

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

February 11, 1987

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

ROLL CALL: All committee members were present.

CONSIDERATION OF SENATE BILL 301: SENATOR GAGE, District 5, sponsor of the bill, said the bill allows trustees of a school district to establish a reserve fund for designated school purchases. At the end of the school year trustees could take from the general fund end-of-year cash balance a sum not more than 25% of a designated purchase and establish a four year fund for the project.

PROPONENTS: CHRIS MATTOCKS, Superintendent of Schools, Cutbank, said the bill is a result of action taken by District Superintendents Association. The reserve fund would be established only for non-budgeted items such as a new copier or computer. He said this would help schools weather economic storms, and provide for reasonable accountable planning.

JESS LONG, School Administrators of Montana, stated support on behalf of 200 administrators who passed a resolution calling for this legislation.

BOB STOCKTON, Office of Public Instruction, spoke as neither a proponent or an opponent; rather he addressed some technical aspects. He said this would be setting up a non-budgeted fund from a budgeted fund, the 19th such fund. He pointed out the cash balance is not the same as the end balance. He felt there was a problem as there are already some of these funds on the books whereby a district can obligate for 1/2 of the purchase at the end of one year and budget for the other half for the next year. He pointed out if monies that are budgeted are set aside, they cannot be spent for anything but the budget item.

There being no opponents, Senator Gage closed by saying this is a good mechanism although it probably needs some

work. He felt the benefits of being able to set aside 25% of a windfall if it comes is better than the drawbacks.

EXECUTIVE SESSION

ACTION ON SENATE BILL 127: SENATOR HAMMOND moved to amend page 2, line 15, as per amendment #11 on the Standing Committee Report. (Exhibit 1) The motion CARRIED unanimously.

SENATOR NEUMAN suggested amending the bill as per amendment #6 on the attached Standing Committee Report. (See Exhibit 1).

SENATOR MAZUREK suggested an amendment on page 2, line 14 (as per amendment #10 on attached Standing Committee Report of Exhibit 1), for clarification and so the bill is consistent throughout.

SENATOR REGAN moved the preceeding amendment with the stipulation the staff researcher prepare it to reflect the interest starts when the obligation to pay the debt starts. The motion CARRIED unanimously.

SENATOR NEUMAN moved his suggested amendment (#6 on Standing Committee Report).

SENATOR REGAN felt three years was too long and said she would support 1 year. She felt she could live with two years if she had to.

SENATOR HAMMOND asked for clarification that the amendment would erase 1/3 of the 25% due per year.

SENATOR REGAN offered a substitute motion to change Senator Neuman's motion (#6 of Committee Report) to reflect 2 years rather than 3 years.

SENATOR BLAYLOCK wanted to make it as easy as possible for doctors to move into rural areas of Montana where work loads are very heavy for the few doctors located there.

SENATOR REGAN'S motion FAILED on a roll call tie vote. (See roll call vote sheet Exhibit 2).

SENATOR NEUMAN'S original motion reflecting 3 years CARRIED with Senators Blaylock, Regan and Mazurek voting no.

SENATOR MAZUREK felt clarification was needed on page 2, line 12, to be sure repayment would begin after residency was completed. He moved amendment #8 (Standing Committee Report Exhibit 1, page 2). The motion CARRIED unanimously.

SENATOR BLAYLOCK moved to adopt a substitute bill which would require a 10% payback up front.

SENATOR REGAN said WICHE/WAMI was established so we could have good medical people in Montana. It costs \$8 million a biennium just so that poorer students who don't have up front money for medical schools can attend.

SENATOR MCCALLUM voiced a concern that this would rule out students from low-income families.

SENATOR MAZUREK asked Jack Noble, Deputy Commissioner for Management and Fiscal Affairs, Montana University System what would the up-front 10% be.

MR. NOBLE said it would be \$2200 a year. (Exhibit 3)

SENATOR HAMMOND felt up-front payments will make it easy for Noble's office, but tough on the students, and he opposed the idea.

SENATOR MAZUREK asked if the 10% up-front is an option, or is it exclusive as he understands it.

SENATOR PINSONEAULT said he would support it as an option.

SENATOR BLAYLOCK withdrew his original motion in favor of a substitute motion making the 10% up-front payback optional.

SENATOR MCCALLUM felt he didn't want the up-front to be a consideration when the students are chosen.

SENATOR BLAYLOCK'S motion FAILED on a roll call vote. (Exhibit 4).

SENATOR HAMMOND moved SB 127 DO PASS AS AMENDED. He said if we don't pass this the WICHE/WAMI program will be cut more and more. He felt if we get some of the money back we'll be in a position to protect it.

The motion CARRIED on a roll call vote. (Exhibit 5)

SENATOR MAZUREK moved the Statement of Intent be changed to reflect elimination of the word "cash" (Exhibit 6). The motion CARRIED unanimously.

ACTION ON SENATE BILL 143: SENATOR BLAYLOCK moved his proposed amendments as per the attached (Exhibit 7). He noted the amendments shift the power from OPI to the Board of Public Education to determine isolation - non-isolation status. He reasoned that the Superintendent of Public Instruction is an elective office and this could be a major consideration in consolidation decisions. He also noted the criteria for bus travel would be a determinant for isolation status. If over 50% of the students have to travel over an hour, isolation status would be a possibility.

He further commented these amendments came from the legislative finance committee study.

SENATOR SMITH expressed concern about consolidation being subject to "equal opportunity" litigation right away.

SENATOR BLAYLOCK'S motion to adopt the amendments CARRIED with Senators Hammond and Smith voting no.

SENATOR BLAYLOCK moved Senate Bill 143 DO PASS AS AMENDED. Senator Blaylock presented two sheets of information to the committee for their consideration (Exhibits 8 & 9).

SENATOR HAMMOND said this bill is just simply colonization. It forces people in rural areas to move to town and breaks down the family. He felt it deprives rural students of the opportunity to participate in extra-curricular activities and may affect accreditation.

SENATOR SMITH said there are real problems being caused because of tax delinquencies and protests. He felt the equal funding suit will settle this anyway.

SENATOR BLAYLOCK said this bill doesn't force anyone to consolidate. It just doesn't reward schools anymore for being smaller. He said doing business in small towns will save small towns not keeping the schools.

SENATOR BLAYLOCK'S motion that Senate Bill 143 DO PASS AS AMENDED FAILED on a roll call vote (Exhibit 10). The motion and vote were reversed: Senate Bill 143 DO NOT PASS AS AMENDED CARRIED on a roll call vote. (Exhibit 11).

ACTION ON SENATE BILL 273: SENATOR MAZUREK moved
Senate Bill 273 DO PASS. The motion CARRIED unanimously.

ACTION ON SENATE BILL 174: SENATOR MCCALLUM moved
Senate Bill 174 be amended as per the Standing Committee
Report (Exhibit 12).

SENATOR MAZUREK moved Senate Bill 174 DO PASS AS AMENDED.
The motion CARRIED with Senator Pinsoneault voting no.

FURTHER ACTION ON SENATE BILL 232: SENATOR REGAN said
she wished to take no further action on the bill, and
it would be turned in as per the DO PASS action on
February 9, 1987.

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



SENATOR BOB BROWN, Chairman

jdr

ROLL CALL

SENATE EDUCATION AND CULTURAL RESOURCES COMMITTEE

50th LEGISLATIVE SESSION -- 1987

Date 2/11

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	✓		
SENATOR TED NEUMAN	✓		
SENATOR DICK PINSONEAULT	✓		
SENATOR SWEDE HAMMOND	✓		

Each day attach to minutes.

DATE:

COMMITTEE ON

VISITORS' REGISTER

NAME	REPRESENTING	BILL #	Check One	
			Support	Oppose
<i>[Signature]</i> George M. H.	<i>[Signature]</i> tation	301	X	
Bruce W. H.	MSBA			
Bob Stuck	OPT	301		X
El Mattocks	cut Bank Schools	301	✓	
<i>[Signature]</i> Del M.	SA M		-	
<i>[Signature]</i>	Sen. H.			

STANDING COMMITTEE REPORT

SENATE EDUCATION

SB 127

EXHIBIT NO. 1

February 16, 1987

DATE 3/11/87

MR. PRESIDENT SB 127

We, your committee on EDUCATION

having had under consideration Senate Bill No. 127

first reading copy (white)
color

WICHE-WAMI PARTIAL PAYBACK

Respectfully report as follows: That Senate Bill No. 127

Be amended as follows:

1. Title, line 7.

Strike: "25 PERCENT OF"

2. Title, line 10.

Strike: "SCHEDULES"

Insert: "METHODS"

3. Page 1, line 19.

Strike: "to"

Strike: "25% of"

Insert: "for"

4. Page 2, lines 3. and 4.

Following "repay"

Strike: "the amount"

Insert: "as"

5. Page 2, line 6.

Strike: "the portion of their support"

Insert: "in the manner"

6. Page 2, following line 6.

Insert: "(4) A student may choose to repay either by the practice of the financed profession in the state for a period of 3 years or by repayment of 25% of the state support paid on the student's behalf."

DO PASS

DO NOT PASS

CONTINUED

Chairman.

EXHIBIT NO. 7

February 16, 19 87

DATE 3/11/87

BILL NO. SB 127

Renumber: subsequent subsections.

7. Page 2, line 7.

Following: "Repayment"

Insert: "of money or practice of the profession"

Strike: "1 year"

Insert: "3 years"

8. Page 2, line 12.

Following: "practice"

Insert: "that is in addition to the 1-year internship required by 37-3-305"

9. Page 2, line 13.

Following: "Repayment"

Insert: "of money"

10. Page 2, line 14.

Strike: "begins"

Insert: "must begin pursuant to subsection 5(a)"

11. Page 2, line 15.

Following: "5%"

Insert: "from the date on which repayment must begin pursuant to subsection 5(a)"

STATEMENT OF INTENT ADOPTED AND ATTACHED

AND AS AMENDED,
DO PASS

CHAIRMAN, BOB BROWN

1
3/11/87
SB 127

February 16, 1987

MR. PRESIDENT:

WE, YOUR COMMITTEE ON EDUCATION
HAVING HAD UNDER CONSIDERATION SENATE BILL NO. 127, ATTACH THE
FOLLOWING STATEMENT OF INTENT:

STATEMENT OF INTENT

S Bill No. 127

A statement of intent is required for this bill because rulemaking authority is granted to the commissioner of higher education in section 1. Although the provisions of the Montana Administrative Procedure Act do not apply to the board of regents or the university system, 5-4-404 requires a statement of intent whenever a bill delegates authority. Since this bill delegates authority, a statement of intent is attached.

It is intended that the commissioner administer the repayment provisions to the greatest benefit to the state, which includes the encouragement of professional training for its citizens as well as a partial payback of some of the state's investment. The commissioner shall explicitly define the interstate compact programs involved, with the legislature intending that WICHE, WAMI, and the Minnesota Rural Dentistry programs be covered. The commissioner shall have the ability to alter the rules to cover the status of the compacts. It is not intended that the commissioner pick and choose among defined programs--all must be covered equally.

It is also intended that administrative procedures relating to payback and enforcement of payback be covered.

ROLL CALL VOTE

STATE EDUCATION

EXHIBIT NO. 2

DATE 2/11

BILL NO. SB 127

SENATE COMMITTEE EDUCATION AND CULTURAL RESOURCES

Date 2/11/87 SB Bill No. 127 Time _____

NAME	YES	NO
SENATOR BOB BROWN, CHAIRMAN	✓	
SENATOR CHET BLAYLOCK, VICE CHAIRMAN	✓	
SENATOR GEORGE McCALLUM		✓
SENATOR ED SMITH		✓
SENATOR PAT REGAN	✓	
SENATOR JOE MAZUREK	✓	
SENATOR BILL FARRELL		✓
SENATOR TED NEUMAN		✓
SENATOR DICK PINSONEAULT	✓	
SENATOR SWEDE HAMMOND		✓

JILL ROHYANS
Secretary

SENATOR BOB BROWN
Chairman

Motion: by Senator Regan to change
Senator Neuman's proposed
amendment to reflect 2 years
instead of 3 (amend. #1, attached
standing committee report - Ex. #1).



THE MONTANA UNIVERSITY SYSTEM

33 SOUTH LAST CHANCE GULCH
HELENA, MONTANA 59620-2602
(406) 444-6570

SENATE EDUCATION

EXHIBIT NO. 3

DATE 2/11

FILE NO. SB 127

COMMISSIONER OF HIGHER EDUCATION

TO: Those Concerned With WICHE/WAMI Service Payback

FROM: Jack Noble *Jim*
Deputy Commissioner for
Management and Fiscal Affairs

DATE: February 6, 1987

SUBJECT: Cost/Revenue Considerations - S.B. 127
Service/Payback

If the primary purpose of payback is to save money, then S.B. 127 does not accomplish this objective in the most efficient manner. In fact, the bill will cost money for approximately seven years.

Table I compares the estimated revenue under a 25% payback provision with the revenue that would be generated with a 10% up-front payment approach for students in the WAMI program. The 10% up-front payment approach will generate more savings than a 25% payback approach until 2007--twenty years from now.

TABLE I

Cummulative Total Collected*

<u>Year</u>	<u>25% Payback Plan 1</u>	<u>10% Up-Front Plan 2</u>
1987	(-\$ 11,520)	\$ 46,000
1988		
1994	(-\$33,000 - \$40,000)	\$ 828,000
1997	\$ 176,000	\$1,748,000
2002	\$1,516,000	\$2,668,000
2007	\$4,243,000	\$3,588,000

*Figures are for 20 new WAMI students per year.

There is a much lower administrative cost to an up-front approach as compared with payback. If access is a concern, the up-front approach could be accomplished with an established loan revolving account. Those needy students would be provided

Page 2

access to only the portion of funds that they would need. Payback, on the other hand, is a forced repayment on an amount of which the student has no control. Once enrolled as a freshman, the student may be a victim of rapidly rising educational costs of which he or she would be obligated to repay one-fourth of the cost.

The committee should also note that payback is not a "loan" in the true legal sense of the word. The money never goes through the students hands and there is no student control of the amount to be repaid. These may become important considerations when we attempt to enforce collections.

Service payback makes the bill even worse. It is discriminatory and inequitable. Another consideration that has not been mentioned is the fact that the IRS considers "forgiveness of debt conditioned upon the performance of services" as taxable income. The state may forgive the debt--but such forgiveness will be taxed at the federal and state income tax rates. Thus, our returning students will face additional financial problems even if the state forgives the obligation.

Our office currently pays approximately \$200,000 a year in loan servicing costs on \$135 million in loans. We speak from experience that S.B. 127, in addition to being discriminatory, is an extremely inefficient way of accomplishing an objective.

JHN/11t

ROLL CALL VOTE

TE EDUCATION

MEET NO. 4

DATE 2/11

SENATE COMMITTEE EDUCATION AND CULTURAL RESOURCES BILL NO. SB 127

Date 2/11/87 SB Bill No. 127 Time 2:10 pm

NAME	YES	NO
SENATOR BOB BROWN, CHAIRMAN		✓
SENATOR CHET BLAYLOCK, VICE CHAIRMAN	✓	
SENATOR GEORGE McCALLUM		✓
SENATOR ED SMITH		✓
SENATOR PAT REGAN		✓
SENATOR JOE MAZUREK	✓	
SENATOR BILL FARRELL		✓
SENATOR TED NEUMAN	✓	
SENATOR DICK PINSONEAULT	✓	
SENATOR SWEDE HAMMOND		✓

JILL ROHYANS
Secretary

SENATOR BOB BROWN
Chairman

Motion: My Senator Blaylock to amend
the bill to reflect a 12%
sub-front payback option

ROLL CALL VOTE

SENATE EDUCATION

EXHIBIT NO. 5SENATE COMMITTEE EDUCATION AND CULTURAL RESOURCESDATE 2/11/87BILL NO. SB 127Date 2/11/87 SB Bill No. 127 Time 2:20

NAME	YES	NO
SENATOR BOB BROWN, CHAIRMAN		✓
SENATOR CHET BLAYLOCK, VICE CHAIRMAN		✓
SENATOR GEORGE McCALLUM	✓	
SENATOR ED SMITH	✓	
SENATOR PAT REGAN	✓	
SENATOR JOE MAZUREK		✓
SENATOR BILL FARRELL	✓	
SENATOR TED NEUMAN	✓	
SENATOR DICK PINSONEAULT	✓	
SENATOR SWEDE HAMMOND	✓	

JILL ROHYANS
SecretarySENATOR BOB BROWN
Chairman

Motion: by Senator Hammond that
SB 127 Do Pass Be Referred.

50th Legislature

STATEMENT OF INTENT

 Bill No.

A statement of intent is required for this bill because rulemaking authority is granted to the commissioner of higher education in section 1. Although the provisions of the Montana Administrative Procedure Act do not apply to the board of regents or the university system, 5-4-404 requires a statement of intent whenever a bill delegates authority. Since this bill delegates authority, a statement of intent is attached.

It is intended that the commissioner administer the repayment provisions to the greatest benefit to the state, which includes the encouragement of professional training for its citizens as well as a partial cash payback of some of the state's investment. The commissioner shall explicitly define the interstate compact programs involved, with the legislature intending that WICHE, WAMI, and the Minnesota Rural Dentistry programs be covered. The commissioner shall have the ability to alter the rules to cover the status of the compacts. It is not intended that the commissioner pick and choose among defined programs--all must be covered equally.

It is also intended that administrative procedures relating to payback and enforcement of payback be covered.

islaylate amends
#1 carried

Amendments to SB 143

SENATE EDUCATION

EXHIBIT NO. 7

DATE 2/11/87

BILL NO. SB 143

1. Title, line 6.

Following: "SCHOOL;"

Insert: "TO ESTABLISH CRITERIA FOR ISOLATION CLASSIFICATION FOR
ALL SCHOOLS;"

2. Title, line 9.

Following: "SECTIONS"

Insert: "20-2-121, 20-3-106,"

3. Page 1, line 13.

Following: line 12

Insert: "Section 1. Section 20-2-121, MCA, is amended to read: "
20-2-121. Board of public education--powers and duties.

The board of public education shall:

(1) effect an orderly and uniform system for teacher certification and specialist certification and for the issuance of an emergency authorization of employment by adopting the policies prescribed by 20-4-102 and 20-4-111;

(2) consider the suspension or revocation of teacher or specialist certificates and appeals from the denial of teacher or specialist certification in accordance with the provisions of 20-4-110;

(3) administer and order the distribution of state equalization aid in accordance with the provisions of 20-9-344;

(4) adopt and enforce policies to provide uniform standards and regulations for the design, construction, and operation of school buses in accordance with the provisions of 20-10-111;

(5) approve or disapprove a reduction of the number of hours in a district's school day in accordance with the provisions of 20-1-302;

(6) adopt policies prescribing the conditions when school may be conducted on Saturday and the types of pupil-instruction-related days and approval procedure for such days in accordance with the provisions of 20-1-303 and 20-1-304;

(7) adopt standards of accreditation and establish the accreditation status of every school in accordance with the provisions of 20-7-101 and 20-7-102;

(8) approve or disapprove educational media selected by the superintendent of public instruction for the educational media library in accordance with the provisions of 20-7-201;

(9) adopt policies for the conduct of special education in accordance with the provisions of 20-7-402;

(10) adopt rules for issuance of documents certifying equivalency of completion of secondary education in accordance with 20-7-131; and

(11) adopt policies for the conduct of programs for gifted and talented children in accordance with the provisions of 20-7-903 and 20-7-904; and

(12) approve or disapprove school isolation

(14) distribute state equalization aid in support of the foundation program in accordance with the provisions of 20-9-342, 20-9-346, and 20-9-347;

(15) distribute state impact aid in accordance with the provisions of 20-9-304;

(16) provide for the uniform and equal provision of transportation by performing the duties prescribed by the provisions of 20-10-112;

(17) approve or disapprove an adult education program for which a district proposes to levy a tax in accordance with the provisions of 20-7-705;

(18) request, accept, deposit, and expend federal moneys in accordance with the provisions of 20-9-603;

(19) authorize the use of federal moneys for the support of an interlocal cooperative agreement in accordance with the provisions of 20-9-703 and 20-9-704;

(20) prescribe the form and contents of and approve or disapprove interstate contracts in accordance with the provisions of 20-9-705;

(21) approve or disapprove the conduct of school on a Saturday or on pupil-instruction-related days in accordance with the provisions of 20-1-303 and 20-1-304;

(22) recommend standards of accreditation for all schools to the board of public education and evaluate compliance with such standards and recommend accreditation status of every school to the board of public education in accordance with the provisions of 20-7-101 and 20-7-102;

(23) collect and maintain a file of curriculum guides and assist schools with instructional programs in accordance with the provisions of 20-7-113 and 20-7-114;

(24) establish and maintain a library of visual, aural, and other educational media in accordance with the provisions of 20-7-201;

(25) license textbook dealers and initiate prosecution of textbook dealers violating the law in accordance with the provisions of the textbooks part of this title;

(26) as the governing agent and executive officer of the state of Montana for vocational education, adopt the policies prescribed by and in accordance with the provisions of 20-7-301;

(27) consider applications for the designation of a postsecondary vocational-technical center in accordance with the provisions of 20-7-311;

(28) establish a fund for the handling of postsecondary vocational-technical center fees in accordance with the provisions of 20-7-333;

(29) supervise and coordinate the conduct of special education in the state in accordance with the provisions of 20-7-403;

(30) administer the traffic education program in accordance with the provisions of 20-7-502;

(31) administer the school food services program in

Strike: remainder of line 22 through "such" on line 23
Insert: "recommend approval or disapproval of the"

12. Page 2, line 23.

Following: "classification"

Insert: "to the board of public education"

13. Page 2, line 24.

Strike: "the fourth Monday of"

Following: "June"

Insert: "15"

14. Page 3, line 2.

Following: "initiative."

Insert: "(5) The board of public education shall approve or disapprove an application for isolation classification by June 30. Notwithstanding the criteria in subsection (3), the board of public education may classify the applicant school as isolated if the board determines that to do so is in the public interest."

Following: "school"

Strike: "shall"

Insert: "may"

15. Page 3, lines 3 and 4.

Following: "of the"

Strike: remainder of line 3 through "instruction" on line 4

Insert: "board of public education"

16. Page 8, line 15.

Following: line 14

Insert: "NEW SECTION. Section 7. Exemption. A high school district is exempt from the provisions of 20-9-302(3) and for certain high school districts 20-9-303(3)(b) if:

(1) the district has resulted from the consolidation, after July 1, 1987, of two or more high school districts as provided in 20-6-315; or

(2) the district has annexed, after July 1, 1987, another high school district as provided in 20-6-317.

NEW SECTION. Section 6. Codification instruction. Section 7 is intended to be codified as an integral part of Title 20, chapter 9, part 3, and the provisions of Title 20 apply to section 7."

7041f/L:JEA\WP:jj

DATE 2/11/87

ISSUE 3: HIGH SCHOOLS UNDER 100 ANB SB143

High schools under 100 ANB shall be consolidated unless they are listed as isolated.

High school average costs per ANB for each school size range from \$7,906 to \$2,771. The schools with less than 100 ANB have an average ANB cost of \$5,732 while high schools with 100 or more ANB have an average cost of \$3,094. The smaller schools average 85 percent more expenditures per ANB. High schools under 100 ANB take 15 percent of the budget for 9 percent of the enrollment. There are 77 high schools which have less than 100 ANB.

Table 3 shows a preliminary list of 32 high schools under 100 ANB that could be combined. The others are being studied and may be available by November 13. If these 32 consolidations were done, the school foundation program would save \$1.8 million a year.

Table 3
Consolidations of High Schools Under 100 ANB

School - Miles	ANB	Foundation Savings	School - Miles	ANB	Foundation Savings
1. Willow Creek (5)	28		10. Reedpoint (17)	16	
Three Forks	123	\$ 59,603	Columbus	149	\$ 67,925
2. Wilsal (9)	41		11. Belfry	36	
Clyde Park	61	102,668	Bridger (7-11)	99	
3. Moore (9)	52		Fromberg	85	166,309
Hobson	60	108,873	12. Flaxville (11)	23	
4. Dutton (10)	45		Scobey	95	57,234
Power	42		13. Broadview (14)	35	
Brady (11)	35		Lavina	29	42,355
Conrad	272	101,185	14. Plevna (13)	29	
5. Geyser (15)	47		Baker	219	68,532
Stanford	58	106,536	15. Hinsdale (13)	34	
6. Culbertson (13-15)	64		Saco	39	55,338
Bainville	49		16. St. Regis (14)	48	
Froid	36	168,302	Superior	136	145,206
7. Nashua	75		17. Rosebud (12)	44	
Frazer (21)	36	95,261	Forsyth	220	91,657
8. Box Elder (10)	85		18. Alberton (15)	60	
Big Sandy	109	88,422	Frenchtown	218	166,324
9. Roberts (13)	41		19. Judith Gap (17)	22	
Joliet	100	73,170	Harlowtown	115	57,175
Total School Foundation Program Savings					\$1,822,075
					=====

Table 4 also shows that general administration takes 5 to 6 percent of the expenditures. The principal, building administration, takes 7 percent of the expenditures. The other program categories are very small percentages of the total budget.

COMPARISON OF COST PER ANB

Table 5 shows a comparison of the average cost per ANB by school size and the variation between the low and high cost school per school size.

Table 5
Comparison of the Cost per ANB by School Size
School Year 1984-85

----- ELEMENTARY -----							
School Size	School District	Total ANB	Average	Cost/ANB			% Change
				Low	Median	High	Low/High
A. 1-25	130	1,592	2,741	1,549	2,709	6,048	290
B. 26-50	32	1,181	2,354	1,402	2,046	4,480	220
C. 51-100	66	4,998	3,055	1,450	2,919	4,847	234
D. 101-300	81	14,149	2,375	1,661	2,240	5,156	210
E. 301-600	37	15,551	2,164	1,556	2,003	3,031	95
F. 601-1200	21	18,798	2,143	1,691	1,978	3,213	90
G. 1201-2400	9	13,606	2,158	1,882	2,082	2,377	26
H. 2400+	<u>6</u>	<u>34,920</u>	<u>2,344</u>	2,233	2,374	2,623	17
Total	<u>382</u>	<u>104,795</u>	<u>2,303</u>				
----- HIGH SCHOOL -----							
School Size	School District	Total ANB	Average	Cost/ANB			% Change
				Low	Median	High	Low/High
A. 1-25	5	104	7,908	5,139	6,808	13,429	161
B. 26-50	36	1,367	6,630	4,242	6,614	10,135	139
C. 51-100	36	2,650	5,265	2,915	5,069	8,598	195
D. 101-300	54	9,249	3,717	2,294	3,413	5,963	160
E. 301-600	20	8,656	3,002	2,030	2,645	4,465	120
F. 601-1200	5	3,657	2,804	2,467	2,687	3,703	50
G. 1201-2400	3	5,553	2,771	2,620	2,798	2,903	11
H. 2400+	<u>4</u>	<u>15,215</u>	<u>2,942</u>	2,860	---	3,052	7
Total	<u>163</u>	<u>46,451</u>	<u>3,328</u>				

ROLL CALL VOTE

SENATE EDUCATION

EXHIBIT NO. 10

DATE 2/11/87

SENATE COMMITTEE EDUCATION AND CULTURAL RESOURCES BILL NO. SB 143

Date 2/11/87 Senate Bill No. 143 Time

NAME	YES	NO
SENATOR BOB BROWN, CHAIRMAN		✓
SENATOR CHET BLAYLOCK, VICE CHAIRMAN	✓	
SENATOR GEORGE McCALLUM		✓
SENATOR ED SMITH		✓
SENATOR PAT REGAN	✓	
SENATOR JOE MAZUREK	✓	
SENATOR BILL FARRELL		✓
SENATOR TED NEUMAN		✓
SENATOR DICK PINSONEAULT	✓	
SENATOR SWEDE HAMMOND		✓

JILL ROHYANS
Secretary

SENATOR BOB BROWN
Chairman

Motion: by Senator Blaylock that SB 143
Do Pass Be Recommended.

ROLL CALL VOTE

SENATE EDUCATION

SENATE COMMITTEE EDUCATION AND CULTURAL RESOURCES

EXHIBIT NO. 11

DATE 2/11/87

BILL NO. SB 143

Date 2/11/87 S. B. Bill No. 143 Time

NAME	YES	NO
SENATOR BOB BROWN, CHAIRMAN	✓	
SENATOR CHET BLAYLOCK, VICE CHAIRMAN		✓
SENATOR GEORGE McCALLUM	✓	
SENATOR ED SMITH	✓	
SENATOR PAT REGAN		✓
SENATOR JOE MAZUREK		✓
SENATOR BILL FARRELL	✓	
SENATOR TED NEUMAN	✓	
SENATOR DICK PINSONEAULT		✓
SENATOR SWEDE HAMMOND	✓	

JILL ROHYANS
Secretary

SENATOR BOB BROWN
Chairman

Motion: (Recessed of vote on Blaylock's
motion, SB 143 DPAA) This vote
on recessed of motion
from DPAA to do not pass
as amended

STANDING COMMITTEE REPORT

SB 143

February 12, 1987

MR. PRESIDENT

EDUCATION

We, your committee on.....

SENATE BILL

143

having had under consideration..... No.....

first

white

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color

REQUIRE HIGH SCHOOL UNDER 100 ANB TO APPLY FOR ISOLATION; FUNDING PROVISIONS

Senate Bill

143

Respectfully report as follows: That..... No.....

Be amended as follows:

1. Title, line 6.

Following: "SCHOOL;"

Insert: "TO ESTABLISH CRITERIA FOR ISOLATION CLASSIFICATION FOR ALL SCHOOLS;"

2. Title, line 9.

Following: "SECTIONS"

Insert: "20-2-121, 20-3-106,"

3. Page 1, line 13.

Following: line 12

Insert: "Section 1. Section 20-2-121, MCA, is amended to read:

"20-2-121. Board of public education--powers and duties.

The board of public education shall:

(1) effect an orderly and uniform system for teacher certification and specialist certification and for the issuance of an emergency authorization of employment by adopting the policies prescribed by 20-4-102 and 20-4-111;

(2) consider the suspension or revocation of teacher or specialist certificates and appeals from the denial of teacher or specialist certification in accordance with the provisions of 20-4-110;

(3) administer and order the distribution of state equalization aid in accordance with the provisions of 20-9-344;

DO PASS

DO NOT PASS

CONTINUED

Chairman.

February 12, 87

19.....

(4) adopt and enforce policies to provide uniform standards and regulations for the design, construction, and operation of school buses in accordance with the provisions of 20-10-111;

(5) approve or disapprove a reduction of the number of hours in a district's school day in accordance with the provisions of 20-1-302;

(6) adopt policies prescribing the conditions when school may be conducted on Saturday and the types of pupil-instruction-related days and approval procedure for such days in accordance with the provisions of 20-1-303 and 20-1-304;

(7) adopt standards of accreditation and establish the accreditation status of every school in accordance with the provisions of 20-7-101 and 20-7-102;

(8) approve or disapprove educational media selected by the superintendent of public instruction for the educational media library in accordance with the provisions of 20-7-201;

(9) adopt policies for the conduct of special education in accordance with the provisions of 20-7-402;

(10) adopt rules for issuance of documents certifying equivalency of completion of secondary education in accordance with 20-7-131; and

(11) adopt policies for the conduct of programs for gifted and talented children in accordance with the provisions of 20-7-903 and 20-7-904; and

(12) approve or disapprove school isolation classification within the limitations prescribed by 20-9-302; and

~~(12)~~ (13) perform any other duty prescribed from time to time by this title or any other act of the legislature."

Section 2. Section 20-3-106, MCA, is amended to read:

"20-3-106. Supervision of schools -- powers and duties. The superintendent of public instruction has the general supervision of the public schools and districts of the state, and he shall perform the following duties or acts in implementing and enforcing the provisions of this title:

(1) resolve any controversy resulting from the proration of costs by a joint board of trustees under the provisions of 20-3-362;

(2) issue, renew, or deny teacher certification and emergency authorizations of employment;

CONTINUED

(3) negotiate reciprocal tuition agreements with other states in accordance with the provisions of 20-5-314;

(4) serve on the teachers' retirement board in accordance with the provisions of 2-15-1010;

(5) approve or disapprove the orders of a high school boundary commission in accordance with the provisions of 20-6-311;

(6) approve or disapprove the opening or reopening of a school in accordance with the provisions of 20-6-502, 20-6-503, 20-6-504, or 20-6-505;

(7) approve-or-disapprove recommend to the board of public education approval or disapproval of school isolation classification within the limitations prescribed by 20-9-302;

(8) generally supervise the school budgeting procedures prescribed by law in accordance with the provisions of 20-9-102 and prescribe the school budget format in accordance with the provisions of 20-9-103 and 20-9-506;

(9) establish a system of communication for calculating joint district revenues in accordance with the provisions of 20-9-151;

(10) approve or disapprove the adoption of a district's emergency budget resolution under the conditions prescribed in 20-9-163 and publish rules for an application for additional state aid for an emergency budget in accordance with the approval and disbursement provisions of 20-9-166;

(11) generally supervise the school financial administration provisions as prescribed by 20-9-201(2);

(12) prescribe and furnish the annual report forms to enable the districts to report to the county superintendent in accordance with the provisions of 20-9-213(5) and the annual report forms to enable the county superintendents to report to the superintendent of public instruction in accordance with the provisions of 20-3-209;

(13) approve, disapprove, or adjust an increase of the average number belonging (ANB) in accordance with the provisions of 20-9-313 and 20-9-314;

(14) distribute state equalization aid in support of the foundation program in accordance with the provisions of 20-9-342, 20-9-346, and 20-9-347;

(15) distribute state impact aid in accordance with the provisions of 20-9-304;

(16) provide for the uniform and equal provision of transportation by performing the duties prescribed by the provisions of 20-10-112;

February 12, 87
..... 19.....

(17) approve or disapprove an adult education program for which a district proposes to levy a tax in accordance with the provisions of 20-7-705;

(18) request, accept, deposit, and expend federal moneys in accordance with the provisions of 20-9-603;

(19) authorize the use of federal moneys for the support of an interlocal cooperative agreement in accordance with the provisions of 20-9-703 and 20-9-704;

(20) prescribe the form and contents of and approve or disapprove interstate contracts in accordance with the provisions of 20-9-705;

(21) approve or disapprove the conduct of school on a Saturday or on pupil-instruction-related days in accordance with the provisions of 20-1-303 and 20-1-304;

(22) recommend standards of accreditation for all schools to the board of public education and evaluate compliance with such standards and recommend accreditation status of every school to the board of public education in accordance with the provisions of 20-7-101 and 20-7-102;

(23) collect and maintain a file of curriculum guides and assist schools with instructional programs in accordance with the provisions of 20-7-113 and 20-7-114;

(24) establish and maintain a library of visual, aural, and other educational media in accordance with the provisions of 20-7-201;

(25) license textbook dealers and initiate prosecution of textbook dealers violating the law in accordance with the provisions of the textbooks part of this title;

(26) as the governing agent and executive officer of the state of Montana for vocational education, adopt the policies prescribed by and in accordance with the provisions of 20-7-301;

(27) consider applications for the designation of a postsecondary vocational-technical center in accordance with the provisions of 20-7-311;

(28) establish a fund for the handling of postsecondary vocational-technical center fees in accordance with the provisions of 20-7-333;

(29) supervise and coordinate the conduct of special education in the state in accordance with the provisions of 20-7-403;

(30) administer the traffic education program in accordance with the provisions of 20-7-502;

(31) administer the school food services program in accordance with the provisions of 20-10-201, 20-10-202, and 20-10-203;

CONTINUED

February 12, 19 37

(32) review school building plans and specifications in accordance with the provisions of 20-6-622;

(33) prescribe the method of identification and signals to be used by school safety patrols in accordance with the provisions of 20-1-408; and

(34) perform any other duty prescribed from time to time by this title, any other act of the legislature, or the policies of the board of public education." "

Renumber: subsequent sections

4. Page 1, line 19.

Strike: "May 1"

Insert: "April 15"

5. Page 1, line 25.

Following: "highway;"

Insert: "and"

6. Page 2, lines 7 through 9.

Following: "school"

Strike: remainder of line 7 through "instruction" on line 9

7. Page 2, line 12.

Strike: "15"

Insert: "1"

8. Page 2, lines 14 and 15.

Following: "established"

Strike: remainder of 14 through "instruction" on line 15

Insert: "in subsection (3)"

9. Page 2, line 19.

Strike: "When"

Insert: " Except as provided in subsection (5), an applicant school may not be approved as isolated if:

(a) another operating school or schools with room to accommodate the applicant school's pupils exist within a distance of 20 road miles from the applicant school; and

(b) 50% or more of the pupils from the applicant school can, under average conditions, be transported to the nearest operating school or schools in a period of 1 hour or less.

(4) If"

.....CONTINUED.....

February 12, 19 37

10. Page 2, line 21.

Strike: "June 1"

Insert: "May 15"

11. Page 2, lines 22 and 23.

Following: "shall"

Strike: remainder of line 22 through "such" on line 23

Insert: "recommend approval or disapproval of the"

12. Page 2, line 23.

Following: "classification"

Insert: "to the board of public education"

13. Page 2, line 24.

Strike: "the fourth Monday of"

Following: "June"

Insert: "15"

14. Page 3, line 2.

Following: "initiative."

Insert: "(5) The board of public education shall approve or disapprove an application for isolation classification by June 30. Notwithstanding the criteria in subsection (3), the board of public education may classify the applicant school as isolated if the board determines that to do so is in the public interest."

Strike: "shall"

Insert: "may"

15. Page 3, lines 3 and 4.

Following: "of the"

Strike: remainder of line 3 through "instruction" on line 4

Insert: "board of public education"

16. Page 9, line 15.

Following: line 14

Insert: "NEW SECTION. Section 7. Exemption. A high school district is exempt from the provisions of 20-9-302(3) and for certain high school districts 20-9-303(3) (b) if:
(1) the district has resulted from the consolidation, after July 1, 1987, of two or more high school districts as provided in 20-6-315; or
(2) the district has annexed, after July 1, 1987, another high school district as provided in 20-6-317.

NEW SECTION. Section 8. Codification instruction. Section 7 is intended to be codified as an integral part of Title 20, chapter 9, part 3, and the provisions of Title 20 apply to section 7."

AND AS AMENDED,
DO NOT PASS

SENATOR BROWN

STANDING COMMITTEE REPORT

February 12, 1987

MR. PRESIDENT

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

having had under consideration **SENATE BILL** No. **273**

first reading copy (white)
color

**ALLOW TRUSTEES TO SHARE RESPONSIBILITY TO VISIT EACH
SCHOOL ANNUALLY**

Respectfully report as follows: That **SENATE BILL** No. **273**

DO PASS

~~DO NOT PASS~~

SENATOR BOB BROWN, Chairman.

STANDING COMMITTEE REPORT

SENATE EDUCATION

SB174.txt

EXHIBIT NO. 12

February 19 87

DATE 2/11/87

MR. PRESIDENT BILL NO. SB174

We, your committee on EDUCATION

having had under consideration SENATE BILL No. 174

first reading copy (white)
color

ALLOW A SCHOOL DISTRICT TO BUDGET FOR BOND PAYMENTS MADE

Respectfully report as follows: That Senate Bill No. 174

Be amended as follows:

1. Title, line 5.

Following: "TO"

Strike: "BUDGET IN THE ENSUING SCHOOL FISCAL YEAR FOR THE
FIRST INTEREST AND PRINCIPAL"

Insert: "MAKE "

2. Title, line 6.

Following: "ON A"

Strike: "SCHOOL BOND IF THAT PAYMENT WAS PAID OR ACCRUED"

Insert: "LEGAL DEBT"

3. Title, line 8.

Following: "SECTION"

Strike: 20-9-433

Insert: 20-9-133

4. Page 1, line 12, through page 2, line 16.

Strike: section 1 in its entirety

Insert: "Section 1. Section 20-9-133, MCA, is amended to read:

"20-9-133. Adoption and expenditure limitations of
final budget. (1) When the trustees have caused the
amount of an item of the budget for the district to be
determined and set, they shall enter the amount in the
portion of the budget form provided for the reporting
of the final budget and upon completion of all the
items, the chairman and clerk shall sign the budget

DO PASS

DO NOT PASS

CONTINUED

Chairman.

SENATE EDUCATION

EXHIBIT NO. 12 19.....
DATE 2/11/87
BILL NO. SB174

form. The resulting budget shall constitute the final budget and the appropriations for the district for the current school fiscal year.

(2) The Except as provided in subsection (3), the trustees and all officers and employees of the district shall be limited in making expenditures or incurring liabilities to the amount of such appropriations, except that transfers from any appropriation item to another appropriation item within a fund's budget may be made as provided by law. Except as provided in subsection (3), Expenditures expenditures made, liabilities incurred, or warrants issued in excess of any of the final budget appropriations for any item, as originally determined or as revised by transfer, shall not be a liability of the district, and no money of the district shall ever be used to pay the same.

(3) If a district incurs a legal debt after the final budget for the current fiscal year has been adopted and if payment on the debt is required for the current fiscal year, payment on the debt in the current school fiscal year is allowed if money is available."

AND AS AMENDED,
DO PASS

CHAIRMAN, BOB BROWN

STANDING COMMITTEE REPORT

FEBRUARY 12, 19 97

MR. PRESIDENT

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

having had under consideration **SENATE BILL** No. **232**

first reading copy (**white**)
color

SUSPENSION AND REVOCATION OF TEACHER CERTIFICATES

Respectfully report as follows: That **SENATE BILL** No. **232**

DO PASS

~~DO NOT PASS~~

SENATOR BOB BROWN,

Chairman.