

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

February 4, 1987

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

ROLL CALL: All committee members were present with the exception of Senator McCallum, who was excused.

Senator Blaylock assumed the Chair.

CONSIDERATION OF SENATE BILL 217: SENATOR BROWN, District 12, sponsor of the bill, said the bill requires the creation of educational service cooperatives. The bill would replace the present provisions for creation of special education cooperatives with provisions for the creation of educational service cooperatives. The present law provides for a cooperative agreement to perform all special education services on a regional basis. The proposed law would allow cooperative agreements for other educational services and programs in addition to special education services.

Presently, a special education cooperative is voluntary. Under the proposed law the Superintendent of Public Instruction must divide the state into no more than 20 educational service cooperatives and membership in the educational service cooperative is mandatory for receipt of special education funding.

As a brief summary, an educational service cooperative:

- 1) would be a legal entity with the powers, duties and responsibilities granted by a school district;
- 2) must be accredited by the Board of Public Education;
- 3) must have a director who is certified as a special education administrator under the Board of Public Education rules;
- 4) may maintain a cash reserve fund; and
- 5) may invest available funding with interest going for use in the ensuing year's budget.

He further stated the bill gears the concept of efficiency to the concept of scale. It is much more efficient and cost effective to provide services on a cooperative basis. He felt the cooperative would become a more stable entity under the terms of the bill which would make it easier to attract quality staff and administrators.

PROPOSERS: JIM FOSTER, Superintendent of Schools, Chester, said this is the third time this type of legislation has been proposed. He explained the bill, stating the district does the hiring and operates the co-op. SB 217 reduces the co-op districts from the current 28 special education co-ops to 20 educational service co-ops. These new co-ops can include special education and related services as well as other services such as transportation, gifted and talented, physical, occupational, and speech therapy on a permissive basis. A stand-alone district must have over 3000 students while provision is made for minimums and fair distribution based on geographics and population. There is never a loss of local control and service delivery will be more efficient. He closed by saying co-ops are needed and this bill strongly encourages the co-op situation.

FLOYD LARKIN, retired school administrator, presented his written testimony in support of the bill (Exhibit #1).

LAURA LEHAY, speech pathologist, Southwest Montana Education Cooperative, Dillon, presented her testimony in support of the bill (Exhibit #2).

JULIE ENMAN, County Superintendent and Southwest Montana Cooperative Board Member, presented her written testimony in support of the bill (Exhibit #3).

MICHAEL IKARD, Director of Special Education, Central Montana Learning Resource Center Cooperative, Lewistown, presented his written testimony in support of the bill (Exhibit #4).

FRED APPELMAN, Director, Missoula Area Special Education Cooperative, Missoula, presented his written testimony in support of the bill (Exhibit #5).

CLARENE DYSART, Superintendent, Harlowtown, presented her written testimony in support of the bill (Exhibit #6).

ROBERT D. SMITH, Superintendent, Powell County High School and Management Board Chairman of the Southwest Montana Educational Cooperative, presented his written testimony in support of the bill (Exhibit #7).

DEBRA WILLIAMS, Bridger, mother of a student with handicaps, stated her child started as a three year old and is now in the accelerated program and speech due to the assistance he received in the cooperative.

MICHAEL T. AINSWORTH, President, Montana Council of Administrators of Special Education, presented written testimony in support of the bill (Exhibit #8).

VERN BARKELL, Director, Yellowstone-West Carbon County Special Services Cooperative, presented his written testimony in support of the bill (Exhibit #9).

DON WETZEL, Superintendent, Corvallis, presented his written testimony in support of the bill (Exhibit #10).

RAY BECK, Director of Special Education, Great Falls, stated students are sometimes uprooted when districts pull out of co-ops. Cooperatives help districts comply with the provisions of PL94-142.

LOIS SINDELAR, Principal, Independent School District #52, Yellowstone County, presented her written testimony in support of the bill (Exhibit #11).

Due to lack of time, the remaining proponents introduced themselves:

1. Zara Frank (Exhibit #12)
2. Steve Hobbs
3. Dean Bergland
4. Marge Fehrer (Exhibit #13)
5. Florrie McCurdy
6. Elaine Cooley
7. Jill Aster

OPPONENTS: PHIL CAMPBELL, Montana Education Association, stated he had drafted the bill that was presented in the previous session. Studies conducted by OPI and MEA have

shown that one of the prime requirements was stability in the co-ops. He said teachers are not well salaried and their positions are not certain. Many small communities do not want to be part of a co-op. He said teachers should not be forced into a co-op unless it is well funded. He said he supports the concept but doesn't want them to live on 80% of what they need. The major problem is the funding mechanisms. He stated there is presently no accountability by the co-op boards; teachers can't attend the meetings as they are held during the day. He felt there are other bills coming along such as Senator Neuman's reorganization bill, which would be a better way of providing services.

JUDY JOHNSON, Assistant Superintendent of Public Instruction, said stability is a key issue. She said this is a pretty good intermediate school district bill, however, there is no taxing capability. If it is to be a school co-op, why does the administrator have to be special education degreed? She felt the bill would have had to have been extensively amended and she didn't want to draw the line.

JACK PARKER, Belgrade, stated he is for co-ops, but not under this bill when all districts under 3000 students would have to go into a cooperative. He said OPI is there for consultation. He felt this was a job security bill for administrators.

REPRESENTATIVE NANCY KEENAN, District 66, said she supports co-ops and the intent of this bill, but feels it is incompatible with the rest of the law. She expressed concern with directors having to be special education administrators as it precludes the county or district superintendent from applying for the job. She said, as a special education teacher, she supports the best education for students that can be attained, but feels this bill is a piecemeal approach.

CLAUDETTE MORTON, Executive Secretary, Board of Public Education, presented her written testimony in opposition to the bill (Exhibit #14).

FRANK NELSON, District Superintendent, White Sulphur Springs Schools, presented his written testimony in opposition to the bill (Exhibit #15).

SHIRLEY DEVOE, Cooperative Coordinator, Helena Special Education Cooperative, presented her written testimony in opposition to the bill (Exhibit #16).

BOB ANDERSON, Montana School Boards Association, said he feels that cooperatives have been successful overall. He felt some "spokes are out of place" but expressed doubt that this bill is the vehicle to fix the situation. He felt "mandatory" is a key word which keeps trustees from being involved and having any say in the creation of the co-op.

ELINOR COLLINS, Montana Association of County Superintendents of Schools, presented her written testimony in opposition to the bill (Exhibit #17).

There being no further opponents, the hearing was opened to questions by the committee.

DISCUSSION BY THE COMMITTEE MEMBERS: SENATOR SMITH expressed a concern with all areas under 3000 students having to be in a cooperative. He said some cities in his three county area are over 200 miles apart.

SENATOR REGAN asked who sets the salaries for the teachers or specialists employed by the co-op. She felt their peers in the school system who are working with them could very well be paid more.

JIM FOSTER replied the co-op regulates the salaries.

SENATOR REGAN asked about taxing authority. How are costs not covered by the state or federal monies paid?

MR. FOSTER replied at present costs are paid by direct allocation of state dollars and federal Part B monies. If those do not cover all the costs, the participating districts have to come up with a way to fund it.

SENATOR BROWN closed by saying he feels by giving more stability to the structure of the co-ops we can negate some of the problems. He said there is no real reason for 20 districts, just an effort to determine a fair and evenly divided split rather than a hodgepodge. He said the committee and the legislature have to decide

whether the benefits are greater under this bill or as things now stand.

EXECUTIVE SESSION

ACTION ON SENATE BILL 127: SENATOR REGAN felt the bill needed work and suggested the bill should reflect a pay-back of one year of service equaling 25%.

SENATOR HAMMOND moved to amend the bill on page 1, line 19, changing 25% to 1/3 and on page 2, line 7, by striking one year and inserting 3 years.

SENATOR MAZUREK asked for the amendments to be divided.

SENATOR HAMMOND preferred to consider the amendments together.

SENATOR MAZUREK moved to divide the question. The motion CARRIED with Senator Hammond voting no.

SENATOR HAMMOND moved to amend the bill on page 2, line 7 by striking 1 year and inserting 3 years. The motion CARRIED unanimously.

SENATOR MAZUREK moved to amend the bill on page 2, following line 12, by inserting "which is in addition to the one year internship required by 37-3-305".

SENATOR HAMMOND felt this would increase the time period from three to four years. Senator Regan felt the amendment was redundant as it is already covered in the bill.

SENATOR MAZUREK withdrew the motion.

The committee decided to delay further action pending receipt of anticipated amendments.

There being no further business to come before the committee, the meeting was adjourned.

ROLL CALL

SENATE EDUCATION AND CULTURAL RESOURCES COMMITTEE

50th LEGISLATIVE SESSION -- 1987

Date 2/4/87

| NAME                     | PRESENT | ABSENT | EXCUSED |
|--------------------------|---------|--------|---------|
| SENATOR BOB BROWN        | ✓       |        |         |
| SENATOR CHET BLAYLOCK    | ✓       |        |         |
| SENATOR GEORGE McCALLUM  |         |        | ✓       |
| SENATOR ED SMITH         | ✓       |        |         |
| SENATOR PAT REGAN        | ✓       |        |         |
| SENATOR JOE MAZUREK      | ✓       |        |         |
| SENATOR BILL FARRELL     | ✓ TARDY |        |         |
| SENATOR TED NEUMAN       | ✓       |        |         |
| SENATOR DICK PINSONEAULT | ✓       |        |         |
| SENATOR SWEDE HAMMOND    | ✓       |        |         |
|                          |         |        |         |
|                          |         |        |         |
|                          |         |        |         |
|                          |         |        |         |
|                          |         |        |         |

Each day attach to minutes.

DATE

2/4/87

COMMITTEE ON

Education &amp; Cultural Resources

## VISITORS' REGISTER

| NAME             | REPRESENTING                                       | BILL #    | Check One |       |
|------------------|--|-----------|-----------|-------|
|                  |  |           | Support   | Oppos |
| Laura O'Leary    | Southwest MT Educ. Coop                            | SB<br>217 | X         |       |
| Julie Enman      | Management Bd. Southern MT. Ed Co                  | SB<br>217 | X         |       |
| Para Frank       | Yellowstone West / Carbon Cty Coop                 | SB<br>217 | X         |       |
| Tain Smith       | Yellowstone West / Carbon Cty Coop                 | SB<br>217 | X         |       |
| Kurt Bessel      | Manh 3 F Ks  | SB<br>217 |           | X     |
| Jack Parker      | Belgrade   | SB<br>217 |           | X     |
| Vern Barkell     | Yellowstone West / Carbon Co. <sup>SP Ed</sup> Grp | 217       | X         |       |
| Debra Williams   | Bridger  | 217       | X         |       |
| Sue Ost          | Bridger  | 217       | X         |       |
| Teris E. Parker  |  |           |           | X     |
| Fred H. H. H. H. | Missoula Area Sp. Ed Coop.                         | 217       | X         |       |
| Fred H. H. H.    | Montana Council of Admin. of Special Education     | 217       | X         |       |
| Dorell A. Witzel | Supt. Schools - COMM 113                           | 217       | X         |       |
| John J. C. C.    | Southwestern Int. Co-op                            | 217       | X         |       |
| John D. Karhin   | Retired Admin.                                     | 217       | X         |       |
| Frank Nelson     | White Sulphur Springs S.D. #8                      | 217       |           | X     |
| Alan Bergman     | Drummond S.D. #11                                  | 217       | X         |       |
| Michael Thoud    | CMRCC - Lewistown                                  | 217       | X         |       |
| Clarence Dygart  | CMRCC - Harlinton Schools                          | 217       | X         |       |
| Jim Foster       | Chester Public Schools                             | 217       | X         |       |
| Judy Johnson     | OPI  |           |           | X     |
| Karen Oyler      | Manhattan, Mont                                    |           | X         |       |
| Marge Tetreu     | Bozeman / Belgrade                                 |           | X         |       |
| Claudette Norton | Board of Public Education                          | 217       |           | X     |
| Blaine Colie     | NELRC - Great Falls                                | 217       |           |       |
| Robert W. Smith  | SMEC   | 217       | X         |       |

(Please leave prepared statement with Secretary)

2/4/87

## Education & Cultural Resource

# VISITORS' REGISTER

| NAME              | REPRESENTING                       | BILL # | Check One |        |
|-------------------|------------------------------------|--------|-----------|--------|
|                   |                                    |        | Support   | Oppose |
| Karen Tanberg     | self                               | SB 217 |           |        |
| Shirley McVae     | self-                              | 217    |           | ✓      |
| Phil Campbell     | MEA                                | SB 217 |           | ✓      |
| Stephen D. Hoppes | Big Sky Sp. Ed Co-op               | SB 217 | ✓         |        |
| Bob Anderson      | MSBA                               | SB 217 |           | ✓      |
| M.J. Mulcahy      | M.F.T                              | SB 217 |           |        |
| Katharin Kelker   | Parents Let's Unite for Kids       | SB 217 | ✓         |        |
| Elinor Collins    | Mont. Assoc. County Suppl. Schools | SB 217 |           | ✓      |
| Kate Hays         | MFT                                |        |           |        |

SENATE EDUCATION

EXHIBIT NO. 2

February 4, 1987

DATE 2/4/87

FILE NO. SB 217

Floyd Larkin  
900 Bielenberg  
Deer Lodge, Montana  
59722

The Honorable Bob Brown  
State Senate  
State Capitol  
Helena, Montana 59601

Honorable Brown:

I am Floyd Larkin, retired superintendent. I was part of school people who were interested in trying to get legislation that would insure special education for kids. My interest is that rural school children receive services no matter where they live. Prior to cooperatives, rural kids were not getting services. Regional services certainly did not work.

In response to local control, it's a moot point. State and federal regulations dictate the programs. In addition, the majority of special education money is state tax dollars. The first 20% comes from the county levies. The rest comes from the state tax revenue. The legislature has a responsibility to provide a permanent means to insure services. In addition, the legislature has a responsibility to require accountability for the best and equitable use of our tax dollar.

If we look at districts or organizations that are opposed to this legislation, I feel that this is due to local and personal prejudices. We don't have room for educators who are using special education money to improve "just" their own local district. We don't have room for educators who refuse to cooperative in the name of local control. We don't have room for educators who pull out of cooperatives in the name of local control. The provisions calling for special education programs were designed to help all kids no matter where they are. Senate Bill 217 allows the state of Montana to provide this service to the rural students.

I sincerely hope that this committee endorses the cooperative bill.

  
Floyd Larkin

## EDUCATION

IDIT NO. H 2  
TE. 2/14/87  
L NO. SB 317

My name is Laura LaHay and I work as a speech pathologist for the Southwest Montana Education Cooperative (SMEC) out of their satellite office in Dillon and my territory is the western edge of Madison county.

My purpose, today, is to present an address from the employee's perspective. One who works for the traditional and current type of special education coop in this state. I would hope that after listening to my testimony, you might think favorably of the legislation before you.

I have been employed by SMEC for the last 8½ years. I was recruited from my university in the St. Louis area in 1978. I moved over 1600 miles and bought a home, assuming that I would be working at, more-or-less, a typical type of job in the special ed system. I thought that if you received good evaluations from those that you served, maintained open lines of communication with your co-workers and did a "good" job in your communities, you could feel fairly secure in your position - as long as your student base population warranted your position, and therein lies the age-old dilemma of special ed coops in this state. Your general student population base can change from year to year at the drop of a hat. I have experienced the effects of "raids" on the coop area that I serve, threat of job loss and the financial insecurity that results from such tactics.

You must realize that special ed is still a potentially volatile and emotional resource in some communities. Representing this resource is not always a popular job. If there is a difference of professional opinion between a specialist and an administrator or board member, that may be enough for a pull-out, move-over or a join-up. Call it what you will, it means changing service coops, which makes for a shakey base for budget determination.

Now, you may think that this sort of thing doesn't happen, but I remember a take-over attempt in 1980 and my schools were the target. They were offered a "deal they couldn't refuse". Service, free of charge, for a year. An offer we couldn't match. We had been providing a quality special ed service to these schools and, ultimately, that's what saved our coop and foiled the coup. But, in the end, it came down to one administrator taking the lead. Other take-overs have been tried - one very recently and with each, we professionals wonder what we're doing here waiting from year to year.

We don't debate the issues of RIF and layoffs, or state budget cuts, but boundary changes have nothing to do with these issues and have to be stopped to provide some basis - minimal basis of job security and provide a basic structure for financial responsibility. The majority of the special ed personnel in this state are from out of state. All we are asking is to do the job we came here for - stop changing the rules and job locations in midstream and let's get on with the business of providing quality education for our children.

The method before you offers a sensible alternative to what we have now. Boards made up of representatives from the service area insure local control of special ed programs and governing policy is made locally and budget is set from there - consistent from year to year, to support the professionals and staff necessary to implement the programs. There is no additional cost to state or district. Coops are responsible for their own operation, supported by state and federal funds.

EXHIBIT NO. 2

2/4/87 From those of us who enjoy our jobs and have overcome hardships and obstacles to live here - please listen. We have the average financial ~~commit~~ commitments (just as you do) and deserve some basic job security when if is available. Please make sure this legislation passes and improve your educational system by bringing special ed services into a firm balance by offering consistency in the program service area.

*James L. Foley ccc*

*#353 - Modern*

*2-4-87*

SENATE EDUCATION

EXHIBIT NO. 2DATE 2/4/87BILL NO. SB 317

# Granite County Superintendent of Schools

BOX 520  
COURTHOUSE  
PHILIPSBURG, MONTANA 59858

## SENATE EDUCATION

EXHIBIT NO. 3  
DATE 2/4/87  
FILE NO. SB 217



February 3, 1987

Mr. Chairman. Bob Brown  
Members of the Senate Education Committee.

I am Julie Enman, Granite County Superintendent of Schools.

I am in support of S.B. 217 on behalf of the rural schools that are under the supervision of the County Superintendent and that are also members of the Southwestern Montana Education Cooperative.

I urge you to support S.B. 217.

The rural schools, whose ANB may be as few as 8 or as many as 48, could not comply with State and Federal mandates to provide a free appropriate special education to all the handicapped students in their districts.

Cooperative membership is the only way to provide special services to our rural students.

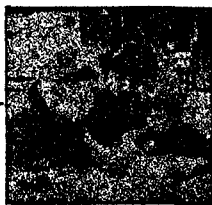
However, because schools need 1500 ANB to qualify for full time funding of a school psychologist or 1000 ANB for speech pathology services, these little schools are really at the mercy and whim of larger schools which may pull out because of personality clashes or other mundane and unprofessional reasons. The ability of rural schools to provide special education is dependent upon other schools pleasure.

It's time for Montana to mandate a workable system whereby small rural schools can have more local control over their services and whereby, small rural schools can do their job of providing an education to all their students.

I am a member of the Management Board of the Southwestern Montana Education Cooperative. The cooperative calls for representation of all schools within its area. This system has empowered all our schools in directing their programs as well as governing the activities, performance and goals of the cooperative.

Thank you for your consideration.

Julia Enman



## CENTRAL MONTANA LEARNING RESOURCE CENTER COOPERATIVE

215 SEVENTH AVENUE S. • LEWISTOWN, MONTANA 59457

SENATE EDUCATION

EXHIBIT NO. # 4DATE 2/4/87BILL NO. SB 217

February 3, 1987

TO: Senate Education Committee  
FROM: Michael Ikard, *MA Ikard* Director of Special Education  
RE: Support for Senate Bill 217

Please support Senate Bill 217 for the following reasons:

1. Existing special education cooperatives will be stabilized and not subject to districts joining or dropping which leaves neighboring districts without a method of reasonably funding itinerant services.
2. The bill allows cooperatives to invest funds which will help these cooperatives have the resources to pay expenses.
3. The bill provides for all children in Montana to receive appropriate special education services in programs administered by an endorsed special education administrator.
4. By reducing the number of educational service cooperatives to no more than twenty, there will be a smaller number of special education administrators in Montana and money will be saved.
5. The bill allows and encourages districts to join together to provide many non-special education services (gifted/talented, counseling, library, driver education, purchasing, inservice, etc.) in a more efficient manner than they can provide themselves. This bill is not a consolidation bill but a bill that can save money for smaller districts. It does not force any school closures but it does provide smaller districts with the opportunity of providing additional services to students that would be too costly or impossible to provide by themselves.
6. Mandating all districts into a cooperative will increase the opportunity for services to all handicapped students in the state.

## SENATE EDUCATION COMMITTEE

Mr. Chairman, Members of the Education Committee, and Interested Persons:

I am testifying as the special education cooperative director for the Missoula Area Special Education Cooperative which was established in 1979. Our Cooperative serves 16 school districts in Missoula, Mineral and Lake Counties. The size of our member districts range from one-teacher or two-teacher districts such as Swan Lake and Greenough to larger urban districts such as Bonner, Lolo and Frenchtown. The Missoula Area special education Cooperative employs a number of special education teachers, instructional aides, speech clinicians, school psychologists, and audiologists.

I would remind you, special education and related services are mandated by federal and state statutes. It is a mandated service not optional. The responsibility for these services is the direct responsibility of the local school district. The one-room school district in rural Western Montana is obligated to provide the same level and quality of special education services as our urban neighbor in Missoula with over 5,000 elementary students.

STATE EDUCATION

EXHIBIT NO. 5

DATE 3/4/87

BILL NO. SB 217

Through a special education cooperative, our member districts have been able to pool their handicapped students so they could meet O.P.I.'s caseloads requirement. Our experience has shown that for a full-service Cooperative to be effective and cost efficient it must have a minimum student base of 3,000 ANB.

Presently, school districts in Montana are not required to participate in a special education cooperative. Obviously, small rural districts must join a cooperative if they are to meet the requirement to provide appropriate special education services for the few handicapped students who attend their district. The threat to the existence of cooperative comes from the middle sized districts with approximately 400-800 students. These districts usually have their own special education instructional staff and receive speech or school psychologist services from the cooperative. If such a district pulls out of the cooperative, as they have and are now threatening to do, the whole future of a cooperative may be in jeopardy if it is unable to maintain the minimum base of 3,000 students. Such a move by a district may also result in the creation of new administrative units or fragment services, both results usually meaning additional cost.

S.B. 217 would protect the future of cooperatives by requiring districts with less than 3000 ANB to participate in a cooperative. The bill only calls for administrative, clerical

## SENATE EDUCATION

SUBMIT NO.

5

2/4/87

BILL NO.

SB 217

and related-services personnel to be budgeted with the education service agencies. Districts meeting O.P.I. caseload requirements may budget at the local level for instructional, personnel, and specialists.

The cooperative bill calls for the creation of no more than 20 education service units in the state. This would reduce the number of existing special education cooperatives and, consequently, reduce administrative costs by combining part-time director and supportive positions. For example, why pay the health insurance costs for two part-time speech and language clinicians when you can combine it into one full-time position? Also, why pay the cost of a part-time special education director, when you can combine the position with another part-time or full-time director?

I would urge you to seriously consider the merits of S.B. 217. It would benefit the state of Montana, its school districts, and the children of the state. It would reduce costs, insure the permanence of cooperatives, and make them more efficient.

Thank you.

Submitted by Fred D. Appelman, Director  
Missoula Area Special Education Cooperative  
301 W. Alder  
Missoula, MT 59802  
(406) 721-5700, Ext. 346

# HARLOWTON PUBLIC SCHOOLS

School District No. 16

Box 288

Harlowton, Montana 59036

February 4, 1987

Hillcrest Elementary

(406) 632-4361

High School

(406) 632-4324

## SENATE EDUCATION

EXHIBIT NO. 6

DATE 2/4/87

BILL NO. SB 217

Senator Robert Brown and Committee to hear SB217:

I am Clarene Dysart of Harlowton. Twenty-five of my thirty-one years in education in Montana have been spent in Harlowton, first as classroom teacher for 21 years, and then in my present position of elementary principal for the past 4 years. As principal, I am also supervisor of special education in our district, and have served four years as representative of the Harlowton Schools on the Board of Directors of the Central Montana Learning Center Cooperative in Lewistown. Because of the positive services our disabled students and districts receive from the Coop, I speak for SB217.

From personal experiences with the Coop, I sincerely believe that our students can receive truly comprehensive and efficient educational services only through the combined efforts of several school districts organized as such a Cooperative. The specialists who are needed to assure the correct identification of disabled children would constitute an enormous financial burden on small school districts, and can only be provided through the joint efforts and finances of many. Psychologists, speech clinicians, academic specialists, adaptive physical education personnel, and audiologists are needed to comprehensively evaluate students for possible placement in the special education program. The services of some are on-going in the planned programs for individual students. These persons are hired by the cooperative and can be called upon by all districts to provide services needed in a prompt and efficient manner. Our district employs a full-time Special Education/Resource Room teacher, but we can call upon the resources of the Coop any time if we have a question or need advice on the best method for helping a student.

Due to the number of personnel needed to service the twenty-one school districts, plus the eight Fergus County rural schools, who make up the cooperative, a centrally-located, full-time Director is a necessity. He is best qualified to supervise and administer programs for the member districts. He is a specialist who has the training and expertise to advise and keep administrators current in all aspects of special education. The number of personnel he must supervise outnumbers the total personnel of many of the individual member districts. He is needed to administer finances, programs, personnel, and problems which might arise. He must report all actions to the Board and advise them of matters about which they might be uninformed due to their many other duties within their schools. Most importantly, the Director is needed to schedule personnel in a manner that will ensure that all districts receive services promptly and efficiently.

"Home of the Engineers"

EDUCATION

EXHIBIT NO. 6

DATE 2/4/87

BILL NO. SB 217

During the spring of 1986, representatives, most of whom were teachers from member districts, met to plan the most constructive use of PIR days for the 1986-87 school term. This cooperative effort enabled employees of the districts to invite an exceptional consultant to speak for one of the scheduled PIR days. Without the financial pooling of all districts, the fee for such a consultant would have been prohibitive. Other workshops which incurred little or no financial support were also planned so that employees of all schools had the opportunity to take part in worthwhile and constructive PIR days. Finances are administered by the Coop. This has proved to be such a positive effort that it being planned again for 1987-88. This is only one example of ways a Coop can be used for programs other than Special Education.

The Central Montana Learning Center is beneficial to me as an administrator because the duties the director and personnel assume frees me to better supervise and improve instruction throughout the school. However, the most benefit comes through the work they do with our handicapped children. I adamantly believe the cooperative is the best means for providing the most organized, efficient, and comprehensive educational programs possible for those children.

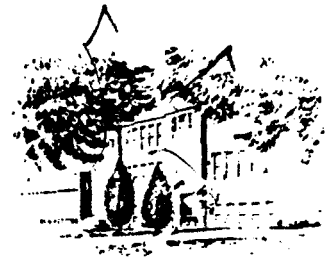
Thank you.

*Clarene Dygart*



# Powell County High School

709 MISSOURI AVENUE / DEER LODGE, MONTANA  
Telephone 846-2757



Senate Committee  
Education and Cultural Resources

SENATE EDUCATION

EXHIBIT NO. 7

DATE 2/4/87

BILL NO. SB 217

Dear Committee Members:

I am Robert D. Smith, Superintendent Powell County High School and Management Board Chairman of Southwestern Montana Educational Cooperative (SMEC).

The way cooperatives are established they really don't exist. Powell County High School is currently the host for SMEC, my board has agreed to be the host for this one year. My board, or any board in the area, is not willing to assume ultimate fiscal responsibility for the cooperative expenditures. My board, or any board, is not willing to have federal funds co-mingled with their own district's federal funds, under the district's identification number.

A major question we have is with whom is the professional staff tenured if my Board is ultimately responsible?

Under present cooperative law and interpretation only the board of Powell County High School may invest cooperative funds, yet the cooperative has a clerk, a director and a management board as any other school district. Currently interest money may not be accrued or spent by the cooperative. In view of current budget cuts our cooperative could have avoided some of the drastic reduction in services offered to students if we would have been able to use invested dollars.

For these reasons cooperatives must become legal entities.

On behalf of the Southwestern Montana Educational Cooperative which is comprised of 26 school districts, the Management Board voted to support Senate Bill 217. The Cooperative bill will save approximately \$40,000.00

SENATE EDUCATION

EXHIBIT NO. 7

DATE 2/4/87

BILL NO. SB 217

Page 2

in administrative costs (federal and state), streamline services and give a foundation to the specialists and teachers who are employed by the cooperative.

Senate Bill 217 will once and for all provide for a means of delivering special education services, put an end to raids by other schools, force educators to cooperate and share services on behalf of the handicapped child.

In addition, Senate Bill 217, will protect small school from larger schools ability to pull out because they may not like "someone".

Small schools cannot provide special education services without a stable cooperative umbrella.

Through the cooperative bill, local control is maintained at the local level and in addition the local districts control the cooperative. Through the cooperative bill rural schools are able to comply with federal and state special education mandates.

Members of the committee, I urge you to support Senate Bill 217.

Sincerely,



ROBERT D. SMITH  
Superintendent PCHS  
Chairman SMEC



MONTANA COUNCIL OF  
ADMINISTRATORS OF  
SPECIAL EDUCATION

A DIVISION OF THE COUNCIL FOR EXCEPTIONAL CHILDREN  
AN AFFILIATE OF SCHOOL ADMINISTRATORS OF MONTANA

SENATE EDUCATION

EXHIBIT NO. 8

DATE 2/4/87

BILL NO. SB 217

TESTIMONY

This testimony is given in support of Senate Bill 217 (SB-217) "An Act Requiring Creation of Educational Service Cooperatives; And Repealing Sections 20-7-451 Through 20-7-455, M.C.A." Montana Council of Administrators of Special Education (MCASE) support this bill for the following reasons:

First, this bill is based on three separate studies that have drawn the same basic conclusions and recommendations that are incorporated in SB-217. The three studies were done by the MCASE Cooperative Committee 1971, The Special Education Cooperative Committee appointed by Superintendent Argenbright 1981-82, and an Ad Hoc Committee on Cooperatives 1986. A summarization of the findings can be summed up in the first recommendation of the committee appointed by Superintendent Argenbright "A special education cooperative structure similar to the one that has developed in Montana appears to be the most appropriate system for Montana; thus it should be continued and strengthened."

Second, SB-217 provides for a comprehensive service delivery system that includes all of the school districts in Montana. This provides continuity in planning and programming to ensure equal educational opportunity for all students in need of special education and related services.

Third, SB-217 provides for stability in cooperative membership and reduces the very real possibility of interruption in services to children caused by individual districts inability to either recruit or retain personnel.

At the Fall '86 MCASE business meeting the membership voted unanimously to support this legislation. We feel this is good, positive legislation which will more comprehensively and efficiently serve the needs of handi-capped students.

Submitted by,

Michael T. Ainsworth, President

February 4, 1987

STATE EDUCATION

EXHIBIT NO. 9

DATE 2/4/87

BILL NO. SB 317

Written Testimony

Senate Bill 217

By: Vern Barkell

February 4, 1987

My name is Vern Barkell. I am the Director of the Yellowstone-West/Carbon County Special Services Cooperative. I am here to ask the members of this committee to support Senate Bill 217. This Bill will provide for comprehensive Special Education service delivery patterns for all Special Education students throughout the state of Montana. By approving this Bill, the Legislature will go on record as supporting quality Special Education services to all students in this state, no matter where they may attend school.

Senate Bill 217 will make Cooperatives more stable and help to insure their continued existence over the long term. As things now stand, Cooperative membership is voluntary, allowing districts to remove themselves from participation in a Cooperative for whatever reason. Right now, having one or two districts pull out of a Cooperative arrangement can effectively cripple the ability of the Cooperatives to continue to provide high quality, comprehensive services to the Special Education students in the schools that remain in the Cooperative. Special Education Cooperatives receive their funding, in part, according to the total ANB in the participating districts.

Should one large, or several small districts decide to end participation in the Cooperative, the number of students left in the remaining schools may not be enough to justify continued OPI funding for certain specialists. For

TE EDUCATION

EXHIBIT NO. 9

DATE 3/4/87

BILL NO. SB 319

example: If a Cooperative receives funding for two schools psychologists to serve the entire Cooperative population and if the ANB of the Cooperative decreases substantially, due to several districts pulling out, OPI may, because of these difficult financial times, feel it necessary to cut back funding for one of those positions to a half or a quarter of what it once provided. It has been my experience that part-time School Psychologists, Speech Therapists, or for that matter, Special Education teachers are often difficult, if not impossible to employ. This is particularly true in the more rural areas of our state. Consequently, Cooperatives will be forced to get along without needed personnel or attempt to contract with private individuals at a substantially greater cost. If that option is not possible, quality and scope of the services will need to be reduced to accommodate the number of persons and funding available. This latter option opens the way to potential legal action on the part of parents, due to the inability of those schools remaining in the Cooperative to provide appropriate services.

While there has not been a massive exodus of schools from Cooperatives thus far, there have been several instances of schools pulling out of Cooperatives. It is my fear that should funding from OPI and the legislature continue to decrease over the next few years, and if local districts are asked to provide local funds to maintain the quality and scope of mandated services, some districts may opt to leave the Cooperatives rather than provide the extra funds needed to continue to keep services at a quality level. It seems reasonable to deal with this potential problem through this legislation rather than wait for several Cooperatives to close their doors and then have schools faced with the dilemma of finding substitute services while trying to hold costs down.

## SENATE EDUCATION

EXHIBIT NO. 9DATE 2/4/87BILL NO. SB 217

Another portion of this bill would allow the Cooperative to provide other services to member schools. The decision as to what services, over and above Special Education, are provided by a particular Cooperative is still left up to the member schools. This legislation would allow, but not mandate the use of the Cooperative to provide other services as the local districts would feel necessary. The key is that local Boards of Trustees would have the final decision making authority as to what services would be provided through the Cooperative, the scope of those services, and would be responsible for setting limits on costs and expenditures. Local control would be maintained while allowing cost effective joint participation in such areas as Gifted and Talented Education.

Finally, this Bill will allow Cooperatives to establish cash reserve funds of up to 15% and will also allow them to invest funds. This portion of the Bill will give Cooperatives needed flexibility in handling financial affairs before the first payment is received from OPI each fall.

I thank you for your attention and urge you to vote in favor of Senate Bill 217. Thank you.

  
Vern Barkell      2/4/87  
Date

NAME:

Don Wetzel

DATE:

2/4/87

ADDRESS:

1095 MAIN ST. CORVALLIS, OR

PHONE:

961-4211

REPRESENTING WHOM?

CORVALLIS SCHOOL DIST #1

APPEARING ON WHICH PROPOSAL:

S.B. 217

DO YOU:

SUPPORT?

YES

AMEND?

OPPOSE?

COMMENTS:

COOPS - CUT COST FOR OUR  
DISTRICT - AND PROVIDES SERVICES -  
SERVICES WE COULD NOT SUPPORT  
AS A DISTRICT -

SENATE EDUCATION

EXHIBIT NO.

10

DATE

2/4/87

BILL NO.

SB 217

PLEASE LEAVE ANY PREPARED STATEMENTS WITH THE COMMITTEE SECRETARY.



FROM THE DESK OF — DON WETZEL

Don Wetzel - Supt of  
Schools - District #1  
Covallis mt.

SENATE EDUCATION

EXHIBIT NO. #10

DATE 2/4/87

BILL NO. THE SB 217

I Represent  
District And The Board  
of Trustees. I Bring  
From my District  
Support for Senate  
Bill 217.

8 yrs.

Being A Second  
Year Superintendent I  
Learned Very Fast How  
Important The Special  
ED Cooperative Was To  
The School District.



FROM THE DESK OF — DON WETZEL

#1) THE COOPERATIVE  
PROVIDES SERVICES  
THE DISTRICT. SERVICES  
THAT WE COULD NOT AFFORD  
ON OUR OWN - Audiologists,  
SPEECH PATHOLOGISTS, PSYCHOLOGISTS, RESOURCE  
TEACHERS, SELF-CONTAINED  
ROOM TEACHER AND PERSONNEL,  
A GOOD SOLID DEDICATED  
PROFESSIONAL STAFF, AND  
A DIRECTOR WHO KNOWS  
WHAT TO EXPECT AND  
HOW TO HANDLE THIS  
IMPORTANT GROUP OF  
INDIVIDUALS.

SENATE EDUCATION

EXHIBIT NO. #10

DATE 2/4/87

BILL NO. SB 717

HAVE  
TO  
CONTACT  
OUT



FROM THE DESK OF — DON WETZEL

WE COULD NOT AFFORD  
SUCH A STAFF IF IT  
WERE THE DISTRICTS  
RESPONSIBILITY. MANY  
STUDENTS WOULD BE BYPASSED.  
MANY STUDENTS HURT FOR  
LACK OF ASSISTANCE.

SENATE EDUCATION

EXHIBIT NO. 10

DATE

2/4/87

BILL NO.

SB 217



FROM THE DESK OF — DON WETZEL

3) AN ALMOST IMPOSSIBLE  
TASK IS FOR A DISTRICT  
ADMINISTRATOR TO EVALUATE  
A SPECIAL ED PROGRAM OR  
SPECIAL ED. TEACHER. I  
TRIED IT. I FIRST SPENT  
2-3 HRS STUDYING MY  
"SPECIAL ED AND THE  
HANDICAPPED" (LEGAL NOTES.  
TRYING TO GRASP THE  
JOB AND INTENT OF THE  
TEACHER. WITH  
COOPERATIVE <sup>SENATE EDUCATION</sup>  
DIRECTOR I <sup>EXHIBIT NO. 10</sup> KNOW THE  
JOB IS BEING DONE <sup>DATE 2/7/97</sup>  
<sup>FILE NO SB 217</sup>



FROM THE DESK OF — **DON WETZEL**

By A TRAINED Individual.  
AND DONE WELL.

A) SCHOOL DISTRICTS

THROUGHTOUT THE COUNTRY  
ARE BEING DRAWN INTO  
COURT BY PARENTS  
AND FAMILIES WHO ARE  
HITTING THE DISTRICTS

"FOR NOT SUPPLYING  
THE EDUCATION AND  
SERVICES ~~TO~~ ~~THE~~ ~~CHILD~~ ~~AND~~ ~~THE~~ ~~CHILD~~

NEEDS OF THE CHILD"  
MANY COURT  
HAPPEN AFTER THE FACT

SENATE EDUCATION  
EXHIBIT NO. CHILD

DATE 2/9/87

BILL NO. ASE 558 2/7



FROM THE DESK OF — DON WETZEL

WHEN A CHILD HAS  
WENT THROUGH A  
PROGRAM - AND THE  
PARENTS CONTEND - "MY  
CHILD HASN'T LEARNED  
A THING - THEY FAILED  
TO TEACH HIM OR HER  
PROPERLY - ETC - ETC - THE  
LIST GOES ON.

WE'RE AWARE of  
THIS - AND  
WE BELONG TO  
SPECIAL ED COOPERATIVE

SENATE EDUCATION

EXHIBIT NO.

DATE 1/5/10 WHY  
2/11/97

BILL NO. SB 217 THE



FROM THE DESK OF — DON WETZEL

WE HAVE A TRAINED  
DIRECTOR, WHO KNOWS  
THE INS AND OUTS OF  
SPECIAL EDUCATION,  
DIRECTING STAFF AND  
PROGRAMS, A DIRECTOR  
WE COULD NOT AFFORD  
ON OUR OWN. A STAFF  
WE COULD NOT HAVE  
AND EQUIP AS THE  
COOPERATIVE DOES.  
LEGALLY IT'S ESSENTIAL <sup>SB 249</sup> — IN  
THE LONG RUN.

SENATE EDUCATION

EXHIBIT NO. 12

DATE 2/4/87



FROM THE DESK OF — DON WETZEL .

5) IN OUR AREA THE  
SUPERINTENDENTS MAKE  
UP THE BOARD WHO  
GOVERNS THE COOP. SO  
WE ARE INVOLVED IN  
COOPERATIVE ACTIVITIES.

NOT ONLY ARE WE ON  
TOP OF THINGS. THE  
MONTHLY MEETINGS  
PROVIDE A CHANCE FOR

AREA SUPERINTENDENTS

SENATE EDUCATION

EXHIBIT NO. 12

DATE

10/14/64

BILL NO. SB 217

SHARE IDEAS AND CONCERNS  
TOGETHER. WE



FROM THE DESK OF — DON WETZEL

IT Helps District  
Relations. THE COOPERATIVE  
MONTHLY MEETING HAS  
UNITED OUR AREA  
Superintendents.

IN THE LONG RUN  
S.B 217 WILL CHANGE  
SPECIAL EDUCATION IN  
MONTANA IN A VERY  
POSITIVE FASHION.

SENATE EDUCATION

EXHIBIT NO. 10

DATE 2/4/87

BILL NO. SB 217

THANK YOU -

SPECIAL EDUCATION

EXHIBIT NO. 11  
DATE 2/4/87  
BILL NO. SB 217

Written Testimony

Senate Bill 217

By: Lois Sindelar

February 4, 1987

My name is Lois Sindelar. I am Principal of Independent School District, No. 52, located in Yellowstone County. Our school serves 159 students in kindergarten through the sixth grade. As of December 1, 1986, our Special Education Resource Room which is staffed by a certified Special Education Teacher, provided by our Special Services Cooperative, serves 12 handicapped students. The Speech and Language Therapist also provided by the Special Services Cooperative provides Speech and Language therapy to 21 children.

My school district is a member of the Yellowstone-West/Carbon County Special Services Cooperative. This cooperative provides the following services and personnel to our district:

- 1) Psychological Evaluations,
- 2) Physical Therapy,
- 3) Occupational Therapy,
- 4) Speech and Language Therapy,
- 5) Special Education Administrative Services,
- 6) Preschool Handicapped Services, and a
- 7) Special Education Resource Teacher.

I am here to speak briefly in favor of Senate Bill 217. This Bill

## SENATE EDUCATION

EXHIBIT NO. 11DATE 2/4/87FILE NO. 515 217  
Bill No. of a Special

mandates that all schools of less than 3,000 ANB must be members of a Special Education Cooperative. This is important to schools like mine since, at this time, districts are able to pull out of Cooperatives, leaving the remaining member schools without adequate resources to continue to employ specialist to serve our handicapped population. If this should occur, my district would be forced to attempt to get these necessary services through private contracts or through a larger district such as the Billings schools. Local control over the Special Education programs in my district would be lessened since our district would have little or no control over the personnel employed to carry out these services. As it stands now, my district, and all districts in the Cooperative have a voice in the decision making process about who is employed to provide services to our local handicapped population.

Senate Bill 217 also makes a provision to allow Cooperatives to expand their duties to include other, non special education activities. This Bill does not mandate that other services will be provided through a Cooperative, but allows this to occur, should the local districts making up the Cooperative wish to include those services under the Cooperative administrative structure. For certain services which local districts wish to have, but are too small to provide individually, the Cooperative structure would be ideal. It would be a cost effective method for districts since the administrative structure is already in place. The scope of these "other" services would depend on the particular needs of the member districts and would be determined by the individual interlocal agreement that must be agreed to by local Boards of Trustees.

Local control is maintained over the Cooperative as its Management Board

SENATE EDUCATION

EXHIBIT NO. 11

DATE 2/4/83

SB 217

will be made up of members of local Boards of Trustees. They will be able to monitor what the Cooperative is doing, how well it is doing its job and will be able to make changes and adjustments as they see fit.

The ultimate goal of all school districts should be to provide the best possible, cost effective Special Education services to its handicapped students. For this to occur in districts with less than 3,000 ANB, I feel that membership in Special Education Cooperative is the best vehicle for ensuring that this goal will occur.

I urge you to support Senate Bill 217, and I thank you for your attention.

Lois Sindelar

Lois Sindelar

2-2-87

Date

Written Testimony

Senate Bill 217

By: Zara Frank

February 4, 1987

TE. EDUCATION  
T NO. #13  
DATE 2/4/87  
BILL NO. SB 217

My name is Zara Frank. I am the Principal of Canyon Creek School District, No. 4, located in Yellowstone County. Our school has an enrollment of 239 students in kindergarten through the eight grade. As of December 1, 1986, our Special Education Resource Room served 12 handicapped students. Our Speech and Language therapist provided by the Special Education Cooperative provides services for 20 Speech and Language impaired children.

Our district is a member of the Yellowstone-West/Carbon County Special Services Cooperative. I am a member of the management board of that Cooperative.

I am here to speak in favor of Senate Bill 217. I feel that this Bill will help to strengthen Special Services Cooperatives statewide as well as help our Cooperative remain a viable force in our area.

The Special services cooperative of which my school is a member provides the following services to the students of District No. 4:

- 1) Psychological Evaluations,
- 2) Speech and Language Therapy,
- 3) Physical Therapy,
- 4) Occupational Therapy,

## SENATE EDUCATION

EXHIBIT NO. 12DATE 2/14/87BILL NO. SB 217

- 5) Special Education Administrative Services, and
- 6) Preschool Handicapped Services.

I have some real concerns about Cooperatives as they now exist. In the case of our Cooperative, and I think most Cooperatives statewide, membership by districts in Cooperatives is voluntary. Districts can, with little notice, pull out of a Cooperative, thereby causing the Cooperative to not have enough financial support to continue to pay for the services of the specialists that provide support for our students. Since the services we are providing through the Cooperative are mandated by state and federal law, our district would be required to contract with outside agencies or private individuals to fill the gap. Our experience has been that costs increase greatly and the level of service is less when this occurs. Costs to other, smaller schools, located further from Billings would be even greater than ours due to the distances private contracted individuals would have to travel to provide the necessary services.

I feel that the section of Senate Bill 217 that provides for the mandatory membership of schools of less than 3,000 ANB in Cooperatives will help greatly in keeping Cooperatives secure and will protect smaller schools like mine.

Without this protection, the Cooperative could disappear, leaving my school, and other schools without the necessary essential services that we need to meet our obligation to our handicapped students. Without a Cooperative to back us up we will be left open to legal action on the part of parents of handicapped students. If we were to attempt to duplicate the services the Cooperative has provided us, privately, our costs could be much greater than the cost of membership in the Cooperative.

**SENATE EDUCATION**EXHIBIT NO. 12DATE 3/4/87BILL NO. SB 317

In summary, my school is pleased with the services we have received from the Special Services Cooperative. My Board of Trustees is also aware of the value of those services to our students. I would ask again for your support for Senate Bill 217. I feel that this bill is the best method to ensure that cost effective, appropriate Special Education services are provided to all students in Montana, even if they reside in small, sometimes isolated school districts. Without this legislation I am not at all sure that our district and others like ours would be able to continue to provide appropriate educational experiences to our handicapped population. Thank you.

Zara O. Frank 3/4/87  
Zara Frank Date

NAME: Marge Fekra DATE: 2/4/87

ADDRESS: 1840 Nelson Rd Bozeman

PHONE: 586-6586

REPRESENTING WHOM? myself

APPEARING ON WHICH PROPOSAL: SB 217

S U B J E C T

EXHIBIT NO. # 13

DATE 2/4/87

BILL NO. SB 217

DO YOU: SUPPORT? ✓ AMEND?        OPPOSE?       

COMMENTS: this bill is needed to provide adequate  
representation for parents of special ed  
students

PLEASE LEAVE ANY PREPARED STATEMENTS WITH THE COMMITTEE SECRETARY.



# Board of Public Education

## TESTIMONY BEFORE THE SENATE EDUCATION SUB-COMMITTEE OPPOSING SB217

Claudette Morton  
Executive Secretary

### BOARD MEMBERS

### EX OFFICIO MEMBERS:

Ted Schwinden, Governor

Ed Argenbright, Superintendent  
of Public Instruction

Carrol Krause, Commissioner  
of Higher Education

### APPOINTED MEMBERS:

Ted Hazelbaker, Chairman  
Dillon

Alan Nicholson, Vice-Chairman  
Helena

James Graham  
Ismay

Sarah "Sally" Listerud  
Wolf Point

Arthur "Rocky" Schauer  
Libby

Bill Thomas  
Great Falls

Thomas A. Thompson  
Browning

By Claudette Morton, Executive Secretary  
Board of Public Education

The Board of Public Education, during its work in responding to SB15, studied the issue of Educational Service Cooperatives and believes that some money could be saved through shared buying of supplies and sharing services of personnel. However, at its January meeting the Board of Public Education said, that while it understood the value of educational cooperatives, it cannot support legislation which would require all schools being forced into a cooperative. A major reason for this stand is that the individual school district has no say into which cooperative it wishes to move.

There are a couple of other concerns the Board has with this proposed legislation. At this time the Board of Public Education does not accredit these entities and if we should have to, as the legislation states, then we would need to develop criteria to do this. That certainly would be possible, but would be a significant additional workload to the very small staff of the Board..

An area of more specific concern to the Board of Public Education is on page 3 of section 2(1)(d), beginning with line 18. If this is truly an educational cooperative, providing the myriad of administrative services proposed, then we have some concern with the administrator being required to be endorsed as a special education administrator. Secondly, at this time the Board of Public Education does not have an administrative endorsement in special education. This would require developing a new teacher certification area and would also require at least one college in Montana offering a program which does not currently exist. One housekeeping matter on

SENATE EDUCATION

EXHIBIT NO. 14

DATE 2/4/57

BILL NO. 513-712

line 20 of page 3 is teacher certification rules should say the Board of Public Education since those are the Board's administrative rules and not the Superintendent's.

Because this proposed legislation mandates schools to be in a cooperative, without choice, and because of the problems created by requiring a certified endorsed special education administrator, the Board of Public Education would urge the committee to not pass this legislation.

# White Sulphur Springs Schools

MEAGHER COUNTY, DISTRICT 8

BOX C

WHITE SULPHUR SPRINGS  
MONTANA 59645

HIGH SCHOOL TELEPHONE 547-3351  
ELEMENTARY TELEPHONE 547-3751  
SUPERINTENDENT TELEPHONE 547-3308

FRANK G. NELSON  
SUPERINTENDENT

STEPHEN R. CASCADEN  
HIGH SCHOOL PRINCIPAL

MICHAEL L. ANDERSON  
ELEMENTARY PRINCIPAL

RONALD L. BURNS  
CHAIRMAN

CONNIE L. DAVIS  
CLERK

LINDA FRISBIE  
HIGH SCHOOL SECRETARY

TONI COMP  
ELEMENTARY SCHOOL SECRETARY

SENATE EDUCATION

EXHIBIT NO. 15

DATE 2/4/87

BILL NO. SB 217

February 3, 1987

Senate Education Committee  
Room 402  
State Capitol  
Helena, MT 59601

Dear Committee Members:

I am writing to you to express my strong opposition to S.B. 217, the proposed "Act requiring creation of education service cooperatives and repealing sections 2-7-451 and 20-7-452, M.C.A.", which I prefer to call the "Special Education Administrators Job Security Act."

White Sulphur Springs presently belongs to the Educational Specialist Consortium, a cooperative of schools in Jefferson, Broadwater, and Meagher Counties.

Our cooperative presently spends a total of about \$5,000.00 for administration of the cooperative, which serves about 2,200 students. The act would require that we belong to a cooperative of at least 3,000 students and that an administrator with proper certification and endorsements be hired for each cooperative. I am sure that such an administrator would cost the cooperative at least \$25,000.00 per year plus clerical and secretarial costs to provide administration in cooperatives of 3,500 to 4,500 students. It seems ridiculous to me to be greatly increasing administration costs for special education cooperatives at a time when the state is faced with decreasing revenue and we have already had cuts in money available for our special education programs, and at a time when White Sulphur Springs School District has had to eliminate 1 full time administrator for the coming school year.

Page 2

Letter to Senate Education Committee

RE: Special Education Cooperatives

SENATE EDUCATION

EXHIBIT NO. 15

DATE 7/4/87

FILE NO. 50317

In addition, according to the proposed cooperative structure, White Sulphur Springs would be placed in a cooperative with Park and Stillwater Counties, which would mean that in all likelihood our speech and psychologist services would come from Livingston rather than Townsend. This would increase travel time by at least 1 hour per trip, thus reducing service time by 1 hour per trip. In addition travel costs would be increased by \$12.00 per trip. If the psychologist and speech therapist made two trips to our school per week as they presently do, we would receive 4 hours less service per week for additional cost of \$48.00 per week.

I see no reason to change a cooperative structure which is working and working well for us, and replacing it with a structure from which we would receive less service and which would require more administrative costs.

Sincerely,

*Frank Nelson*

Frank G. Nelson  
District Superintendent

FGN/cld

NAME: Thurston Alford DATE: 2-4-89

ADDRESS: 35 So Kodner SENATE EDUCATION 16

PHONE: 442-6440

REPRESENTING WHOM? Kelena Sp. Ed Co-op

APPEARING ON WHICH PROPOSAL: AB-217

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

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

PLEASE LEAVE ANY PREPARED STATEMENTS WITH THE COMMITTEE SECRETARY.

# SPECIAL SERVICES CENTER

Helena School District No. 1  
55 South Rodney  
Helena, MT  
59601



Gerald W. Roth  
Director  
Kenneth E. Kohl  
Assist. Director  
Shirley DeVoe  
CO-OP Coordinator

Phones: 442-6440  
442-6442

February 3, 1987

SENATE EDUCATION  
EXHIBIT NO. 16  
DATE 2/4/87  
BILL NO. SB 217

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

SENATE BILL No. 217

I would like to speak in opposition to Senate Bill No. 217. As the coordinator of an existing cooperative, I feel the above bill would undermine an existing procedure that is working for many cooperatives.

The Helena Special Education Cooperative as it now exists serves a base student population of approximately 1800 students. Helena School District #1 is the host district. There are no overhead costs charged to the cooperative and staff are considered to have tenure with the Helena School District. By changing the law, you would be creating a new legal entity thus forcing consolidation into a new school district.

Our coop probably has one of the lowest costs per handicapped student in the state. With the passage of this new legislation, our coop would not continue in this present status and projected costs would increase considerably.

Thank you.

A handwritten signature in cursive script that reads "Shirley DeVoe".

SHIRLEY DE VOE, COOPERATIVE COORDINATOR  
HELENA SPECIAL EDUCATION COOPERATIVE

S. STATE EDUCATION

EXHIBIT NO. 17

DATE 2/4/87

BILL NO. SB 217

*Senate*

House Bill 217

Feb. 4, 1987

Elinor Collins

Representing Mont. Assoc. of County  
Superintendents of Schools

Position: Opposed

We are opposed to *Senate* ~~House~~ Bill 217 because of its mandatory requirements forcing districts to belong to Special Education Cooperatives in a particular area. This is another example of taking control from the local district.

Montana with its vast area and isolated schools cannot look at large regional cooperatives that will provide adequate service to all districts. In large cooperatives presently serving schools in a 150 mile area running east and west with school districts 40 to 60 miles north and south, the majority of the staffs time is spent in travelling. The small rural school with the one teacher and special education children just cannot be served by large cooperatives.

This bill is creating, in essence, ten new school districts equal to the local school district, with the exception of levying mills. It will have great power and will be answerable to whom? The cooperative that rural schools belonged to in Hill County had a meeting once a year with members at budget time. Decisions were not made by a board but by the staff of the cooperative.