

**MINUTES**

**MONTANA HOUSE OF REPRESENTATIVES  
52nd LEGISLATURE - REGULAR SESSION**

**SUBCOMMITTEE ON EDUCATION & CULTURAL RESOURCES**

**Call to Order:** By Chairman Peck, on January 14, 1991, at 8:00 a.m.

**ROLL CALL**

**Members Present:**

Rep. Ray Peck, Chair (D)  
Sen. Greg Jergeson, Vice Chair (D)  
Sen. Don Bianchi (D)  
Rep. Larry Grinde (R)  
Sen. H.W. Hammond (R)  
Rep. Mike Kadas (D)

**Staff Present:** Pam Joehler (LFA) and Skip Culver (LFA) and Melissa Boyles (Secretary).

**Please Note:** These are summary minutes. Testimony and discussion are paraphrased and condensed.

**Tape No: 1**

**HEARING ON VO ED ADVISORY COUNCIL**

014

**Skip Culver, LFA,** distributed and reviewed a handout on the Advisory Council For Vocational Education. **EXHIBIT 1**

**Mr. Culver** stated that the Montana Council on Vocational Education was created in 1985 to comply with the Carl D. Perkins Vocational Education Act of 1974. The purpose of the thirteen member council is to analyze and evaluate Vocational Education and report to and advise the Governor, State Board of Regents, Higher Education, and the Department of Education, Business Community and the General Public on how well the states needs for Vocational Education are being meet.

**Mr. Culver** stated that there is an Executive modification of \$30,000 each year for additional Federal funds being made available to the Council under the Carl D. Perkins act.

078

**Doug Schmitz, Executive Budget Analyst,** concurs with the LFA

JE011491.HM1

Analyst. Mr. Schmitz stated that during the process it was determined that there was a negative balance of \$55,000 in the Vo-Ed Council. After speaking to the Council and realizing new moneys were there and getting a better understanding of their Accounting process they realized the council had approximately a \$65,000 carry over. Mr. Schmitz said this was determined some time after the OBPP had prepared the budget, therefore, recommends that the \$2,725 per diem be added back in to the budget along with the total \$13,534 for biennial to cover per diem, operating, contracted services and capital equipment.

088

**REP. KADAS** asked what the outstanding positive balance was. **Mr. Schmitz** stated that in November 1990 it was approximately \$64,000. **REP. KADAS** asked if there was a time limit on how many years you can keep rolling it over. **Mr. Schmitz** stated that an outstanding positive balance won't roll over for years. Their expenditure process will catch up with them.

093

**Jim Fitzpatrick, Montana council on Vocational Education,** stated that it is important to recognize that during the past year the Carl D. Perkins Act was amended.

**Mr. Fitzpatrick** distributed and reviewed a handout on the Carl D. Perkins Vocational and Applied Technology Act of 1990.

**EXHIBIT 2**

**Mr. Fitzpatrick** stated that it is imperative that the \$30,000 modified be included in the Vo-Ed Council Budget. In the private sector with State Agencies Boards and Commissions in the private sector those people can be compensated \$25 per day. It does not go into salaries. It is compensation for private sector.

129

**CHAIRMAN PECK** asked what the responsibilities of the Council were. **Mr. Fitzpatrick** said the major responsibilities is to provide input, recommendations, undertake initiatives that modernize, strengthen, update and promote Vocational Education at the Secondary and Postsecondary level.

**CHAIRMAN PECK** asked **Mr. Fitzpatrick** to comment on the issue over Carl D. Perkins funds. **Mr. Fitzpatrick** said that the allocation of Carl Perkins funds over the years have been the allocation by the Legislature of \$807,000 to Vocational Technical Centers for operational budgets. Secondary schools view this as not meeting the requirements of allocating those monies to secondary or post secondary schools.

**CHAIRMAN PECK** clarified with **Mr. Fitzpatrick** that the money is coming in and the Legislature is appropriating the \$807,000 to the Vo-Tech Centers only and the Secondary Schools are unable to compete with that. **Mr. Fitzpatrick** said yes.

**Mr. Fitzpatrick** distributed and reviewed the Congressional Record. **EXHIBIT 3**

273

**REP. KADAS** asked if the State is in danger of losing the funds. **Mr. Fitzpatrick** said the bottom line is whether the Department of Education, and through their appropriate agencies is willing to take the initiative to bring this to a head.

**REP. KADAS** asked if the Carl Perkins funds are being used by the Vo-Tech Centers to supplant existing State Funds. **Mr. Fitzpatrick** said yes. **Mr. Fitzpatrick** said it is not the Councils purpose to reduce the Vo-Tech budget by cutting off Carl Perkins funds. The Council feels to do so would put the total Carl Perkins funding at risk.

340

**CHAIRMAN PECK** asked if the subcommittee did decide to make the Carl Perkins funds competitive for secondary and Vo-Tech Schools who is going to handle the applications and make the judgment of them and to whom do you allocate the money to administer this when there is a split of Public School and Vo-Tech Centers under the Regents. **Mr. Fitzpatrick** stated that under the new act the whole procedure has changed. Seventy-Five percent of the Carl Perkins monies are formula allocated.

393

**REP. GRINDE** asked what State Agency allocates where this money goes. **Pam Joehler** said the Board of Regents' Federal Program Office where Carl D. Perkins is housed in the Board of Regents and that office is the one that makes the review of the grant applications and actually makes the allocations. **Ms. Joehler** stated that it would be a good idea to get an overview of the revised Carl D. Perkins act. **Mr. Fitzpatrick** said he would give the Subcommittee copies of the Overview. **EXHIBIT 4**

435

**SEN. BIANCHI** asked if what the subcommittee is doing is going to comply with Federal regulations. **Ms. Joehler** stated that they tried to identify some important budget issues that the subcommittee would need to address.

463

**CHAIRMAN PECK** stated that the Vo Ed Council showed \$150,000 allocation appropriation from Federal funds and are proposing to spend \$137,000. Is the remaining \$13,000 anticipated carry over money. **Mr. Fitzpatrick** said yes.

**EXECUTIVE ACTION ON VOCATIONAL EDUCATION ADVISORY COUNCIL**

Administration Program 01

**Motion:**

510

REP. KADAS moved to adopt LFA current level at \$137,427 for FY92, and \$137,498 for FY93.

**Discussion:**

CHAIRMAN PECK asked Mr. Culver what the note on additional Federal Funds of \$30,000 was for. Mr. Culver stated that it was the Executive modification. LFA current level does not include Executive modification.

CHAIRMAN PECK asked if there was a break down on the \$30,000. Doug Schmitz said it was in Consulting and Professional Services.

**Recommendation and Vote:**

MOTION CARRIED, Unanimously

**Motion:**

580

REP. KADAS moved that \$30,000 additional to be added to the Operating Budget.

**Recommendation and Vote:**

MOTION CARRIED, Unanimously

**EXECUTIVE ACTION ON BOARD OF PUBLIC EDUCATION**

Tape No. 1/599

Skip Culver, LFA, distributed and reviewed a handout on additional issues the BPE as requested. EXHIBIT 5

Administration Program 01

**Motion:**

REP. KADAS moves to adopt the LFA Current Level at \$111,211 and for FY92 and 111,199 FY93.

**Discussion:**

SEN. BIANCHI asked if the subcommittee adopts the LFA current level will they come back and discuss the add on or are they just accepting them. CHAIRMAN PECK said that if we accept what the LFA has proposed we would need to include in there what the OBPP has included.

Recommendation and Vote:

MOTION CARRIED, Unanimously

Questions from Subcommittee Members:

Mr. Culver stated that the LFA used current salary levels paid to staff. The OBPP included salary levels paid to staff as of FY90

SEN. BIANCHI said the Executive Budget proposed a 4.6% annual salary increase per year for state employees and asked if it is normal procedure to put that into this budget or is that done afterwards once the pay plan is approved.

Skip Culver said the pay plan will be on a separate bill and when the pay plan is acted on, the OBPP will roll those figures into these budgets.

800

SEN. JERGESON stated that at least 2/3 of the Governors Pay Plan has to be financed internally by each agency. The problem with that in the small agencies is that they don't have the flexibility to internally pay for that.

CHAIRMAN PECK stated that the smaller agencies have never required vacancy savings of the smaller agencies.

REP. KADAS asked Mr. Culver how he dealt with the vacancy savings in the issue of salaries. Mr. Culver stated that when the LFA built the budget for FY92 and FY93 they just take the salary levels of the staff and project them for FY92 and FY93. The vacancy savings existed because of a position being terminated. It was used to pay the accumulated leave of the prior Executive Secretary.

859

SEN BIANCHI asked if the salary of the Executive Secretary was \$37,000 per year. Mr. Culver said that was correct and that the previous Secretary made \$39,500 per year.

SEN. BIANCHI asked Mr. Culver if we added \$5,000 to Executive Salary would it increase personal services. Mr. Culver said yes.

Motion:

936

SEN. BIANCHI moved to add \$5,000 in actual salary increase plus benefits to the personal services area of the BPE Budget.

CHAIRMAN PECK requested a Roll Call Vote.

Recommendation and Vote:

MOTION FAILED, 3/3

Ayes: CHAIRMAN PECK, SEN. JERGESON, AND SEN. BIANCHI

Nays: REP. GRINDE, REP. KADAS, AND SEN. HAMMOND

Motion:

978

REP. KADAS moved that we add enough to bring salary to the previous Executive Secretaries.

Discussion:

992

REP. GRINDE asked if the subcommittee was directing the BPE to bring the Executive Secretaries salary up. REP. KADAS stated that he was not directing the BPE to do anything. He just wanted to add the difference of the old and new salary and leave the decision up to the BPE as to what they pay the new Executive.

Recommendation and Vote:

MOTION CARRIED, Unanimously

Questions from Subcommittee Members:

049

CHAIRMAN PECK asked if there were any motions on Item #2 that would increase the LFA current level \$1,300 each year. Hearing none CHAIRMAN PECK went on to item #3, Audit Fees. LFA split audit fees between two programs, OBPP included in program 01

065

Mr. Culver stated that what he did was split the cost of the Audit between earmarked funds and general fund.

Doug Schmitz said the OBPP puts all audit costs into program 1 and is funded with general fund monies. The advisory Council is 100% funded with teacher certification fees.

97

CHAIRMAN PECK stated that if you leave it as presented the payment responsibility would remain in the two areas.

REP. KADAS stated that he wanted to leave it split.

CHAIRMAN PECKS asked if their were any motions on item #3, Audit fees. There being no motions the subcommittee moved on to #4, Data Network Fees.

Skip Culver stated that we should not deal with #4 the subcommittee for the Department of Administration is handling this issue and we should not address it at this time. CHAIRMAN PECK agreed and moved on to Item #5, Budget Base.

Mr. Culver stated that having already adopted the LFA current level we have addressed #5.

CHAIRMAN PECK moved to #6 Equipment, general fund. Hearing no motions left as is. Moved to #7, Executive Budget modification, HB 28 hearings. (general fund).

CHAIRMAN PECK stated that this was for the additional

responsibilities coming out of House Bill 28.

**CHAIRMAN PECK** asked **Mr. Culver** if he was saying that House Bill 28 has created a workload that is going to be an ongoing obligation. **Mr. Culver** said yes.

152

**REP. KADAS** asked what the additional anticipated increase in contested cases is going to be and what the controversy is that they are going to have to adjudicate.

**Dr. Buchanan** stated that OPI is authorized to withhold funds for Schools that do not submit their reports. Part of those will be in proper form under GAAP. OPI anticipates that as soon as this goes into effect a number of those school districts will appeal. The BPE will then have to hold hearings as to whether they will restore that money. **REP PECK** stated that they were making a judgement call that House Bill 28 is going to increase workload.

**REP. KADAS** asked **Dr. Buchanan** how many regular meetings they were scheduled to have. **Dr. Buchanan** stated that they have 9 scheduled meetings per year. **REP. KADAS** asked why they couldn't deal with these problems as they arise during the regular scheduled meetings. **Dr. Buchanan** said that in order to do that they would have to add an extra day.

**SEN. JERGESON** asked what a meeting cost? **Dr. Buchanan** stated a one day meeting costs \$3,000. **SEN. JERGESON** asked what the cost consisted of. **Dr. Buchanan** stated that it was travel and lodging.

**CHAIRMAN PECK** asked **Dr. Buchanan** if it made sense to go the supplemental budget amendment route, because of the unknown factor. **Dr. Buchanan** stated that he does not understand the budgeting process enough at this time to understand the difference.

241

**Doug Schmitz, OBPP**, stated that one of the difficulties in the consideration of this modification that we approved is the size of the overall budget of the BPE.

**REP. GRINDE** asked **Dr. Buchanan** what time their meetings begin. **Dr. Buchanan** stated that it depends what is on the agenda for the day. The meetings usually begin between 8:00 am and 9:00 am. **REP. GRINDE** asked what time the meeting end. **Dr. Buchanan** stated that the meeting generally end and 5:00 pm but have gone as late as 7:00 pm.

**REP. GRINDE** asked if the BPE had an attorney on staff. **Dr. Buchanan** stated that they do not have an attorney. Currently they are using Agency Legal Services.

**SEN. JERGESON** stated that he feels there is a certain rationale and would be interested in adding at least half of their request.

**CHAIRMAN PECK** stated that his concern is that once you put that in the budget it is in the base.

**SEN. HAMMOND** stated that he would support **SEN. JERGESON'S** suggestions if it were line itemed.

**Motion:**

341

**SEN JERGESON** moved to line item biannual appropriations of \$3,252 to be restricted to use on hearings on House Bill 28.

**Discussion:**

**CHAIRMAN PECK** stated that it will go into the budget and will be restricted to House Bill Hearings up to \$3,252.

**REP. KADAS** asked if it would be in the base next time. **Mr. Culver** said no.

**REP. GRINDE** stated that he has concerns to why this board has to meet two extra days.

**Recommendation and Vote:**

**MOTION CARRIED 4/2 REP. GRINDE AND REP. KADAS** voting no.

**Questions from Subcommittee Members:**

401

**CHAIRMAN PECK** asked for questions from the subcommittee regarding Agency funds for housing office rent.

**SEN. HAMMOND** stated that it worries him that they want money to control their own destiny and feels it should be left the way it is.

**Tape No: 2/428**

**SEN. BIANCHI** stated he agreed with not approving the \$9,500 but wonders about the \$800 for actual moving expenses. Will the Higher Education budget covers this? **Skip Culver** stated that he was not aware if Higher Education would pay their moving cost.

**CHAIRMAN PECK** moved to Priority #2, National Association dues, general fund.

**Motion:**

454

**REP. KADAS** moved to approve \$8,000 annual dues for the National Association of State Boards of Education dues \$8,000 each year.



**Discussion:**

**REP. KADAS** stated that he felt that this is the kind of thing that helps out a small Board.

**SEN. BIANCHI** asked Dr. Buchanan what they received for the \$8,000. **Dr. Buchanan** stated that the \$8,000 just covers the dues. It does not cover any of the travel, lodging or anything that it takes to attend these meetings. **Dr. Buchanan** stated that the dues cover a number of publications and that they have a number you can call in Washington and get information.

**REP. GRINDE** asked how many other Associations if any did Dr. Buchanan belong to. **Dr. Buchanan** stated that he belongs to the Association for Curriculum Development. **Dr. Buchanan** said that he belongs so he can receive the publications, the school does not pay for those dues.

**REP. GRINDE** asked if the BPE can get information from other areas. **Dr. Buchanan** stated that they could contact individual states, but there is no service locally.

517

**CHAIRMAN PECK** asked if the BPE could go to the Legislative Council and get the support and help needed. **Dr. Buchanan** stated that he did not know.

**SEN. HAMMOND** stated that he is not supportive of organizations.

529

**SEN. JERGESON** stated that he has really mixed feelings about organizations.

**REP. GRINDE** stated that he feels information is available on a local level.

**REP. KADAS** stated that he feels an organization such as this can help a small board that doesn't have research capabilities.

**Recommendation and Vote:**

**MOTION FAILED, 3/3**

**AYES: REP. KADAS, SEN. BIANCHI, SEN. JERGESON**

**NAYES: REP. GRINDE, SEN. HAMMOND, CHAIRMAN PECK**

**CHAIRMAN PECK** moved to Item #3 and asked for any motions.

**Motion:**

**SEN. JERGESON** moved to adopt item #3, Security for Board Records for \$1,000 per year for the security cabinet for the Board records.

**Discussion:**

**CHAIRMAN PECK** asked Dr. Buchanan if the \$1,000 was for the purchase of something to store the records in and if so why is it \$1,000. per year? **Dr. Buchanan** stated that he didn't know why it was in both years. **Dr. Buchanan** stated that all they would need is \$1,000 in the first year.

**SEN. JERGESON** stated that he would like his motion to reflect that it only applied to the first year.

**Recommendation and Vote:**

MOTION FAILED, 4/2

**REP. KADAS** stated that there is a lock on the cabinet they have now, there is security in the building, and it's a new building with a fire system.

**CHAIRMAN PECK** moved to Item #4, Additional travel for Board Members.

NO MOTION ITEM #4.

**Skip Culver** stated that the Executive Budget included \$3,000 per year for Consultant for matters of Certification, State Special Fund, since it has not occurred in the past Mr. Culver prepared the budget for current level.

**SEN. JERGESON** asked if there level of Revenues are adequate to pay for this consultant. **Mr. Culver** stated yes.

**REP. KADAS** asked if this motion would shift expenditures from personal services to operating. **Mr. Culver** stated that it would not, it would just add \$1,500 per year to contracted services.

**Motion:**

751

**REP. KADAS** moved the adoption of \$1,500 each year in State Special Revenue to be available for consultant services to the Certification Standards and Practices Advisory Council.

**Recommendation and Vote:**

MOTION CARRIED, Unanimously

**Motion:**

**SEN. BIANCHI** moved to add \$350 more for the Equipment Budget for the security of records which was item #3 above.

**Discussion:**

**SEN. JERGESON** stated that he didn't know if the Advisory Committee should be buying a fireproof lock for the BPE.

**Dr. Buchanan** stated that a lot of these records have to do with Teacher revocations which fall under the Advisory Council.

**REP. KADAS** clarified that the \$350 will come out of the Advisory Council. **CHAIRMAN PECK** stated that the \$350 is State Special Revenue by the Advisory Council.

**Recommendation and Vote:**

MOTION CARRIED, 4/2 **REP. GRINDE** and **SEN. HAMMOND** voting no.

**EXECUTIVE ACTION ON MONTANA SCHOOL FOR THE DEAF AND BLIND**

**Tape No. 2**

**SEN. JERGESON** moved the adoption of the LFA current level for FY92 \$204,227 and \$204,444 for FY93

**Recommendation and Vote:**

MOTION CARRIED, unanimously

**Administration Program 01**

**CHAIRMAN PECK** stated that Salary increases approved by the Board of Public Education for the School Administrator and the Business Manager are not included in either the LFA or the OBPP.

**Skip Culver** stated that during the last biennium both the Administrator of the School and the Business Manager received salary increases as awarded by the BPE. These were not in the original appropriations in the Fifty-First Legislature. The School for the Deaf and Blind funded these raises through transfers from Program 02.

**CHAIRMAN PECK** asked if this increase was above the recommended level from Executive also. **Mr. Culver** said yes.

**Bill Sykes** stated that because of the way the Legislature in the last session appropriated personal services you can't transfer from any personal services program into another.

**Doug Schmitz** stated that the Administration Program is funded 100% from General Fund monies.

**CHAIRMAN PECK**, asked if the Executive consider this when they put their budget together. **Mr. Schmitz** stated that they did and that they were using what was appropriated in House Bill 100 in the last session.

**CHAIRMAN PECK** stated that the increases had been granted by the authority over this operation. **CHAIRMAN PECK** asked if the Executive disagreed with the increases. **Mr. Schmitz** stated that he didn't believe they had disagreed, but had gotten their figures from the 1991 appropriations.

078

**SEN. JERGESON** asked if the salaries were exempt from the pay plan. **Bill Sykes** said yes the only ones on the Matrix are the Teachers.

**REP. KADAS** asked if the funds transferred out of operating to fund these increases are still in the operating base. **Mr. Culver** stated they would not be in the base, because the LFA came off actual expenditures.

**REP. GRINDE** asked why is there a discrepancy between 1992 and 1993. **Mr. Culver** stated that there are more days in 1992 than there is in 1993.

**SEN BIANCHI** asked what the salaries were. **Bill Prickett** stated that as a Superintendent he makes \$51,794 and **Bill Sykes** makes \$34,500. **Mr. Prickett** stated that he thought the portion that was funded came from the Executive Budget. **CHAIRMAN PECK** said he thought **Mr. Prickett** was right.

**SEN. BIANCHI** asked what kind of increase they received during the last biennium. **Mr. Prickett** stated that he and **Mr. Sykes** received that same raise all state employees received. The pay plan was 2.5% or \$560 which ever was greater.

**REP. KADAS** asked what the school was doing with the house the Superintendent use to live in. **Mr. Sykes** stated that they collect \$500 per month rent with the renter paying his/her own utilities.

**Motion:**

**SEN. JERGESON** moved the adoption of #1, General Fund for FY92 \$10,449 and FY93 \$10,652.

**Discussion:**

**SEN. BIANCHI** asked why the non-scheduled employees are not given the same benefit in the year that it happens. **Mr. Culver** stated that all exempt positions do get the salary increases in the pay plan. **Mr. Culver** stated that **Mr. Prickett** and **Mr. Sykes** got the increase plus an upgrade by the BPE.

**CHAIRMAN PECK** asked what the difference between administrative increases and classified increases are. **Mr. Sykes** stated that the upgrade increase for the Superintendent was \$7,500 which was for the house. **Mr. Sykes** received an adjustment from \$28,050 in FY90 to \$32,500.

**CHAIRMAN PECK** asked Mr. Sykes to relate that in a percentage way to the 2.5% that classified were getting.

**Mr. Culver** stated that he calculated it to be 15.42% salary increase in FY90 and 6.15% in FY91.

**SEN. JERGESON** stated that he made his motion because he thought the pay plan hadn't been calculated in last years budget. **SEN. JERGESON** was also under the impression that the housing allowance had already been put into the budget.

**Mr. Prickett** stated that the adjustment took place in the fall of 1988. It was Mr. Prickett's understanding that it was a 52/48% split. The Legislature appropriated 48% of the increase that he received.

**CHAIRMAN PECK** asked were the 52% is going to come from. **Mr. Prickett** stated that since the Foundation owned 52% of the house and the Superintendent was living in it rent free the foundation had been subsidizing the Superintendents salary so if you convert that to a dollar equivalent the Foundation should contribute the 52%.

**REP. KADAS** stated that none of the increase for the house is in current level. **CHAIRMAN PECK** stated that he was sure the subcommittee made an adjustment last session.

**Mr. Culver** stated that he took the salary level that the two positions are being paid and projected these salary levels into FY92 and FY93. He then made an adjustment had these two positions not received these salary increases, what would they be paid. **Mr. Culver** then deducted that from the total to come back to current level FY91.

**MR. KADAS** stated that if that were the method used he feels the current level is to low, by the 48% of \$7,800.

**Bill Sykes** stated that **Mr. Culver** was correct in his analysis.

**REP. KADAS** stated that he thought **Mr. Culver** took out what it would cost to fund their salaries and then backed out the \$7,800. **REP KADAS** feels that only 52% of \$7,800 should have been backed out.

**REP. KADAS** asked **Mr. Culver** if he took \$7,800 out of **Mr. Prickett** salary to get current level. **Mr. Culver** stated that he didn't calculate it that way, he just came back to what current level was.

**CHAIRMAN PECK** stated that if the subcommittee wants to fund the increases, that's where **Mr. Culver** got the number.

**Mr. Prickett** stated that if **Mr. Culver** took the FY91 figure that would have included the 48% funded by the FY89 Legislature.

426

**CHAIRMAN PECK**, asked if \$10,449 and \$10,652 treats you justly and covers the increases of BPE. **Mr. Prickett** said yes.

**SEN. HAMMOND** asked if the \$10,000 provides for the money the Foundation was suppose to throw into the salary. **Mr. Prickett** said yes.

**REP. GRINDE** asked if we don't fund this in this Legislature are they going to take it out of the base again. **CHAIRMAN PECK** said yes.

**REP. KADAS** asked where the 48% of the rent went. **Mr. Prickett** stated that 52% goes back to the foundation and 48% is deposited to General Fund.

**REP. GRINDE** asked why the Board is allowed to do this outside of the Budgeting process. **CHAIRMAN PECK** stated that was a good question and if it will come down through the process that we go through we could have those proposed increases or recommendations from the Board in terms of putting in the funds to take care of it.

**REP. GRINDE** asked if there were anything we could do as we write this budget book to give direction or set philosophy on it. **CHAIRMAN PECK** stated that it would be easier to notify those agencies that we want those included in the future in terms of proposed salary increases.

**SEN. JERGSON** stated that the fault doesn't necessarily lie with the BPE it falls within the whole system that we have developed among the audit agencies of the exempt employees.

**CHAIRMAN PECK** stated that they have scheduled some on going meetings of the Sub-Chairs with the Chairman of the House Appropriations Committee and he would take it up with them on how they would like to deal with this now so that we have something better next session.

**SEN. BIANCHI** stated that they actually dropped their operating budget to put it into personal services. They need to have some flexibility to manage this money as they see fit.

**REP. GRINDE** stated that he was not disputing the salary increases, it was the manner they went about getting it. Taking it from the Operating Expense when it was suppose to be used for something else.

614

**REP. KADAS** asked if there is going to be money in the pay plan increase for exempt employees. **Mr. Culver** said yes.

**Recommendation and Vote:**

**MOTION CARRIED, 4/2 REP. GRINDE and SEN. HAMMOND** voting no.

**CHAIRMAN PECK** moved to Item #2 LFA used FY90 actual and OBPP used FY91 appropriated. This is the same issue the subcommittee saw in the previous two budgets. Item #2 already adopted.

Item #3, Office Furniture. No Motion Item #3 stays at LFA level.

**CHAIRMAN PECK** asked Mr. Culver if this was something that was in there last year that was continued. Mr. Culver stated that they had an extensive equipment list and he felt that any institution should have a minimum of equipment and so he gave them a figure.

**CHAIRMAN PECK** asked for any motion on Item #3. **CHAIRMAN PECK** stated that if there is no motion it stays in the base.

**REP. GRINDE** stated that equipment is essential but he feels that the equipment stored in the Surplus Warehouse should be used.

**CHAIRMAN PECK** stated that this equipment is available to be used by the Agencies, but stated that it is up to the BPE to tell the Agencies to use it not the Legislature.

#### General Services Program 02

LFA current level \$255,047 FY92 and \$256,885 for FY93

#### Motion:

**REP. KADAS** moves LFA current level at \$255,047 for FY92 and \$256,885 for FY93.

#### Recommendation and Vote:

MOTION CARRIED, unanimously

#### Discussion:

**CHAIRMAN PECK** stated that the General Services Program has two potential changes. Budget base LFA used actual FY90, OBPP used FY91 appropriated. **CHAIRMAN PECK** stated that the subcommittee past practices are to leave it as is and drive off the LFA current level.

**SEN JERGSON** asked Doug Schmitz if there was a reason the Executive didn't include equipment here or in 01. Mr. Schmitz stated that he did not recall seeing an equipment request in program 01 or 02.

**Bill Sykes** stated that he did put it in his request.

**Skip Culver** confirmed that there was a request.

#### Student Services Program 03

LFA current level FY92 is 829,627 and 832,444 for FY93

**Motion:**

**REP. KADAS** moved adoption of LFA current level figures for FY92 and FY93.

**Recommendation and Vote:**

**MOTION CARRIED**, unanimously

**Student Travel**

**CHAIRMAN PECK** stated that the budget includes \$47,179 for student travel to go home eight times each year.

781

**Mr. Culver** stated that it should be nine trips per year. The School pays for the students to arrive at the school, return home at the end of the year and 8 trips in between.

**CHAIRMAN PECK** stated that the LFA current level includes those trips. **Skip Culver** said yes, they spent \$47,179 in FY90.

**SEN. JERGSON** asked if this number included inflationary increases. **Bill Sykes** stated that it does not include inflation.

**Mr. Culver** stated that there was no inflation applied to this category because it is primarily commercial air and commercial bus. The LFA inflation factor did not have a category for these items.

**CHAIRMAN PECK** asked the OBPP if there was a request on that in terms of the level of funding that you received and recommended that was higher. **Mr. Schmitz** stated that he is unsure of a request.

**Bill Sykes** stated that they documented the number of trips and the number of students and it was approximately \$63,024 each year. Since that time it has gone up \$15,784.

**CHAIRMAN PECK** asked **Mr. Sykes** if the Executive Budget responded to the request at all. **Mr. Sykes** stated that they did respond when they presented their budget proposal for student travel. That was back in August when airline tickets were \$12,971 airline tickets are now \$15,784.

**CHAIRMAN PECK** stated that the first figure \$12,971 should be replaced with \$15,784.

**Motion:**

**SEN. HAMMOND** moved that we add the \$15,784 to the LFA base each year of the biennium.



Discussion:

REP. GRINDE asked if it is mandated by statute that we fund 100% of these students education. CHAIRMAN PECK stated that you have to have public education for handicap children. REP. GRINDE asked if that mandate said we have to provide the transportation. CHAIRMAN PECK stated that every child now in the Public Schools is provided with free transportation. Whether it be individual transportation payment or a school bus transportation.

REP. GRINDE asked if they have looked at the possibility of having the parents pick these children up and reimbursing for the transportation. Bill Sykes stated that they do reimburse parents for travel throughout the year. One of the problems during the school year is the short period of time they have they would end up spending most of their time on the road.

Recommendation and Vote:

Motion Carried, unanimously

Equipment

CHAIRMAN PECK asked Mr. Schmitz if there were specific equipment items requested by the agency. Mr. Schmitz stated he was unaware of anything specific.

Bill Sykes stated that the actual request for equipment was approximately \$10,000 or \$13,000 each year.

CHAIRMAN PECK stated that the LFA used an average and OBPP took a figure that was in the appropriated budget for FY92.

CHAIRMAN PECK stated that if you don't do anything the \$4,825 is the budget each year. NO MOTION stays at LFA level.

Lease Purchase

CHAIRMAN PECK stated that LFA included lease purchase of a 15 passenger van, OBPP did not include in budget. The lease purchase is a 48 month lease buy out at end of period approximately \$26,0000 versus outright purchase \$21,000.

CHAIRMAN PECK clarified with Skip Culver that he had the van in the LFA budget. Mr. Culver stated that the van was in there at \$5,040 per year as a lease purchase. Mr. Culver states that there are three options purchase, lease purchase, or don't buy it at all.

CHAIRMAN PECK stated that there is \$5,040 per year to cover the lease purchase or you can move to strike that and make an outright purchase.

**SEN. BIANCHI** asked Doug Schmitz why the Executive budget left that total out. **Mr. Schmitz** stated that he was not sure why it was left out.

**CHAIRMAN PECK** asked Doug Schmitz how long he had been with the OBPP. **Mr. Schmitz** stated he has been with the office since the middle of September. **CHAIRMAN PECK** stated that if budget requests continue to be left out there will be a balanced budget that is going to go out of balance. **CHAIRMAN PECK** stated that it bothers him that they have requested three and their has been no response at all.

**REP. GRINDE** asked what the standard procedure has been for purchasing vehicles, and what happens to the old vehicle. **Bill Sykes** stated that they will surplus the vehicle. **CHAIRMAN PECK** stated that there isn't any consistent pattern when purchasing vehicles.

**REP. GRINDE** asked if the School is responsible for maintenance under a lease purchase agreement. **Bill Sykes** stated that the School would be responsible for routine maintenance on the vehicle.

**Motion:**

**REP. KADAS** moved for the purchase of the 15 passenger van and to adjust the budget so there is \$21,000 available to make purchase.

**Recommendation and Vote:**

MOTION CARRIED, unanimously

**Budget Modifications**

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**CHAIRMAN PECK** stated that this was for an additional night watchman .77 FTE this would add \$15,000 each year. **CHAIRMAN PECK** stated that this position would increase supervision of dormitory cottages from midnight to 8:00 a.m. The additional night watchman is proposed to reduce the area that each must cover and provide additional coverage in the even of an emergency.

**CHAIRMAN PECK** asked for a motion on Item #5 under Student Services Program 03. Hearing no motion the subcommittee went to the Education Program 04

**Education Program 04**

**Motion:**

**REP. GRINDE** moved the LFA current level FY92 1,566,141 and 1,565,118 for FY93

**Recommendation and Vote:**

MOTION CARRIED, unanimously

Executive Budget

**CHAIRMAN PECK** moved on to Executive Budget. Replace general fund with chapter 1 funds. This is a 1.09 FTE for \$38,000 each year. **Skip Culver** stated that Chapter 1 funds are for the handicap. **Mr. Culver** stated that 1.09 FTE does not equal \$38,000 it is about \$32,000.

**CHAIRMAN PECK** asked if they don't get chapter 1 funds would this, be where there is a loss for the multi handicap children. **Mr. Prickett** stated that was a potential result.

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**CHAIRMAN PECK** asked what would happen if the Federal Funds came in at a higher level then you're anticipating. **Bill Sykes** stated that they do not anticipate that happening it has been going down steadily since FY86.

**Bill Davis** said that **Gail Gray** stated that because of passage of Public Law 99-457 they have extended special education down to age 3. If the local public school is serving a student **MSDB** itinerents may also have contact with that student. If the public school is counting that child on their Part B 941-42 monies, that takes them off the rolls for us for Chapter 1 funds. **CHAIRMAN PECK** asked if they could get a duplicate payment. **Mr. Davis** stated that they couldn't, even though they come from two separate funds.

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**CHAIRMAN PECK** stated that he has reservations dealing with this item because of the Federal Funds being unknown.

**REP. KADAS** asked **Mr. Culver** if the reduction is not based on the reductions of funds available is the Great Falls School District going to get a larger share of the funds. **Mr. Prickett** stated that \$130,000 that is in both the LFA and the Executive budget recognizes the actual amount of income **MSDB** has been getting. **MSDB** was appropriated at \$168,000 level this biennium. We received \$148,000 the first year and this year we were told to expect \$130,000.

**REP. KADAS** asked why it had gone down from \$168,000 to \$130,000. **Bill Sykes** stated that this is current year actual funding for FY91.

**REP. KADAS** asked if the workload has stayed the same. **Mr. Culver** said yes. This has nothing to do with the number of students they have, its an issue that is beyond their immediate level. **REP. KADAS** asked if we were trying to serve more students state wide. Therefore, the public schools get a larger claim to the total dollars available. **Mr. Culver** stated yes. **CHAIRMAN PECK** asked **Mr. Prickett** if this was correct. **Mr. Prickett** said yes. However, the problem is compounded at the National level. There

has been a decreased appropriation for Chapter 1 funding over the past several years.

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**SEN HAMMOND** asked why the Audiology program was cut. **CHAIRMAN PECK** stated that, that cut was a private contribution.

**CHAIRMAN PECK** stated that he was unsure what to suggest to the committee within his experience. If you get the Federal increase you have over appropriated.

**REP. KADAS** stated that as of FY90 they have \$150,000 in Federal dollars, how did the school respond to the decrease from the \$169,000. **Mr. Sykes** stated that they transferred approximately \$12,000 into that program from Operating. **CHAIRMAN PECK** asked **Mr. Sykes** how much they funded total. **Mr. Sykes** stated that they appropriated \$168,000, MSDB received actual funds of \$148,000 and the difference was transferred.

**Mr. Prickett** stated the possibility of reducing itinerents services or eliminating the multi handicap program entirely is possible if the Board decides the chapter 1 project should continue at the \$168,000 level.

**SEN. BIANCHI** stated he doesn't feel that taking the itinerents services away is economically feasible.

**Motion:**

**SEN. HAMMOND** moved to fund FY92 for \$38,000 and FY93 for \$38,000 in anticipation of the Federal short fall.

**Discussion:**

**REP. GRINDE** stated that he has a memo to sunset by the Directors from **Bill Sykes**. This shows the \$53,000 supplemental to cover the shortfall in Federal Chapter 1 funds in FY91. **REP. GRINDE** asked **Mr. Sykes** to please explain this. **Mr. Sykes** stated that he brought to the LFA and the OBPP a portion of the \$53,000 \$13,396 is for position upgrades not related to Chapter 1. The remaining \$38,000 is Chapter 1.

**Recommendation and Vote:**

Motion Carried, 4/2 **REP. GRINDE** and **CHAIRMAN PECK** voting no.

**REP. GRINDE** stated that he is voting no because he is more concerned with policy than with actual numbers.

**Building Maintenance**

**Mr. Culver** stated that this is a modification in the Executive Budget. There is some confusion between what the agency thinks

it is for and what the Governor's budget included it for.

**CHAIRMAN PECK** asked **Mr. Sykes** what this Building Maintenance is for. **Mr. Sykes** stated that from their discussion with the budget office they thought it was for repair of internal damage to cottage 1 and 2 from settling. This would also repair internal damage in the gymnasium.

**Doug Schmitz** stated that the internal repair was listed as priority #7 among many of the projects that were being considered by that committee. During the budgeting process she indicated that for a one time expenditure Item #7 be approved. **Mr. Sykes** stated that this was a different issue. **Mr. Schmitz** is talking about new construction to house the secretaries, relocate the principal and move the audiology.

**REP. KADAS** asked how they know the settling has stopped. **Mr. Sykes** stated that A & E has come out and had engineers site the building.

**CHAIRMAN PECK** asked if the \$20,000 is enough to cover their internal repairs. **Bill Sykes** stated yes.

**REP. KADAS** asked if they will be putting the gutters on the gymnasium. **Bill Sykes** stated that the \$20,000 is strictly interior remodeling and repairs. Priority #8 (Long-Range) is replacement of the roof on the academic building, which would also cover the rain gutters. **REP. KADAS** stated his reluctance to give the \$20,000 if they did not receive Priority #8.

**Motion:**

**REP. KADAS** moved to add \$20,000 to fix internal maintenance due to settling.

**Discussion:**

**SEN. BIANCHI** asked what they are going to do if they don't get the Long Range funding and they don't get the rain gutters. **Mr. Sykes** stated that they will stay the way they are.

**CHAIRMAN PECK** stated that the Legislature can express its preference, but if there is an emergency type action and the BPE approves other use of this money it's normally not restricted. The MSDB is saying that they intend to do this.

**SEN. BIANCHI** stated that his problem is that he would hate to see them spend \$20,000 on internal repairs and not fix the drainage problem on the outside.

**SEN. HAMMOND** asked whose responsibility it is to go to the Contractor and the Architech about these problems. **Mr. Sykes** stated that the Contractor and the Architech did come back and

fix the structure of the gymnasium.

**CHAIRMAN PECK** stated that it is the BPE management determination to go to the Contractor and the Architech.

Recommendation and Vote:

MOTION CARRIED, unanimously

Equipment

**CHAIRMAN PECK** stated LFA has \$7,300 each year, OBPP has \$6,921. NO MOTION, \$7,300 stays in.

Executive Budget Modification

**CHAIRMAN PECK** stated the OBPP has included in their budget an .84 FTE, LFA does not. This is for a Supervising teacher to supervise staff and develop a school wide curriculum. Provisional accreditation is involved with this, will come back for revaluation at a later date to see if they get full accreditation to replace the provisional accreditation.

**CHAIRMAN PECK** asked how many people would be supervised. **Bill Davis** stated that it would be approximately 10-12 certified staff.

**SEN. JERGESON** asked if this covers all of the modifications necessary that are mandated for accreditation. **Mr. Prickett** stated that there would be one additional item. That would be \$20,000 for in-service training and staff development.

**REP. KADAS** asked if the School has ever been accredited. **Mr. Prickett** stated no.

Motion:

**REP. KADAS** moved .84 FTE in the amount of \$33,429 in FY92 and \$33,356 in FY93

Recommendation and Vote:

MOTION CARRIED, unanimously

**Mr. Culver** stated that there were 3 issues in program 04 that need to be brought to the attention of the Subcommittee. One is the Interest and Income Funding program. In current level LFA we have I&I funding of \$183,000 in FY92 and \$189,000 in FY93. The Executive Budget is \$162,000 in FY92 and \$167,000 in FY93. **Mr. Culver** stated that it is a matter of opinion with the revenue estimators who is correct. **CHAIRMAN PECK** asked if less revenue came in if they could come back and request a supplemental. **Mr. Culver** said yes.

**CHAIRMAN PECK** asked **Mr. Culver** if he has discussed the

differences in the approach used and have you found a resolution. **Mr. Culver** stated that he has talked to his revenue estimator and he sticks by his figures.

**Bill Sykes** stated that he called Allen Christianson of State lands he said a reasonable estimate is for \$170,000 each year. **Mr. Sykes** stated that they collected close to \$167,000 last year.

**Motion:**

**REP. KADAS** moved that we accept \$170,000 as revenue for I&I funding for each year of the Biennium.

**Recommendation and Vote:**

**MOTION CARRIED, 5/1 CHAIRMAN PECK** voting no.

**Educational Upgrades**

**Mr. Culver** stated that these changes equal \$13,396 in FY92 and \$13,237 in FY93 to accommodate these teachers salary upgrades. **CHAIRMAN PECK** asked if he had done an evaluation on their actual expenditure in personal services as to what was appropriated. **Mr. Culver** stated that the current levels were inadequate.

**REP. KADAS** asked how did the upgrades happen. **Mr. Culver** stated that it was from continuing training, additional services.

**Motion:**

**SEN. BIANCHI** moved that we add \$13,396 in FY92 and 13,237 in FY93 to cover education position upgrades.

**Recommendation and Vote:**

**MOTION CARRIED, unanimously**

**Mr. Culver** stated that in the testimony of **Mr. Prickett** listed some items that were mandated for unconditional accreditation one of them was a Supervising Teacher and the other was a In-service Training Staff development for \$20,000 per year.

**Motion:**

**SEN. JERGESON** moved \$20,000 per year for staff development program for the school in FY92 and FY93

**Discussion:**

**SEN. HAMMOND** asked if this was so they could get unconditional accreditation. **Mr. Prickett** said yes. **SEN. HAMMOND** asked **Mr. Prickett** if he was going to accomplish it this coming year. **Mr. Prickett** stated that they will be reviewed sometime before 1993.

CHAIRMAN PECK asked what difference it makes to be Certified. Mr. Prickett stated that it documents that MSDB has a program for educating deaf children that meets at least the minimum standards in the field of education of the deaf on a National level.

CHAIRMAN PECK asked Doug Schmitz if he dealt with this request. Mr. Schmitz stated that they did not recommend it.

Recommendation and Vote:

MOTION FAILED 4/2

AYES: SEN. BIANCHI, SEN. JERGESON

NAYES: SEN. HAMMOND, REP. KADAS, REP. GRINDE, REP. PECK

ADJOURNMENT

Adjournment: 12:00 Noon

  
\_\_\_\_\_  
REPRESENTATIVE RAY PECK, Chair

  
\_\_\_\_\_  
MELISSA J. BOYLES, Secretary

RP/mjb



HOUSE OF REPRESENTATIVES

EDUCATION SUBCOMMITTEE

ROLL CALL

DATE 1-14-91

NAME	PRESENT	ABSENT	EXCUSED
REP. RAY PECK, CHAIRMAN	/		
SEN. GREG JERGESON	/		
REP. LARRY GRINDE	/		
SEN. DON BIANCHI	/		
REP. MIKE KADAS	/		
SEN. H.W. "SWEDE" HAMMOND	/		

EXHIBIT

DATE 1-14-97

HB Ed. & Cust. Dev. Serv.

16 ADVISORY COUNCIL FOR VOCATIONAL EDUCATION  
ADMINISTRATION

	ACTUAL FISCAL 1990	EXECUTIVE FISCAL 1992	LFA FISCAL 1992	DIFFERENCE FISCAL 1992	EXECUTIVE FISCAL 1993	LFA FISCAL 1993	DIFFERENCE FISCAL 1993
MEM	2.50	2.50	2.50	0	2.50	2.50	0
PERSONAL SERVICES	73,214	79,467	82,192	(2,725)	79,479	82,204	(2,725)
OPERATING EXPENSES	53,999	57,190	54,735	2,455	57,294	54,794	2,500
EQUIPMENT	475	0	500	(500)	0	500	(500)
TOTAL EXPENSES	127,688	136,657	137,427	(770)	136,773	137,498	(725)
IND SOURCE							
FEDERAL FUNDS	127,688	136,657	137,427	(770)	136,773	137,498	(725)
TOTAL FUNDS	127,688	136,657	137,427	(770)	136,773	137,498	(725)
ISSUES					EXEC OVER (UNDER) FY92	EXEC OVER (UNDER) LFA FY93	
OTHER COMPENSATION - OBPP did not include the Council members					(2,725)	(2,725)	
CONTRACTED SERVICES - LFA included 3094 more for contracted services					(3,094)	(3,094)	
AGENCY INDIRECT - Exec included additional funds for agency indirect					3,834	3,834	
EQUIPMENT- LFA current level included 500 each year for office equipment					(500)	(500)	
BUDGET BASE - LFA budget is base FY90 actual, exec in base upon FY91 appropriated					3,255	3,210	
					770	725	

*\$30,000. \$130,000.*

*\* Additional Federal Funds*

THE COUNCIL 1991-1992

AN ANALYSIS OF ORGANIZATION AND MANDATE

Carl D. Perkins Vocational and Applied  
Technology Education Act

January 4, 1991

EXHIBIT 3

DATE 1-14-91

HB Ed. & Cur. Res. Sub.

SEC. 111 "State Administration"

"(a)(1) Any State desiring to participate in the vocational education program authorized by this Act shall, consistent with State law designate or establish a State board of vocational education which shall be the sole State agency responsible for the administration or the supervision of the State vocational program. The responsibilities of the State board shall include--

"(a)(1)(c) consultation with the State council established pursuant to section 112, and other appropriate agencies, groups and individuals INCLUDING BUSINESS, INDUSTRY, AND LABOR involved in the planning, administration, evaluation and coordination of programs funded under this Act;

"(g) Each State board, in consultation with the State council, shall establish a limited number of technical committees to advise the council and the board on the development of model curricula to address State labor market needs. Technical committees shall develop an inventory of skills that may be used by the State board to define state-of-the-art model curricula. Such inventory will provide the type and level of knowledge and skills needed for entry, retention, and advancement in occupational areas taught in the State. The State board shall establish procedures for membership, operation, and duration of such committees consistent with the purposes of this Act. The membership shall be representatives of (1) employers from any relevant industry or occupation for which the committee is established; (2) trade or professional organizations representing any relevant occupations;

and (5) organized labor, where appropriate.

## "STATE COUNCIL ON VOCATIONAL EDUCATION

"SEC. 112. (a) Each State which desires to participate in vocational education programs authorized by this Act for any fiscal year shall establish a State council, which shall be appointed by the Governor or, in the case of States in which the members of the State board of education are elected (including election by the State legislature), by such board. Each State council shall be composed of 13 individuals, and shall be broadly representative of citizens and groups within the State having an interest in vocational education. Each State council shall consist of--

"(1) seven individuals who are representative of the private sector in the State who shall constitute a majority of the membership--

"(A) five of whom shall be representative of business, industry, TRADE ORGANIZATIONS, and agriculture including--

"(i) one member who is representative of small business concerns; and

"(ii) one member who is a private sector member of the State job training coordinating council (established pursuant to section 122 of the Job Training Act), and

"(B) two of whom shall be representatives of labor organizations;

"(2) six individuals who are representative of secondary and postsecondary vocational institutions (equitably distributed among such institutions), career guidance and counseling organizations within the State, individuals who have special knowledge and qualifications with respect to the special educational and career development needs of special populations (including women, the disadvantaged, the handicapped, individuals with limited English proficiency, and minorities) and of whom one member shall be representative of special education and may include MEMBERS OF VOCATIONAL STUDENT

ORGANIZATIONS AND SCHOOL BOARD MEMBERS. NO EMPLOYEE OF THE STATE BOARD SHALL SERVE ON THE STATE COUNCIL. In selecting individuals under subsection (a) to serve on the State council due consideration shall be given to the appointment of individuals who serve on a private industry council under the Job Training Partnership Act, or on State councils established under other related Federal Acts.

"(b) The State shall certify the establishment and membership of the State council at least 90 days prior to the beginning of each planning period described in section 113(a)(1).

"(c) Each State council shall meet as soon as practical after certification has been accepted by the Secretary and shall select from among its membership a chairperson who shall be representative of the private sector. The time, place, and manner of meeting, as well as council operating procedures and staffing, shall be as provided by the rules of the State council, except that such rules must provide for not less than one public meeting each year at which the public is given an opportunity to express views concerning the vocational education program of the State.

"(d) Each State council shall--

"(1) meet with the State board or its representatives during the planning year to advise on the development of the State plan;

"(2) MAKE RECOMMENDATIONS TO the State board and make reports to the Governor, the business community, and general public of the State concerning--

"(A) THE STATE PLAN,

"(B) policies the State should pursue to strengthen vocational education (with particular attention to programs for the handicapped); and

"(C) initiatives and methods the private sector could undertake to assist in the modernization of vocational education programs;

"(3) analyze and report on the distribution of spending for vocational education in the State and on the availability of vocational education

activities and services within the State;

"(4) furnish consultation to the State board on the establishment of evaluation criteria for vocational education programs within the State;

"(5) submit recommendations to the State board on the conduct of vocational education programs conducted in the State which emphasize the use of business concerns and labor organizations;

"(6) assess the distribution of financial assistance furnished under this Act, particularly with the analysis of the distribution of financial assistance between secondary vocational education programs and postsecondary vocational education programs;

"(7) recommend procedures to the State board to ensure and enhance the participation of the public in the provision of vocational education at the local level within the State, particularly the participation of local employers and local labor organizations;

"(8) report to the State board on the extent to which INDIVIDUALS WHO ARE MEMBERS OF SPECIAL POPULATIONS are provided with equal access to quality vocational education programs; and

"(9) ANALYZE AND REVIEW CORRECTIONS EDUCATION PROGRAMS; and

"(10)(A) EVALUATE AT LEAST ONCE EVERY 2 YEARS

"(i) THE EXTENT TO WHICH VOCATIONAL EDUCATION, EMPLOYMENT, AND TRAINING PROGRAMS IN THE STATE REPRESENT A CONSISTENT, INTEGRATED, AND COORDINATED APPROACH TO MEETING THE ECONOMIC NEEDS OF THE STATE;

"(ii) THE VOCATIONAL EDUCATION PROGRAM DELIVERY SYSTEM ASSISTED UNDER THIS ACT, AND THE JOB TRAINING PROGRAM DELIVERY SYSTEM ASSISTED UNDER THE JOB TRAINING PARTNERSHIP ACT, IN TERMS OF SUCH DELIVERY SYSTEMS' ADEQUACY AND EFFECTIVENESS IN ACHIEVING THE PURPOSES OF EACH OF THE 2 ACTS; AND

EXHIBIT 2  
DATE 1-14-91  
HB Ed. ~ Over. Pres. Sub.

"(iii) MAKE RECOMMENDATIONS TO THE STATE BOARD ON THE ADEQUACY AND EFFECTIVENESS OF THE COORDINATION THAT TAKES PLACE BETWEEN VOCATIONAL EDUCATION AND THE JOB TRAINING PARTNERSHIP ACT;

"(B) COMMENT ON THE ADEQUACY OR INADEQUACY OF STATE ACTION IN IMPLEMENTING THE STATE PLAN;

"(C) MAKE RECOMMENDATIONS TO THE STATE BOARD ON WAYS TO CREATE GREATER INCENTIVES FOR JOINT PLANNING AND COLLABORATION BETWEEN THE VOCATIONAL EDUCATION SYSTEM AND THE JOB TRAINING SYSTEM AT THE STATE AND LOCAL LEVELS; AND

"(D) ADVISE THE GOVERNOR, THE STATE BOARD, THE STATE JOB TRAINING COORDINATING COUNCIL, THE SECRETARY, AND THE SECRETARY OF LABOR REGARDING SUCH EVALUATION, FINDINGS, AND RECOMMENDATIONS".

"(e) Each State council is authorized to obtain the services of such professional, technical, and clerical, personnel as may be necessary to enable it to carry out its functions under this Act and to contract for such services as may be necessary to enable the Council to carry out its evaluation functions, independent of programmatic and administrative control by other State boards, agencies, and individuals. EACH STATE COUNCIL MAY SUBMIT A STATEMENT TO THE SECRETARY REVIEWING AND COMMENTING UPON THE STATE PLAN.

"(f)(1)(A) EXCEPT AS PROVIDED IN SUBPARAGRAPH (B), FROM THE SUMS APPROPRIATED PURSUANT TO SECTION 3(c), THE SECRETARY SHALL FIRST MAKE GRANTS OF \$150,000 TO EACH STATE COUNCIL. FROM THE REMAINDER OF SUCH SUMS THE SECRETARY SHALL ALLOT TO EACH STATE COUNCIL AN AMOUNT IN ACCORDANCE WITH THE METHOD OF ALLOTMENT SET FORTH IN SECTION 101(a)(2) OF THIS ACT, PROVIDED THAT--

"(i) NO STATE COUNCIL SHALL RECEIVE MORE THAN \$250,000 FOR EACH FISCAL YEAR;

"(ii) NO STATE COUNCIL SHALL RECEIVE LESS THAN \$150,000 FOR EACH FISCAL YEAR; AND

"(iii) NO STATE COUNCIL SHALL RECEIVE LESS THAN SUCH STATE COUNCIL WAS ALLOTTED IN THE FISCAL YEAR 1990;" AND

"(B) FROM THE SUMS APPROPRIATED PURSUANT TO SECTION 3(c) FOR EACH FISCAL YEAR, THE SECRETARY SHALL MAKE GRANTS OF--

"(i) \$60,000 TO EACH OF THE STATE COUNCILS OF THE VIRGIN ISLANDS AND GUAM; AND

"(ii) \$25,000 TO EACH OF THE STATE COUNCILS OF AMERICAN SAMOA, PALAU (UNTIL THE COMPACT OF FREE ASSOCIATION WITH PALAU TAKES EFFECT PURSUANT TO SECTION 101(a) OF PUBLIC LAW 99-658), AND THE COMMONWEALTH OF THE NORTHERN MARIANA ISLANDS".

SEC. 113 "STATE PLANS

"(a)(2)(A) IN FORMULATING THE STATE PLAN (and amendments thereto) THE STATE BOARD SHALL MEET WITH AND UTILIZE THE STATE COUNCIL ESTABLISHED PURSUANT TO SECTION 112.

"(c) AMENDMENTS TO STATE PLAN--WHEN CHANGES IN PROGRAM CONDITIONS, LABOR MARKET CONDITIONS, FUNDING, OR OTHER FACTORS REQUIRE SUBSTANTIAL AMENDMENT TO AN APPROVED STATE PLAN, THE STATE BOARD, IN CONSULTATION WITH THE STATE COUNCIL, SHALL SUBMIT AMENDMENTS TO SUCH STATE PLAN TO THE SECRETARY. ANY SUCH AMENDMENTS SHALL BE SUBJECT TO REVIEW BY THE STATE JOB TRAINING COORDINATING COUNCIL AND THE STATE COUNCIL".

SEC. 115 "STATE AND LOCAL STANDARDS AND MEASURES

"(a) GENERAL AUTHORITY--EACH STATE BOARD RECEIVING FUNDS UNDER THIS ACT SHALL DEVELOP AND IMPLEMENT A STATEWIDE SYSTEM OF CORE STANDARDS AND MEASURES OF PERFORMANCE FOR SECONDARY AND POSTSECONDARY VOCATIONAL EDUCATION PROGRAMS. EACH STATE BOARD RECEIVING FUNDS UNDER THIS ACT, BEFORE THE EXPIRATION OF THE 30-DAY PERIOD BEGINNING ON THE DATE OF THE ENACTMENT OF THE CARL D. PERKINS VOCATIONAL AND APPLIED TECHNOLOGY EDUCATION ACT AMENDMENTS OF 1990, SHALL APPOINT THE STATE COMMITTEE OF PRACTITIONERS (IN THIS SECTION REFERRED TO AS THE 'COMMITTEE') AS PRESCRIBED BY SECTION 512(a) AFTER CONSULTING WITH LOCAL SCHOOL OFFICIALS REPRESENTING ELIGIBLE RECIPIENTS, AND REPRESENTATIVES OF ORGANIZED LABOR, BUSINESS, SUPERINTENDENTS, COMMUNITY-BASED ORGANIZATIONS, PRIVATE INDUSTRY COUNCILS ESTABLISHED UNDER SECTION 102(a) OF THE JOB TRAINING PARTNERSHIP ACT, STATE COUNCILS, PARENTS, SPECIAL POPULATIONS,



CORRECTIONAL INSTITUTIONS, THE ADMINISTRATOR APPOINTED UNDER SECTION 111(b)(1), THE STATE ADMINISTRATOR OF PROGRAMS ASSISTED UNDER PART B OF THE EDUCATION OF THE HANDICAPPED ACT, THE STATE ADMINISTRATOR OF PROGRAMS ASSISTED UNDER CHAPTER 1 OF TITLE I OF THE ELEMENTARY AND SECONDARY EDUCATION ACT, THE STATE ADMINISTRATOR OF PROGRAMS FOR STUDENTS OF LIMITED ENGLISH PROFICIENCY, AND GUIDANCE COUNSELORS. SUCH SYSTEM SHALL BE DEVELOPED AND IMPLEMENTED BEFORE THE END OF THE 2-YEAR PERIOD BEGINNING ON THE DATE OF THE ENACTMENT OF THE CARL D. PERKINS VOCATIONAL AND APPLIED TECHNOLOGY EDUCATION ACT AMENDMENTS OF 1990 AND SHALL APPLY TO ALL PROGRAMS ASSISTED UNDER THIS ACT. ELIGIBLE RECIPIENTS MAY MAKE LOCAL MODIFICATIONS TO SUCH SYSTEM BASED ON ECONOMIC, GEOGRAPHIC, OR DEMOGRAPHIC FACTORS, OR THE CHARACTERISTICS OF THE POPULATION TO BE SERVED. SUCH MODIFICATIONS SHALL CONFORM TO THE ASSESSMENT CRITERIA CONTAINED IN THE STATE PLAN. THE STATE BOARD SHALL CONVENE THE COMMITTEE ON A; REGULAR BASIS TO REVIEW, COMMENT ON, AND PROPOSE REVISIONS TO A DRAFT STATE PROPOSAL, WHICH THE STATE BOARD SHALL DEVELOP, FOR A SYSTEM OF CORE STANDARDS AND MEASURES OF PERFORMANCE FOR VOCATIONAL PROGRAMS.

### TITLE III - SPECIAL PROGRAMS

#### PART - E TECH-PREP EDUCATION

##### Sec. 344 TECH-PREP EDUCATION PROGRAMS

"(f) NOTICE

"(2) THE SECRETARY SHALL NOTIFY THE STATE EDUCATIONAL AGENCY, THE STATE AGENCY FOR HIGHER EDUCATION, AND THE STATE COUNCIL ON VOCATIONAL EDUCATION OF ANY STATE EACH TIME A CONSORTIUM LOCATED IN SUCH STATE IS SELECTED TO RECEIVE A GRANT UNDER THIS PART.

"PART F - SUPPLEMENTARY STATE GRANTS FOR FACILITIES AND EQUIPMENT AND OTHER PROGRAM IMPROVEMENT ACTIVITIES

##### Sec. 355 STATE APPLICATION

"(a) IN GENERAL- EACH STATE THAT DESIRES TO RECEIVE A GRANT UNDER THIS PART SHALL SUBMIT TO THE SECRETARY AN

APPLICATION AT SUCH TIME, IN SUCH MANNER, AND CONTAINING OR ACCOMPANIED BY SUCH INFORMATION AS THE SECRETARY MAY REASONABLY REQUIRE. EACH APPLICATION SHALL-

"(2) PROVIDE FOR A PROCESS OF CONSULTATION WITH THE STATE COUNCIL ESTABLISHED UNDER SECTION 112;

PART G - COMMUNITY EDUCATION EMPLOYMENT CENTERS AND VOCATIONAL EDUCATION LIGHTHOUSE SCHOOLS

Sec. 366 PARENTAL AND COMMUNITY PARTICIPATION.

"(a), (5) ESTABLISHING A COUNCIL OF ADVISORS (IN THIS PART REFERRED TO AS THE 'COUNCIL') CONSISTING OF 1 INDIVIDUAL REPRESENTING EACH OF THE FOLLOWING ENTITIES;

"(B) THE STATE COUNCIL ON VOCATIONAL EDUCATION AND THE STATE AGENCY RESPONSIBLE FOR SECONDARY VOCATIONAL EDUCATION;

of the applicable program;

"(2) such program serves the same individuals that are served under this Act;

"(3) such program provides services in a coordinated manner with services provided under this Act; and

"(4) such funds would be used to supplement, and not supplant, funds provided from non-Federal sources.

"(b) APPLICABLE PROGRAMS.—For the purposes of this section, the term 'applicable program' means any program under any of the following provisions of law:

"(1) Section 123, title II, and title III of the Job Training Partnership Act.

"(2) The Wagner-Peyser Act.

"(c) ISSUANCE OF REGULATIONS.—Notwithstanding the provisions of section 504, the Secretary shall develop regulations to be issued under this section in consultation with the Secretary of Labor.

"(d) USE OF FUNDS AS MATCHING FUNDS.—For the purposes of this section, the term 'additional funds' includes the use of funds as matching funds.

**SEC. 512. REVIEW OF REGULATIONS.**

"(a) ESTABLISHMENT OF REVIEW COMMITTEE.—Except as provided in subsection (b), before any State publishes any proposed or final state rule or regulation pursuant to this Act, the State shall establish and convene a State Committee of Practitioners (in this section referred to as the 'Committee') for the purpose of reviewing such rule or regulation. The Committee shall be selected from nominees solicited from State organizations representing school administrators, teachers, parents, members of local boards of education, and appropriate representatives of institutions of higher education. The Committee shall consist of—

"(1) representatives of local educational agencies, who shall constitute a majority of the members of the Committee;

"(2) school administrators;

"(3) teachers;

"(4) parents;

"(5) members of local boards of education;

"(6) representatives of institutions of higher education; and

"(7) students.

"(b) LIMITED EXCEPTION.—In an emergency, where a regulation must be issued within a very limited time period to assist eligible recipients with the operation of a program, the State may issue a regulation without fulfilling the requirements of subsection (a), but shall immediately convene the Committee to review the regulation before it is issued in final form.

**SEC. 513. IDENTIFICATION OF STATE-IMPOSED REQUIREMENTS.**

"Any State rule or policy imposed on the administration or operation of programs funded by this Act, including any rule or policy based on State interpretation of any Federal law, regulation, or guideline, shall be identified as a State imposed requirement.

**SEC. 514. PROHIBITION ON USE OF FUNDS TO INDUCE OUT-OF-STATE RELOCATION OF BUSINESSES.**

"No funds provided under this Act shall be used for the purpose of directly providing incentives or inducements to an employer to relocate a business enterprise from 1 State to another State if such relocation would result in a reduction in the number of jobs available in the State where the business enterprise is located before such incentives or

not less than the amount provided by the State from non-Federal sources for such costs for the preceding fiscal year.

**SEC. 515. ADDITIONAL ADMINISTRATIVE PROVISIONS.**

"(a) IN GENERAL.—(1)(A) Funds made available under title II shall be used to supplement, and to the extent practicable increase the amount of State and local funds that would be in the absence of such Federal funds be made available for the uses specified in the application, and in no case supplant such State or local funds.

"(B) Notwithstanding subparagraph (A), funds made available under title II may be used to pay for the costs of vocational education services required in an individualized education plan developed pursuant to sections 612(4) and 614(a)(5) of the Education of the Handicapped Act, in a manner consistent with section 614(a)(1) of such Act, and services necessary to meet the requirements of section 504 of the Rehabilitation Act of 1973 with respect to ensuring equal access to vocational education.

"(2) No State shall take into consideration payments under this Act in determining, for any educational agency or institution in that State, the eligibility for State aid, or the amount of State aid, with respect to public education within the State.

"(b) LIMITATION.—Any project assisted with funds made available under title II shall be of sufficient size, scope, and quality to give reasonable promise of meeting the vocational education needs of the students involved in the project.

"(c) PERMISSIBLE SERVICES AND ACTIVITIES.—(1) Vocational education services and activities authorized in title II may include work-site programs such as cooperative vocational education, programs with community-based organizations, work-study, and apprenticeship programs.

"(2) Vocational education services and activities described in title II may include placement services for students who have successfully completed vocational education programs.

"(3) Vocational education services and activities described in title II may include programs which involve students in addressing the needs of the community in the production of goods or services which contribute to the community's welfare or which involve the students with other community development planning, institutions, and enterprises.

"(d) ACADEMIC CREDIT.—Each State board receiving financial assistance under title II may consider granting academic credit for vocational education courses which integrate core academic competencies.

**SEC. 502. DEFINITIONS.**

Section 521 of the Act is amended to read as follows:

**SEC. 511. DEFINITIONS.**

"As used in this Act:

"(1) The term 'administration' means activities of a State necessary for the proper and efficient performance of its duties under this Act, including supervision, but does not include curriculum development activities, personnel development, or research activities.

"(2) The term 'all aspects of the industry' means strong experience in, and understanding of, all aspects of the industry the students are preparing to enter, including planning, management, finances, technical and production skills, underlying principles

the National Apprenticeship Act, which is conducted or sponsored by an employer, a group of employers, or a joint apprenticeship committee representing both employers and a union, and which contains all terms and conditions for the qualification, recruitment, selection, employment, and training of apprentices.

"(4) The term 'area vocational education school' means—

"(A) a specialized high school used exclusively or principally for the provision of vocational education to individuals who are available for study in preparation for entering the labor market;

"(B) the department of a high school exclusively or principally used for providing vocational education in not less than 5 different occupational fields to individuals who are available for study in preparation for entering the labor market;

"(C) a technical institute or vocational school used exclusively or principally for the provision of vocational education to individuals who have completed or left high school and who are available for study in preparation for entering the labor market; or

"(D) the department or division of a junior college, community college or university operating under the policies of the State board and which provides vocational education in not less than 5 different occupational fields leading to immediate employment but not necessarily leading to a baccalaureate degree, if, in the case of a school, department, or division described in subparagraph (C) or this subparagraph, it admits as regular students both individuals who have completed high school and individuals who have left high school.

"(5) The term 'career guidance and counseling' means programs—

"(A) which pertain to the body of subject matter and related techniques and methods organized for the development in individuals of career awareness, career planning, career decisionmaking, placement skills, and knowledge and understanding of local, State, and national occupational, educational, and labor market needs, trends, and opportunities; and

"(B) which assist such individuals in making and implementing informed educational and occupational choices.

"(6) The term 'community-based organization' means any such organization of demonstrated effectiveness described in section 4(5) of the Job Training Partnership Act.

"(7) The term 'construction' includes construction of new buildings and acquisition, and expansion, remodeling, and alternation of existing buildings, and includes site grading and improvement and architect fees.

"(8) The term 'cooperative education' means a method of instruction of vocational education for individuals who, through written cooperative arrangements between the school and employers, receive instruction, including required academic courses and related vocational instruction by alternation of study in school with a job in any occupational field. Such alternation shall be planned and supervised by the school and employers so that each contributes to the student's education and to his or her employability. Work periods and school attendance may be on alternate half days, full days, weeks, or other periods of time in fulfilling the cooperative program.

AN OVERVIEW OF THE CARL D. PERKINS VOCATIONAL AND  
APPLIED TECHNOLOGY ACT OF 1990

By Jim Fitzpatrick  
Montana Council on Vocational Education

Purpose:

To make the United States more competitive in the world economy by developing more fully the academic and occupational skills of all segments of the population. The purpose of the Act will be achieved through concentrating resources on improving educational programs leading to academic, occupational training, and retraining skill competencies needed to work in a technologically advanced society.

Format of Legislation:

The format of the legislation remains basically the same with all major provisions contained in five titles as follows: Title I describes state administrative provisions; Title II sets forth the parameters of state and local programs; Title III describes the Special Programs funded under the act; Title IV describes the National programs and Title V includes general provisions.

Authorization Level:

\$1.6 Billion

Major Changes:

- Drives federal funds directly to secondary schools and postsecondary institutions.
- Emphasizes integration and mutual reinforcement of academic and vocational competencies, and technology.
- Eliminates many of the fiscal constraints, such as matching excess cost requirements and set-asides for handicapped and disadvantaged, but maintains emphasis on special population groups.
- Promotes accountability by measuring achievement against performance standards.

Majority of Funds are in Title II, Basic State Grant - (\$1.3 Billion)

The Basic State Grant includes:

Part A - State Programs

- State Administration
- State Leadership

Part B - Other State Administered Programs

- Single Parents, Displaced Homemakers, Single Pregnant Women with Marketable Skills and to Promote the Elimination of Sex Bias
- Corrections Education

Part C - Secondary, Postsecondary, and Adult Vocational Technical Education

Percentage of Allocation for Title II:

- 5% State Administration
- 8.5% State Leadership
- 1% Corrections
- 10.5% Equity and Single Parent/Displaced Homemakers/Single Pregnant Women
- 75% Secondary, Postsecondary, and Adult Vo-Ed Programs

Title II - Part C Funds will be Formula Allocated:

Formula for allocating funds:

**Secondary Schools**

- 70% based on Chapter 1 funds the local educational agency received.
- 20% based on the number of students with handicaps who have individualized educational programs.
- 10% based on number of students enrolled in school and adults enrolled in training programs.

Note: Schools receiving less than \$15,000 must join a consortium with neighboring districts or seek a waiver of the consortium requirement.

**Postsecondary and Adult Programs**

- Funding will be based on the proportion of Pell Grant recipients and recipients of assistance from the Bureau of Indian Affairs enrolled in vocational technical programs in each institution compared to the total number of such recipients in the state. This formula can be waived if the state submits a method using other determinants of economic disadvantage that will insure more equitable distribution of funds.

Note: The minimum grant for postsecondary institutions is \$50,000.

Uses of Funds:

Funds shall be used to improve vocational education programs with full participation by individuals who are members of special populations.

Note: Eligible recipients shall give priority for assistance to sites or programs that serve the highest concentrations of special populations.

Requirements for the Uses of Funds:

Plans for expending the funds will be made at the local level and must assure that:

- Programs are of such size, scope, and quality to be effective.
- Funds will be used to integrate academic and vocational technical education through coherent sequences of courses.
- Equitable participation of special populations in programs will be provided.

Grant Funds May be Used for Activities Such As:

- Upgrading curriculum.
- Purchase of equipment including instructional aids.
- Inservice training of both vocational instructors and academic instructors working with vocational education students for integrating academic and vocational education.
- Guidance and counseling.
- Remedial courses.
- Adaptation of equipment.
- Tech-prep education programs.
- Supplementing services designed to meet the needs of special populations.
- A special populations coordinator paid in whole or in part from such funds who shall be a qualified teacher or counselor.
- Apprenticeship programs.
- Programs tied to economic development efforts of the state.
- Programs which train adults and students for all aspects of the occupation in which job openings are projected or available.
- Comprehensive mentor programs in institutions of higher education.
- Provision of education and training through arrangements with private vocational training institutions and other providers who can make substantial contributions for meeting the objectives of the state plan at a lesser cost than public institutions.
- Vocational education services and activities which may include work-site programs such as cooperative vocational education, programs with community-based organizations, work-study, and apprenticeship programs.
- Programs which involve students in addressing the needs of the community in the production of goods or services which contribute to the community's welfare or which involve the students with other community development planning, institutions, and enterprises.

Local Application is Required:

Eligible recipients desiring to receive allocated funds must submit an application covering the same period as the state plan. The first application is for three years while the second application covers two years.

Requirements for Local Applications:

The sole state agent determines the requirements for local applications in accordance with Section 240 of the Act. The application shall contain:

1. A description of the vocational education programs to be funded, including:
  - (a) the extent to which the program incorporates each of the grant fund activities outlined above; and
  - (b) how the eligible recipient will use federal and other

funds to improve the program with regard to the activities listed above.

2. A report on the number of individuals in each of the special populations.
3. A description of how the needs of individuals who are members of special populations will be assessed and description of the planned use of funds to meet such needs.
4. How access to programs of good quality will be provided to students who are economically disadvantaged (including foster children), students with handicaps, and students of limited English proficiency through affirmative outreach and recruitment efforts.
5. Assurances that the programs funded under this part shall be carried out according to the criteria for programs for each special population.
6. The program evaluation standards the applicant will use to measure its progress.
7. A description of the methods to be used to coordinate vocational education services with relevant programs conducted under the Job Training Partnership Act to avoid duplication of services.
8. A description of methods used to develop vocational educational programs in consultation with parents and students of special populations.
9. A description of coordination with community-based organizations.
10. A consideration of the demonstrated occupational needs of the area in assisting programs funded by this Act.
11. A description of how the eligible recipient will provide a vocational education program that -
  - (a) integrates academic and occupational disciplines so that students participating in the program are able to achieve both academic and occupational competence; and
  - (b) offers coherent sequences of courses leading to a job skill.
12. Assurances that the eligible recipient will provide a vocational education program that -
  - (a) encourages students through counseling to pursue such coherent sequences of courses;

- (b) assists students who are economically disadvantaged, students of limited English proficiency, and students with handicaps to succeed through supportive services such as counseling, English-language instruction, child care, and special aids;
- (c) is of such size, scope, and quality as to bring about improvements in the quality of education offered by the school; and
- (d) seeks to cooperate with the sex equity program.

13. Assurances that the eligible recipient will provide sufficient information to the State.

14. A description of how the eligible recipient will monitor the provision of vocational education to individuals who are members of special populations.

### TITLE III - Special Programs

The Title III program will be administered separately and provides funding to eligible recipients in the following areas:

- Part A - Community Based Organizations (Funded)
- Part B - Consumer and Homemaking Education (Funded)
- Part C - Comprehensive Career Guidance and Counseling Programs (Not Funded)
- Part D - Business-Labor-Education Partnerships for Training (Not Funded)
- Part E - Tech-prep (Funded)
- Part F - Facilities and Equipment (Not Funded)
- Part G - Community Education Employment Centers and Vocational Education Lighthouse Schools (Not Funded)
- Part H - Tribally Controlled Postsecondary Institutions (Funded)

### Reauthorization of State Councils:

State Councils on Vocational Education were reauthorized under the Act. Several major changes were made concerning council membership and responsibilities.

#### Council Membership:

- Private sector members must include a trade organization representative.
- Public sector representatives may include members of vocational student organizations and school board members.
- No employee of the State board shall serve on the State Council.



**Responsibilities:**

The Act includes the following additional responsibilities for State councils:

- Analyze and review corrections education programs.
- Evaluate at least every two years the extent to which vocational education, employment, and training programs in the State represent a consistent, integrated, and coordinated approach to meeting the economic needs of the State.
- Comment on the adequacy or inadequacy of state action in implementing the State Plan.
- Make recommendations to the State board on ways to create greater incentives for joint planning and collaboration between the vocational education system and the job training system at the State and local levels.
- Advise State board on establishment of a State Committee of Practitioners.
- Provide representation on Council of Advisors appointed to assist Community Education Employment Centers.
- Each state council may submit a statement to the Secretary reviewing and commenting upon the State plan. Such statement shall be sent to the Secretary with the State Plan.

**Exhibit 5 was not transmitted with the minutes.**

HOUSE OF REPRESENTATIVES

EDUCATION SUBCOMMITTEE

ROLL CALL VOTE

DATE 1-14-91 BILL NO. \_\_\_\_\_ NUMBER Board of Public Education

MOTION: Sen. Bianchi moved to add \$5,000 in actual salary increase plus benefits to the personal services area of the BPE Budget.

NAME	AYE	NO
REP. RAY PECK, CHAIRMAN	✓	
SEN. GREG JERGSON, VICE-CHAIRMAN	✓	
REP. LARRY GRINDE		✓
SEN. DON BIANCHI	✓	
REP. MIKE KADAS		✓
SEN. H.W. "SWEDE" HAMMOND		✓
TOTAL	3	3

VISITOR'S REGISTER

Education

SUBCOMMITTEE

AGENCY (S) \_\_\_\_\_

DATE 1-14-91

DEPARTMENT Exec. Action Va. Ed. Advisory Council /  
Board of Public Education

NAME	REPRESENTING	SUP-PORT	OP-POSE
Bill Davis Bill Davis	MSDB	X	
Teresa Reardon	MFT		
Bill [unclear]	MSDB	X	
Bill [unclear]	MSDB	X	
Frank Clark	MCUE		
Terry M. Now	MSDB - MFT	X	

IF YOU CARE TO WRITE COMMENTS, ASK SECRETARY FOR WITNESS STATEMENT.  
IF YOU HAVE WRITTEN COMMENTS, PLEASE GIVE A COPY TO THE SECRETARY.