME :

DATE: 1/19/83

ADDRESS :

PHONE :

REPRESENTING WHOM?

APPEARING ON WHICH PROPOSAL:

DO YOU:

SUPPORT?

AMEND?

OPPOSE?

COMMENTS :

Statement with Sec.

PLEASE LEAVE ANY PREPARED STATEMENTS WITH THE COMMITTEE SECRETARY.

Exhibit #2

Jan 19, 1983
SB 153

Senate Education Committee
1/19/83

John Frankino
Director, Montana Catholic Conference

SB 153 is a permissive bill which would effectively expand the accreditation provision now present in state law and would allow a nonpublic elementary school to request the Board of Public Education to accredit the school. We ask that you give SB 153 your favorable consideration.

I would like to comment on two concepts contained in state education law:

(1) Accreditation and (2) Basic Instructional Program.

Accreditation is the formal recognition by the Board of Public Education that an educational institution meets the minimum standards of the state.

-Nonpublic schools are not required to be accredited.

-The present law provides that a nonpublic high school may request that the Board of Public Education accredit the school.

Basic instructional program is a subset of the standards of accreditation and the Board of Public Education is responsible to define and specify the basic instructional program for pupils in public schools.

-Under the compulsory enrollment section of our law a child enrolled in a private institution must be provided a basic instructional program which is the same as the basic instructional program defined and specified for pupils enrolled in public schools. An Attorney General's opinion of 1979 underlines this mandate.

For the nonpublic school state accreditation carries the following:

- a) a recognition that the program, staffing and instruction provide a quality educational opportunity as recognized by the St. Board,
- b) points to areas that need attention in order to keep the educational program up to quality standards,
- c) transferral of credits of a student from one school to another on an equally acceptable basis,

- d) membership in the Montana High School Association with the privileges this membership brings to the student.
- e) acceptance of a student into the University System of Montana.
- f) ability of a student to participate in high school activities with students outside the state under the auspices of the National High School Association.

The last three applies only to high school students, but the first three are applicable to elementary as well as high school students.

Although the Board had been granting accreditation status to the non-public schools for more than thirty years, and wished to continue, an Attorney General's opinion of 1978 stated that the law was silent on the question and the Board did not have the authority to grant accreditation status to the nonpublic schools. This situation presented an immediate problem for students in nonpublic high schools. The legislature of 1979 was asked to allow nonpublic secondary schools to request accreditation status. That request was supported by both the nonpublic and the public school communities. The law is now in place.

Over the past several years there have been many controversies, misunderstandings and questions about nonpublic schools and the quality of their educational offerings. Most of this has been directed at elementary schools. Since clouds of doubt have been raised, concern is bound to surface to all parties involved.

SB 153 will allow nonpublic elementary schools the opportunity, should they wish to take it, to request accreditation status and will allow the Office of Public Instruction to conduct the evaluation.

John Frankino

NAME: Sister Mary Edith Brown DATE: 1-19-83

ADDRESS: P.O. Box 1399 Great Falls MT

PHONE: 1-727-4683

REPRESENTING WHOM? Diocese of Gr. Falls Catholic Schools

APPEARING ON WHICH PROPOSAL: S. Bill 153 School Accreditation

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

COMMENTS: Catholic schools of mt. support
elementary private school accreditation upon
Request

PLEASE LEAVE ANY PREPARED STATEMENTS WITH THE COMMITTEE SECRETARY.

NAME: Earle Reimer DATE: 1/19/83

ADDRESS: 2526 Sunset Ln. Missoula MT.

PHONE: 549-0482

REPRESENTING WHOM? Assoc. of Non-public Schools of Montana

APPEARING ON WHICH PROPOSAL: SB 153

DO YOU: SUPPORT? ☒ AMEND? ☐ OPPOSE? ☐

COMMENTS: _____

PLEASE LEAVE ANY PREPARED STATEMENTS WITH THE COMMITTEE SECRETARY.

TESTIMONY TO THE MONTANA SENATE EDUCATION COMMITTEE

January 18, 1983

I am grateful to have this opportunity to speak on behalf of the Association of Nonpublic Schools of Montana. ANSM is an ^{Association}~~organization~~ consisting of six private school organizations which have schools throughout the state of Montana. We are collectively and individually committed to excellence in education. We have over 6000 Montana school age children entrusted to us and we are dedicated to continually improving the learning experiences these children have.

Insofar as SB 153 addressess quality education and allows schools upon their option to identify their programs as meeting the accepted standard of education in Montana, ANSM is a strong supporter of this bill. We are all aware of the complexities of the teaching-learning process and we all know that there is nothing magical about accreditation, but we are committed to the State's responsibility to insure that all Montana children receive at least a minimum education which will allow them to be productive members of society.

The accreditation process addresses this responsibility and we sincerely believe every Montana child should at least have the opportunity to reap the benefits this process assures. SB 153 would do just that, and that's a plus for Montana schools both public and private and most importantly its a plus for Montana Children. ANSM strongly supports SB 153.

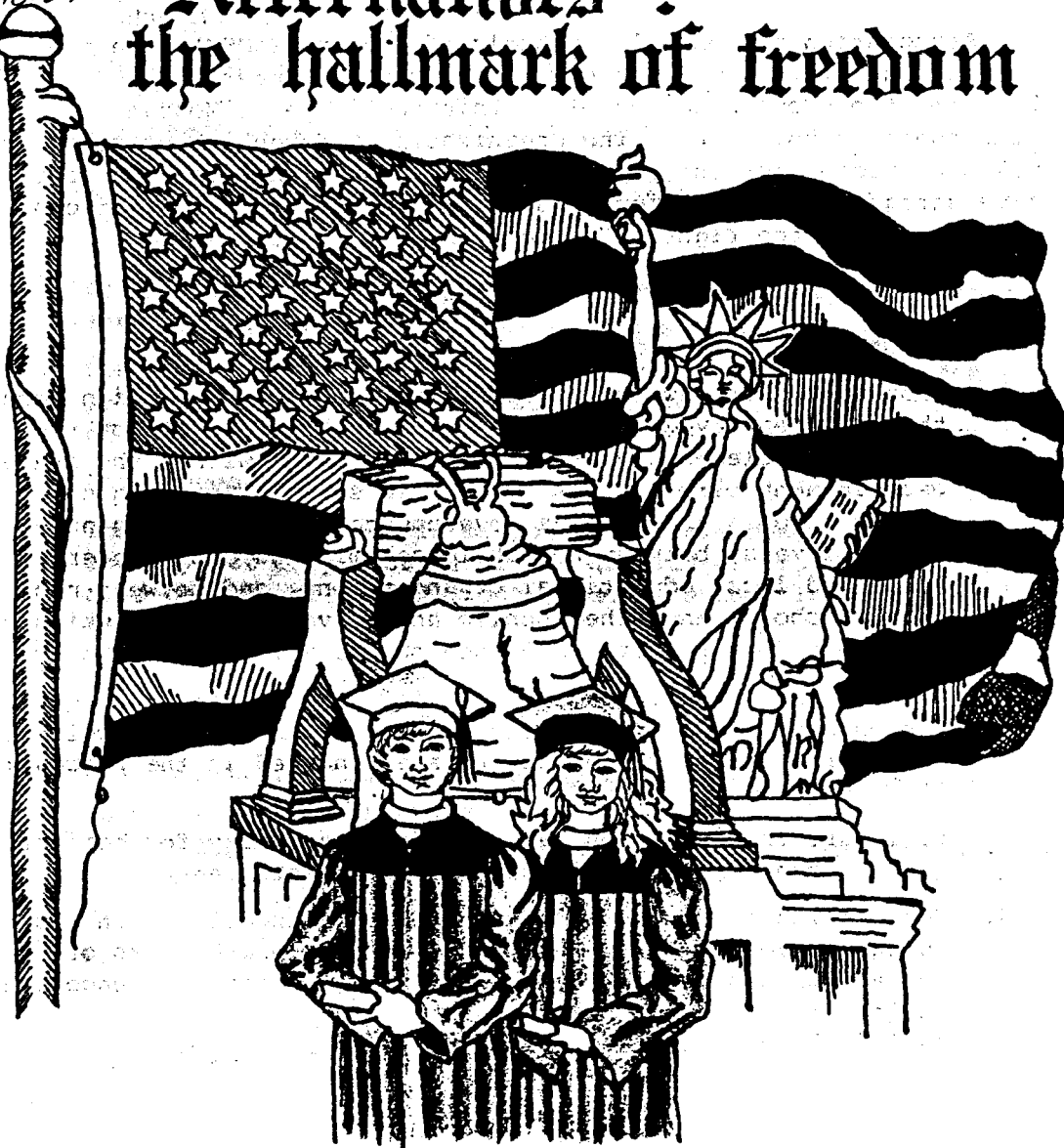
Thank-you.



Representing Association of Non-Public Schools of Montana

Exhibit #2
EARLE REIMER TESTIMONY
Ex. #3

Choice of Educational Alternatives : the hallmark of freedom



The Association of Nonpublic
Schools of Montana

THE ASSOCIATION OF
NONPUBLIC SCHOOLS OF MONTANA

The Association of Nonpublic Schools of Montana (ANSM) is a newly formed organization which seeks to promote the interests and betterment of nonpublic schools within the State of Montana. Membership is voluntary. The organization through its constitution makes provision for the group to act as a unit while at the same time safeguarding the uniqueness of the individual organizations by giving them the right of abstention or dissent.

PURPOSE

ANSM promotes nonpublic education by:

- Providing a framework for communication and cooperation among the different types and groups of nonpublic schools on the preschool, elementary, and secondary levels within the state, between nonpublic schools and public schools, between nonpublic schools and various governmental bodies and agencies on all levels, between nonpublic schools and other federal, state and local educational organizations, and between nonpublic schools and other public and private agencies which have a concern for or exert influence on the well-being of schools;
- Encouraging a vigorous diversity in education to match our Nation's heritage of pluralism, taking care that the welfare and spirit of the whole society are enhanced in the process;
- Expanding and strengthening the nonpublic schools in order to insure that families have a wide opportunity for realistic choice among types of schools for their children;
- Encouraging a broad public commitment to excellence in education in the state and, in an effort to serve the interests of society in general and the community in particular, encouraging those nonpublic schools within the state which promote and maintain high standards appropriate to their individual purposes;
- Fostering a closer sharing of nonpublic schools in the educational tasks within the state;
- Encouraging the improvement of the educational programs of the members of ANSM through the cooperative sharing of professional ideas and information for their mutual benefit;

- Making full use of the services and communications of other associations which endeavor to strengthen the position of nonpublic education;
- Conducting such other activities of an educational or charitable nature as may serve and promote the foregoing and the needs of the organizations represented in the membership of this organization.

THE IMPORTANCE OF NONPUBLIC EDUCATION

- Freedom of choice of educational alternatives is vital to a free society.
- Teaching according to the philosophical preference of the parent is important to the stability and direction of the life of the child.
- Encouragement of cultural pluralism is vital to a free society.
- The nonpublic school is making a valuable contribution to our society not only because of the quality of its products, but also because of the millions of dollars that it saves the taxpayers.
- The trend in America has been away from local, and toward state and national control. The education of the child must remain a parental prerogative.
- The idea that a school can be neutral in the area of religion is not a tenable position. Anything that is taught reflects a philosophy. Neutrality, secularism, humanism, materialism, and any other philosophical view are, in fact, religious in nature.
- Private initiative is basic to the American free enterprise system.
- Nonpublic education should serve to increase the quality of public education, because of the stimulating effects of competition.
- The nonpublic school has long been a part of our heritage, having roots that go even deeper in time than our public school counterpart.
- The quality of the end product of education is enhanced by bringing educational control closer to the individual.

MEMBERSHIP

Any nonpublic school in Montana which is interested in the purpose of ANSM is eligible to apply for membership upon the adoption of a resolution by its respective governing board and by submitting an application to ANSM. Member schools must subscribe to a policy of admitting students without regard to race, color, or national origin and be operated exclusively for religious, charitable, scientific, or educational purposes. Member schools remain until they shall resign in writing, shall be in arrears of payment of its dues by a period of six months, or shall be terminated by a two-thirds vote of the Board of Directors.

The following are member organizations within ANSM:

- Lutheran Church—Missouri Synod Schools
- Christian Schools International
- Catholic Schools of the Diocese of Great Falls
- Catholic Schools of the Diocese of Helena
- Seventh Day Adventist Schools of Montana
- Association of Christian Schools International

Some 5000 students and some 5000 parents of Montana are represented by ANSM. Currently the membership of ANSM consists of schools which hold to a traditional, educational format, comprised of professionally prepared instructors in a formal classroom setting.

ANSM is a member within a larger organization known as the Council for American Private Education (CAPE).

Assoc. of Nonpublic Schools of Montana
Post Office Box 983
Helena, Montana 59601

NAME: Terry Lynn Minow DATE: Jan 19, 1983

ADDRESS: Box 513, Boulder, Montana 59632

PHONE: 225-4397

REPRESENTING WHOM? Montana Federation of Teachers

APPEARING ON WHICH PROPOSAL: SB 153

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

COMMENTS: _____

PLEASE LEAVE ANY PREPARED STATEMENTS WITH THE COMMITTEE SECRETARY.

STANDING COMMITTEE REPORT

January 19, 1983

MR. **PRESIDENT:**

We, your committee on **EDUCATION AND CULTURAL RESOURCES**

having had under consideration **SENATE** Bill No. **153**

Respectfully report as follows: That **SENATE** Bill No. **153**

DO PASS

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STANDING COMMITTEE REPORT

January 20, 19 83

MR. **PRESIDENT:**

We, your committee on **EDUCATION AND CULTURAL RESOURCES**

having had under consideration **SENATE** Bill No. **149**

Respectfully report as follows: That **SENATE** Bill No. **149**

DO PASS

Statement of Intent Attached.

He

Education and Cultural Resources**Page 2****Senate Bill 149****Statement of Intent Senate Bill 149**

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