

MINUTES

MONTANA HOUSE OF REPRESENTATIVES 52nd LEGISLATURE - REGULAR SESSION

COMMITTEE ON EDUCATION & CULTURAL RESOURCES

Call to Order: By Chairman Ted Schye, on March 19, 1991, at 3:00 p.m.

ROLL CALL

Members Present:

Ted Schye, Chairman (D)
Ervin Davis, Vice-Chairman (D)
Steve Benedict (R)
Ernest Bergsagel (R)
Robert Clark (R)
Vicki Cocchiarella (D)
Fred "Fritz" Daily (D)
Alvin Ellis, Jr. (R)
Gary Feland (R)
Gary Forrester (D)
Floyd "Bob" Gervais (D)
H.S. "Sonny" Hanson (R)
Dan Harrington (D)
Tom Kilpatrick (D)
Bea McCarthy (D)
Scott McCulloch (D)
Richard Simpkins (R)
Barry "Spook" Stang (D)
Norm Wallin (R)
Diana Wyatt (D)

Staff Present: Eddye McClure, Legislative Council
Dianne McKittrick, Committee Secretary

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

HEARING ON SB 389

Presentation and Opening Statement by Sponsor:

SENATOR FRED VAN VALKENBURG, Senate District 30, Missoula, said SB 389 would give the legislative auditor the authority to conduct or contract for the conducting of audits of school related organizations who receive a majority of funding from taxpayer dollars. This bill results from efforts in the 1989 Legislative Session to get the attention of the Montana High School Association, (MHSA). The MHSA is a private, non-profit organization serving Montana's high schools with respect to the regulation of interscholastic activities. The MHSA operates

essentially by Foundation Program and taxpayer revenues paid in the form of dues from member schools. The MHSA was not paying attention to open meeting laws and public participation issues. The membership of the MHSA, being a close knit organization, did not appreciate or understand the value of public input. There were association expenditures many thought were inappropriate given the fact that most of the money they had to operate with were taxpayer dollars.

SB 403, introduced in 1989 session, would have placed the regulation of extracurricular activities under the supervision of the superintendent of public instruction. The MHSA then agreed to voluntarily change its mode of operation to clean up its image. SEN. VAN VALKENBURG presented a letter dated February 20, 1989 citing an agreement whereby the MHSA would conform to the open meeting and public participation aspect of state law, add two members to the board of directors, one appointed by the superintendent of public instruction and another by the governor, and agreement that membership dues be subjected to an audit.

EXHIBIT 1

SEN. VAN VALKENBURG asked the committee to resist amendments to be presented by Bruce Moerer of the Montana School Boards Association stressing when public funds are involved, organizations ought be subjected to the standards of a legislative audit whether it be the MHSA, MSBA or SAM.

Proponents' Testimony:

Bruce Moerer, Montana School Boards Association, (MSBA), said the original agreement was between the MHSA and Senator Van Valkenburg, while SB 389 obviously applies to many more organizations than the MHSA. If a school band conducts a candy sale an audit would be necessary since it would be funded from the activities of students. The MHSA is the only association with regulatory authority while the remaining are service and student organizations. The amendment limits the bill to the stated purpose and goes no further. EXHIBITS 2 and 3

Chip Erdmann, Montana Rural Education Association, stated support with the MSBA amendments. The original agreement and concern was with the MHSA and there wasn't any discussion to include other organizations or associations. There is no secret as to the funds and if a taxpayer wants to see records or audits they are welcome to do so. If there is no problem, why fix it? Mr. Erdmann said he could also see problems in funding the audits.

Jesse Long, School Administrators of Montana, (SAM), stated support with the amendments proposed by the MSBA. Most of the time SAM is a service organization and is not regulatory on administrators or students. He stated concern with the cost of \$2,500 per audit and said it would be prohibitive to the SAM.

Opponents' Testimony: None

Questions From Committee Members:

REP. DAILY asked SEN. VAN VALKENBURG to address the amendments. SEN. VAN VALKENBURG said these organizations are paying for audits already and won't be paying any more. The bill mainly deals with the MHSA and if the committee doesn't believe Foundation Program dollars that support the SAM or the MSBA ought to be audited, so be it. The Senate believes those are appropriate dollars for the state to be auditing.

REP. FORRESTER asked SEN. VAN VALKENBURG why the other organizations are being drawn into this legislation which originally targeted the MHSA. SEN. VAN VALKENBURG said where taxpayer dollars are concerned, it is appropriate.

REP. SIMPKINS asked John Northey, Legislative Auditors Office, if it might be feasible to include this in a centralized audit set up with the Department of Commerce. Mr. Northey said no, since that only relates to public entities and this is private, non-profit.

REP. SIMPKINS asked John Northey if the legislative auditor would accept the locally conducted audit. Mr. Northey said the office has a contract audit program in place which contracts out audits to certain entities. The legislative auditor would not impose an additional audit, but would negotiate the criteria by which the auditor conducts the audit. The office would write those specifications and work with the individual associations in determining those criteria.

REP. FORRESTER asked SEN. VAN VALKENBURG if the purpose of SB 389 is to intrude into the business affairs of the organizations via an audit. Is the intent a type of state control over the MSBA or SAM and why? SEN. VAN VALKENBURG answered the organizations are operating with Foundation Program dollars - tax money. They are not operating with private little contributions and ought to be subject to these criteria. The auditor would ensure the organization is only carrying out those activities authorized by law and following GAAP. If the organizations are not doing so, perhaps intrusion would be the correct word.

REP. FORRESTER asked SEN. VAN VALKENBURG if there is reason to believe any of these organizations are operating other than above board currently. SEN. VAN VALKENBURG answered no, but there is also no reason to believe the Department of Commerce, City of Billings or any other entity is operating contrary to law, but these entities are audited to make sure taxpayer dollars are being appropriately spent.

Closing by Sponsor:

SEN. VAN VALKENBURG thanked the committee and said he would appreciate support in whatever form thought appropriate.

EXECUTIVE ACTION ON HB 960

Motion/Vote: REP. MCCULLOCH moved HB 960 BE TABLED. Motion CARRIED unanimously.

EXECUTIVE ACTION ON SB 320

Motion/Vote: REP. DAILY moved SB 320 BE CONCURRED IN. Motion CARRIED unanimously.

EXECUTIVE ACTION ON SB 84

Motion: REP. MCCULLOCH moved SB 84 BE CONCURRED IN.

Discussion: REP. ELLIS said he had occasion to speak with three superintendents who are opposed to SB 84. They feel there are many forms of effective discipline and paddling is one of them.

REP. MCCULLOCH said corporal punishment has been proven to be a harmful, unnecessary tool that is obsolete. There is never any reason to physically hit a student. There are safeguards in the bill to take care of restraining for protection.

REP. KILPATRICK said perhaps 95% of students accept the paddle but the other 5% may be devastated, making the procedure totally out of line in as far as school discipline.

REP. WALLIN asked if shaking a student is also considered corporal punishment and REP. MCCARTHY answered under Montana law a teacher can not touch a child.

Vote: Motion CARRIED 16 to 4 with REPS. CLARK, ELLIS, SIMPKINS AND WALLIN voting no.

HEARING ON SB 456

Presentation and Opening Statement by Sponsor:

SENATOR BILL YELLOWTAIL, Senate District 50, Wyola, said SB 456 would permit the Montana Board of Investments to invest funds to help the Pryor School District through a critical period of rebuilding. Currently, districts can borrow for capital expenditures only. This legislation would expand the board's ability in existing law to consider applications for general purpose loans. SEN. YELLOWTAIL presented an amendment to the bill. EXHIBIT 4

Proponents' Testimony:

Chip Erdmann, Montana Rural Education Association and representing the Pryor School District, said SB 456 allows the State Board of Investments broader discretion in considering loan applications from school districts or other governmental entities. Mr. Erdmann said the Board of Investments is a board

of bankers that does not approve loans based on whims and would require strict assurance of being repaid. The Pryor School District situation is extremely critical. There were definite problems with the old management of the district and the FBI and US Department of Education are investigating many charges that may result in criminal indictments. The district has a new board and administration that are attempting to "dig out" from under the activities of the past mismanagement. They aren't asking for a handout from the Legislature, but an option to aid them in getting back on track.

Daniel Sybrant, Superintendent, Pryor School District, said upon taking over the district in May of 1990, he found a cash reserve of "0" resulting from the inflated budgets of previous years. The district asked for and received an emergency loan from the Board of Investments in October to make payroll until 874 revenues and taxes were received. That loan was paid as agreed and now the district is looking for another option.

Eric Feaver, Montana Education Association, (MEA), stated support for SB 456.

Bruce Moerer, Montana School Boards Association, (MSBA), said this is logical legislation to help schools in need.

David Ewer, Bond Program Officer, Montana Board of Investments, said the source of funds used for the loan program is money raised through bonds issued by the Board of Investments. The board was concerned with the deficit financing portion of the bill and with amendment would accept the change in current statute. If SB 456 becomes law, the board will continue to preserve and maintain its right to make the final decision on loan approval. There is no absolute assurance that the board will make this loan, however Pryor School District did promptly pay the short term emergency loan made in October.

John Malee, Montana Federation of teachers, (MFT), stated support for SB 456.

Opponents' Testimony: None

Questions From Committee Members:

REP. FORRESTER asked Supt. Sybrant what happened to the money. Supt. Sybrant answered there were many abuses involving district funds. A 1988 audit done by the Department of Commerce revealed excessive travel expenditures, double payments to vendors, increased budgets and an extremely large staff. At the same time, student enrollment was going down and there wasn't enough revenue available to fund the expenditures. There have been implications of illegality and impending legal hearings. Supt. Sybrant said as far as assurances, school officials have met with a committee of OPI officials and legislators and asked for oversight and review from the OPI upon loan approval. The OPI

would report to the Board of Investments if the plan wasn't being followed. There may also be a lien on Foundation Program monies to ensure repayment of the loan.

REP. FORRESTER asked Greg Groepper if there could be a lien on the Foundation Program monies. Mr. Groepper said to his knowledge that had not been discussed. Supt. Keenan has expressed a willingness to work with the Board of Investments and the Pryor School District to review budget expenditures and assure the board that the district is keeping its commitment. The OPI is comfortable doing the oversight and making recommendation to the Board of Public Education. If the Pryor School District does not meet the conditions of the loan, it would not have enough money to exist and would ultimately close.

REP. ELLIS asked Supt. Sybrant if any effort has been made to recover any money through litigation. Supt. Sybrant said yes. The district is also receiving other services in lieu of money. For example, a roofing contractor that had been paid double, came in handy this year for roofing services.

REP. MCCARTHY asked Supt. Sybrant if a new school board is in place at this time. Supt. Sybrant said there are five new board members, he is serving as superintendent and high school principal and there is a new clerk.

REP. SIMPKINS asked David Ewer if the loan would be used to cover a court award on a claim against the district. Mr. Ewer said it may be a settlement in lieu of court litigation between the aggrieved parties and the district. Mr. Ewer once again reminded REP. SIMPKINS that as yet, a loan had not been approved.

REP. SIMPKINS asked Chip Erdmann if a lien can be put on PL874 monies for payment of state loans. Mr. Erdmann said the state can't consider the inclusion of that money in the equalization process or formula. The district can contractually obligate those funds to a certain purpose, which in this case could be repayment of this loan.

Closing by Sponsor:

SEN. YELLOWTAIL thanked the committee and said Mr. Sybrant and the board are seriously trying correct the situation and would appreciate this option.

HEARING ON SJR 20

Presentation and Opening Statement by Sponsor:

SENATOR BILL Yellowtail Senate District 50, Wyola, said the Custer Battlefield National Monument is the only National Park in the entire nation that is a memorial to the loser. There is work underway by Montana's congressional delegation to appropriate funding for the park service and create an Indian monument at the

battlefield as well. This resolution is an encouragement to continue with the congressional effort and develop the memorial for Indian participants at the battlefield. Perhaps a neutral stance would be more appropriate in naming the monument the Little Big Horn National Monument.

Proponents' Testimony:

Eric Feaver, Montana Education Association, (MEA), said this is appropriate legislation.

Opponents' Testimony: None

Questions From Committee Members: None

Closing by Sponsor:

SEN. YELLOWTAIL thanked the committee and recommended favorable consideration.

HEARING ON SB 287

Presentation and Opening Statement by Sponsor:

SENATOR DELWYN GAGE, Senate District 5, Cut Bank, said the home school industry has done a decent job of policing its own industry and SB 287 will reinforce the fact it is a parental right to educate children at home. The Constitution guarantees every person the right to a basic, quality education. These parents feel they can provide that quality education better at home rather than in a public school setting. SB 287 states parents have the authority to instruct their children at home, are responsible for the educational philosophy of the home school, selection of instructional materials and textbooks, time, place and method of instruction, and the evaluation of that instruction.

Proponents' Testimony:

Bryan Asay, Montana Coalition of Home Educators, presented written testimony. EXHIBIT 5

Steve White, Vice-Chair, Montana Coalition of Home Educators, stated support and presented materials from study of home education characteristics and student achievement. EXHIBIT 6

Tiffany Donaldson, home school student, Montana City, presented written testimony from other home school children. EXHIBIT 7

Mark Gerber, Billings, presented written testimony. EXHIBIT 8

Linda Collins, Gardiner, presented written testimony. EXHIBIT 9

Danita Hane, editor, The Grapevine, Seeley Lake, presented

written testimony. EXHIBIT 10 AND 11

Kent Gilge, Chairman, Montana Coalition of Home Educators, presented written testimony. EXHIBIT 12

Dorothy Starshine, Helena, presented written testimony. EXHIBIT 13

Kimbra Wood, Bozeman, presented written testimony. EXHIBIT 14

Roger Koopman, Montana Forum, presented written testimony. EXHIBIT 15.

Roxy Sporleder, Great Falls, presented written testimony. EXHIBIT 16

Juliette Bouma, Augusta, presented written testimony. EXHIBIT 17 AND 18

Cynthia Peck, Dillon, presented written testimony. EXHIBIT 19

Ashur and Bonnie Diehl, East Helena, presented written testimony. EXHIBIT 20

Kasey O'Keefe, presented written testimony. EXHIBIT 21

Tracy Hawkins, Bozeman, presented written testimony. EXHIBIT 22

Karen Seyfert, Lewistown, presented written testimony. EXHIBIT 23

Ronald Baar, Manhattan, presented written testimony. EXHIBIT 24

Arlene Diehl, East Helena, presented written testimony. EXHIBIT 25

Paige Diehl, East Helena, presented written testimony. EXHIBIT 26

Bo Stuart, Clancy, presented written testimony. EXHIBIT 27

Russ Wahl, Cut Bank, presented written testimony. EXHIBIT 28

Bob Welker, Shelby, presented written testimony. EXHIBIT 29

Wanda Bear Medicine Peterson, Browning, presented written testimony. EXHIBIT 30

Vicky Locke, Big Timber, presented written testimony. EXHIBIT 31

Laurie Bumgarner, Shonkin, presented written testimony. EXHIBIT 32

Debbie Kersten, Ulm, presented written testimony. EXHIBIT 33

Opponents' Testimony: None


Questions From Committee Members: None

Closing by Sponsor:

SEN. GAGE thanked the committee and recommended favorable consideration.

ADJOURNMENT

Adjournment: 6:30 p.m.



TED SCHYE, Chair



DIANNE MCKITTRICK, Secretary

TS/dMcK

HOUSE OF REPRESENTATIVES

EDUCATION AND CULTURAL RESOURCES COMMITTEE

ROLL CALL

DATE 3-19-91

NAME	PRESENT	ABSENT	EXCUSED
REP. TED SCHYE, CHAIRMAN	✓		
REP. ERVIN DAVIS, VICE-CHAIRMAN	✓		
REP. STEVE BENEDICT	✓		
REP. ERNEST BERGSAGEL	✓		
REP. ROBERT CLARK	✓		
REP. VICKI COCCHIARELLA	✓		
REP. FRED "FRITZ" DAILY	✓		
REP. ALVIN ELLIS, JR.	✓		
REP. GARY FELAND	✓		
REP. GARY FORRESTER	✓		
REP. FLOYD "BOB" GERVAIS	✓		
REP. H.S. "SONNY" HANSON	✓		
REP. DAN HARRINGTON	✓		
REP. TOM KILPATRICK	✓		
REP. BEA MCCARTHY	✓		
REP. SCOTT MCCULLOCH	✓		
REP. RICHARD SIMPKINS	✓		
REP. BARRY "SPOOK" STANG	✓		
REP. NORM WALLIN	✓		
REP. DIANA WYATT	✓		

40:05
3-20-91
JDB

HOUSE STANDING COMMITTEE REPORT

March 20, 1991

Page 1 of 1

Mr. Speaker: We, the committee on Education and Cultural Resources report that Senate Bill 320 (third reading copy -- blue) be concurred in .

Signed: _____

Ted Schye, Chairman

Carried by: Rep. Cocchiarella

10:05
3-20-91
JDB

HOUSE STANDING COMMITTEE REPORT

March 20, 1991

Page 1 of 1

Mr. Speaker: We, the committee on Education and Cultural Resources report that Senate Bill 84 (third reading copy -- blue) be concurred in .

Signed: Ted Schye
Ted Schye, Chairman

Carried by: Rep. McCarthy

DATE 3-19-91

HB 389



Montana High School Association

1 South Dakota Avenue Helena, MT 59601 (406) 442-6010

February 20, 1989

EXECUTIVE STAFF

Don L. Freund
Executive Director
James C. Haugen
Assistant Executive Director
Bill Sprinkle
Assistant to the
Executive Director

BOARD OF CONTROL

Supt. Tony Tognetti, Pres.
Stevensville
Supt. Dale Zorn, Vice Pres.
Shelby
Supt. Tom Warwick
Ennis
Prin. Dwight Moose
Helena High
Margaret Basta
Lindsay
(Mont. School Boards Assoc.)

Senator Fred Van Valkenburg
Montana Senate
Capitol Station
Helena, MT 59620

Dear Senator Van Valkenburg:

The Montana High School Association has opposed SB 403 because it places regulation of extracurricular activities under the Office of Public Instruction. We oppose the legislation because the bill will vest all regulation with the OPI and in so doing will remove local control over extracurricular activities and transform those activities from a privilege to an educational right as part of a basic education. If so transformed, the state would assume funding responsibility for those rights without the ability to collect fees for this regulation from either school districts or from students. Further, the ability of school districts to collect activity fees would also be compromised.

However while opposed to such transfer of regulation, certain reforms either set forth in the bill or voiced by legislators are not resisted by the MHSA and the MHSA is willing to implement those reforms in an effort to respond to the spirit of the legislation and the concerns of the legislators.

First, the MHSA has already adopted a policy of inviting public comment at its regular quarterly board meetings. The MHSA will continue to follow this policy and expand that policy to allow opportunity for public comment during its annual meeting, committee meetings and membership meetings. Public comment will be extended to assure the full consequences of proposed regulations are fully understood before a vote by the membership.

Second, MHSA acknowledges that it receives membership dues from individual school districts. The MHSA acknowledges these funds have a public character. The MHSA agrees to request the legislative auditor to conduct an appropriate audit of its membership dues income and expenditures of those funds. This cost of the audit will be the responsibility of the MHSA. The audit will be requested for the fiscal year commencing July 1, 1989. In the event the legislative auditor declines the invitation to audit such funds, the MHSA will support future legislation authorizing the legislative auditor to conduct such audits of the MHSA dues income and expenses. Until passage of such legislation, MHSA shall be subject to an audit consistent with GAAP including a detailed breakdown of revenue from membership dues and expenditures of those funds relating to the regulation of the extracurricular activities of the member schools.

Third, MHSA presently invites a representative from OPI to attend its meetings for advise, coordination and direction. While this invitation has not been regularly accepted in the past, the MHSA will request the OPI to have a designated individual attend all board meetings. Additionally, at its 1990 annual meeting, the MHSA will propose to its membership an amendment to its bylaws increasing its board to seven members, with two public members appointed one each by the Superintendent of Public Instruction and the Office of the Governor.

Senator Fred Van Valkenburg
February 20, 1989
Page Two

EX-111 #1
DATE 3-19-91
SB 389

These reforms, we believe, address the real concerns which this legislature has identified, without subjecting the MHSA to direct regulation by the OPI and the consequences which, in our opinion, would be contrary to the best interests of the schools and the school children of Montana.

The MHSA respectfully requests that SB 403 be indefinitely postponed as these reforms are implemented.

Sincerely,

MONTANA HIGH SCHOOL ASSOCIATION



Dan L. Freund
Executive Director

DLF/jls

EXHIBIT

#2

DATE

3-19-91

HB

389

AMENDMENT TO SB 389

White Copy

Proposed by Montana School Boards Association

1. Page 1, lines 6 and 7:
Strike: "SCHOOL RELATED"
Following: "ORGANIZATIONS"
Insert: "SPECIFIED IN § 2-3-203 (2)"
Strike: "THAT RECEIVE A MAJORITY OF THEIR FUNDING
FROM SCHOOL DISTRICTS"
2. Page 1, line 8:
Following: "THE"
Strike: "SCHOOL DISTRICT"
Insert: "MEMBER"
3. Page 1, lines 17 through 21:
Following: "organizations"
Insert: "specified in § 2-3-203 (2)"
Strike: "that receive ... through end of line 21"
4. Page 2, line 23:
Following: "a"
Strike: "school district"
insert: "member"

2-3-114. Enforcement. The district courts of the state have jurisdiction to set aside an agency decision under this part upon petition made within 30 days of the date of the decision of any person whose rights have been prejudiced.

History: En. 82-4229 by Sec. 4, Ch. 491, L. 1975; amd. Sec. 25, Ch. 285, L. 1977; R.C.M. 1947, 82-4229.

Part 2

Open Meetings

2-3-201. Legislative intent — liberal construction. The legislature finds and declares that public boards, commissions, councils, and other public agencies in this state exist to aid in the conduct of the peoples' business. It is the intent of this part that actions and deliberations of all public agencies shall be conducted openly. The people of the state do not wish to abdicate their sovereignty to the agencies which serve them. Toward these ends, the provisions of the part shall be liberally construed.

History: En. Sec. 1, Ch. 159, L. 1963; R.C.M. 1947, 82-3401.

Cross-References

Right of public to examine documents or to observe deliberations of public bodies, Art. II, sec. 9, Mont. Const.

2-3-202. Meeting defined. As used in this part, "meeting" means the convening of a quorum of the constituent membership of a public agency or association described in 2-3-203, whether corporal or by means of electronic equipment, to hear, discuss, or act upon a matter over which the agency has supervision, control, jurisdiction, or advisory power.

History: En. 82-3404 by Sec. 2, Ch. 567, L. 1977; R.C.M. 1947, 82-3404; amd. Sec. 2, Ch. 183, L. 1987.

2-3-203. Meetings of public agencies and certain associations of public agencies to be open to public — exceptions. (1) All meetings of public or governmental bodies, boards, bureaus, commissions, agencies of the state, or any political subdivision of the state or organizations or agencies supported in whole or in part by public funds or expending public funds must be open to the public.

(2) All meetings of associations that are composed of public or governmental bodies referred to in subsection (1) and that regulate the rights, duties, or privileges of any individual must be open to the public.

(3) Provided, however, the presiding officer of any meeting may close the meeting during the time the discussion relates to a matter of individual privacy and then if and only if the presiding officer determines that the demands of individual privacy clearly exceed the merits of public disclosure. The right of individual privacy may be waived by the individual about whom the discussion pertains and, in that event, the meeting shall be open.

(4) However, a meeting may be closed to discuss a strategy to be followed with respect to collective bargaining or litigation when an open meeting would have a detrimental effect on the bargaining or litigating position of the public agency.

TO: Chairman Ted Schye, House Education Committee
FROM: Bryan L. Asay, Montana Coalition of Home Educators
RE: SB 287

EXHIBIT

#5

DATE

3-19-91

SB

287

March 19, 1991

Current Montana law concerning Home Education is usable, effective and protects the interests of the State of Montana as well as the Family in Montana. The compromise in 1983 was effected by a great deal of discussion and consideration by interested citizens and legislators. It was by no means a bill requested or promoted by home educators. In fact, home educators were generally opposed to it; they understood, however, that the law would provide for uniform and objective application of review by the courts in cases which merit investigation and prosecution.

Home educators often are viewed as a suspect class of citizens. Unfortunately, some officials consider home education unfavorably in theory, and, therefore, consider home education to be abuse or least neglect in and of itself, regardless of the tremendous success of home education generally.

Abuse and neglect are abuse and neglect and should be handled under existing laws suited for protecting the child and the rights of the accused. **Compulsory attendance laws should not be viewed as a means for identifying child abuse and neglect.** If officials see problems, then they should investigate and prosecute when probable cause exists — otherwise, the parents should be left alone to educate.

This bill will refocus the state's attention to the existing law — a Good Compromise. **When the superintendent and home school parent sit across the table, this bill will tell them what their relationship is. It is that simple.** SB 287 was introduced in the Senate in a different form. Concerns were raised about the language which indicated it may accomplish more than intended. We made changes in the Senate to assure the actual intent of the bill was in place — no other purpose exists in this bill.

A Vote "for" this bill is **not** a vote against compulsory education or the Montana Constitution. It is **a vote to ratify a good compromise — a good alternative that is working very well without undue government intervention.**

Parents have a basic and fundamental right to direct the education of their children, coupled with that basic responsibility.

The child is not the mere creature of the State; those who nurture him and direct his destiny have the right, coupled with the high duty, to recognize and prepare him for additional obligations. *Pierce v. Society of Sisters*, 268 U.S. 510, 534-35 (1925); See also *Wisconsin v. Yoder*, 406 U.S. 205 (1972).

Parent's rights to educate their child at home is a basic constitutional *liberty* guaranteed by the U.S. Constitution (*Yoder*). **This basic liberty was recognized in 1983 by the Montana Legislature.** With rights and responsibilities comes authority. This is understood by all home educators and many superintendents. However, there has been misunderstanding among others regarding the authority which rests with parents.

Officials who have a misguided desire to reach into the home simply because the parents educate their children at home should be discouraged from doing so. **Montana's home educators are doing a tremendous job of educating their children. Those parents should be encouraged by SB 287.**

SB 287 does not necessarily lock the door to the home school. If the State determines at some point that a need exists to further regulate, then the State might assert its interest just as it might attempt to do so in other areas involving fundamental rights — if the interest is compelling, and the least restrictive means are used. Thank you for your consideration.

House Education
EXHIBIT #12
DATE 3-19-91
HB 287

**HOME EDUCATION IN MONTANA:
FAMILY CHARACTERISTICS AND STUDENT ACHIEVEMENT**

Brian D. Ray, Ph.D.

**National Home Education Research Institute
25 West Cremona Street
Seattle, Washington 98119**

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House Education
7
EXHIBIT
DATE 3-19-91
HB 281

"Why I Like Home Education"

A Compilation Of Essays
By Montana's
Home Educated Children

1991

Testimony of Mark Gerber for SB 287

Mr. Chairman and committee members. My name is Mark Gerber, Coalition Executive Committee Member. I am general manager of Golden Nugget Body & Paint in Billings. We have homeschooled for 5 years.

This bill is a good one for three reasons.

First, we have worked hard with legislators and have compromised to make this a **positive, acceptable** bill.

Secondly, homeschoolers save the state of Montana \$4 million per year on educational expenses, while still generating revenue for the state through the taxes they pay.

Thirdly, while many people and businesses are **leaving** our state, numerous homeschoolers are moving **into** the state because of our positive homeschool law. Attached are copies of **28** letters representing homeschoolers from **15 different states** and the **country of Korea**.

We receive letters weekly from homeschoolers who are considering moving to Montana instead of another state. Many of these people are businessmen and professionals who are moving **job-creating** businesses here.

Families have moved **here** seeking Montana's **freedom to educate**. They also will not hesitate to move out of Montana if they are harassed and have their freedom of choice suppressed.

Homeschoolers are building strong families and a strong economy for Montana, at the same time. Montana needs both. Vote for SB 287.

3-19-91

The 28 letters attached to Mark Gerber's testimony are stored at the Montana Historical Society, 225 North Roberts, Helena, MT 59601. (Phone 406-444-4775)

TESTIMONY OF LINDA COLLINS

EXHIBIT #9

DATE 3-19-91

HB 287

To: Chairman Ted Schye
House Education Committee
Date: March 19, 1991

I am Linda Collins, a housewife and vice president of Sagebrush Aero, Incorporated in Gardiner, and the treasurer for the Montana Coalition of Home Educators. The Coalition, formed in 1988, is a statewide network of 800-900 individuals, including 50-some local groups, with national affiliations. The Coalition was formed specifically to benefit and protect home schooling families.

Because home schooling successes are of critical importance to us, we work to identify and contact every home schooling family in Montana. We provide educational information about resources and support services. We encourage parents to join local support groups. We recommend that they subscribe to our state newsletter and other home schooling publications. We offer Coalition services such as testing, and workshops on subjects such as compliance with the law. We organize conventions, seminars and training opportunities for every home schooler in Montana to attend.

Our accomplishments are impressive. We have networked over 50 support groups around the state. These support groups offer year round interaction between home schooling families. The *Grapevine* is our top-notch statewide newsletter that keeps home educating families abreast of what's happening and what's available. *Home School Reference Guides* have been distributed by the thousands every summer to home educators, libraries, county superintendents and interested people.

Many seminars and workshops featuring nationally acclaimed educators have been sponsored by the Coalition. A workshop in White Sulphur Springs is conducted each fall to assist families new to home education. A very successful state-wide convention was held last spring in Helena, attracting over 400 people from Montana, neighboring states, and Canada. Many curriculum fairs have sprung up around the state. And twice the Governor has honored us by proclaiming a week in May as Home Education Week.

The Coalition responds to rumors of home schooling problems by investigating individual reports and offering assistance, guidance, training and curriculum sources. Although we help each other, we do not shield "bad" homeschoolers. This self-monitoring is critical to us as our collective credibility is at risk, hence our freedom.

Montana has recognized parents' rights to direct the education of their children. SB 287 clarifies the authority and responsibility of parents who choose to educate at home. Please support this constructive bill which will simplify future debate.

EX. 10
3-19-91

287

**Montana
HOME SCHOOL REFERENCE GUIDE**



**FREE
to
LEARN**

Montana Home Schools

EXHIBIT # 11
DATE 3-19-91
SB 287

TO: Chairman Ted Schye, House Education Committee

FROM: Danita Hane, Montana Coalition of Home Educators

RE: SB 287

March 19, 1991

I am Danita Hane from Seeley Lake. My husband, Kyle, is the supervisor of planer operations at Pyramid Mountain Lumber. I am an executive committee member of the Montana Coalition of Home Educators and editor of the *Grapevine*, the state-wide newsletter. I have the opportunity to meet and help many homeschoolers and learn about their problems and needs. We need SB 287 for the following reasons:

1. TO ELIMINATE TENSION AND CONFUSION. This bill is a clarification of the rights and responsibilities of home schooling families. These rights are protected under the present home school statutes. It will help to eliminate the confusion about roles and responsibilities. Confusion has caused tension and problems for homeschoolers, county superintendents and even local school administrators and trustees. We have been working to improve communication and relationships. This bill will help to clear up some of the misunderstandings and concerns.

2. TO PROTECT THE HOME SCHOOL OPTION. Several education groups are promoting policies that would force home schools into the mold of the public schools, i.e. certification of teachers, mandated curriculum, standardized testing and monitoring by public school educators. Many parents choose home schooling because their children are having problems in conventional classrooms. Public education works for many children, but alternatives must be available for those who do not fit. Parents need the flexibility to use different materials and methods to help their children learn. They also must retain control of the evaluation procedures.

3. TO MAKE A POSITIVE STATEMENT ABOUT FAMILIES. Home education is rebuilding strong families, strong family relationships and strong family values. We are asking you to pass this bill as a positive statement about families—to recognize and encourage parental responsibility, and to protect our children and families.

Please vote for SB 287 and protect the home school option.

Danita Hane, HCR 31, Box 1702, Seeley Lake, Montana 59868

MONTANA COALITION OF HOME EDUCATORS

P.O. BOX 654
HELENA, MT 59624

EXHIBIT #12

DATE 3-19-91

SB 287

Executive Committee

Kent Gilge - Chairman
Chinook
357-2893

Danita Hane
Seeley Lake
754-2481

Mark Gerber
Billings
245-2122

Steve White
Helena
443-5826

Linda Collins - Treasurer
Gardiner
848-7226

Advisory Committee

Big Timber Homeschoolers
Beaverhead Home Educators
Billings Area Homeschoolers
Bitterroot Valley Homeschoolers
Boulder Homeschoolers
Butte Area Homeschoolers
Cascade Homeschoolers
Central Montana Homeschoolers
Colstrip Homeschool Group
East Slope Academic Association
Flathead Valley Homeschoolers Association
Gallatin Valley Homeschoolers
Gardiner's Homeschoolers
GFCC Homeschoolers
Glasgow Home Educators
Glendive Area Home Educators
Helena Area Christian Home Educators
HiLine Homeschoolers
Homeschoolers of Montana
Laurel Area Homeschoolers
Lincoln County Christian Homeschoolers
Meagher County Homeschoolers
Mission Valley Homeschoolers
Missoula Homeschoolers Association
Northern Home Educators
Northwest Montana Homeschoolers
Park County Homeschoolers Association
Seeley-Swan Homeschoolers
Shepherd Area Homeschoolers
Whitehall Area Homeschoolers

House Education Committee

March 19, 1991

Re: SB 287

Mr. Chairman and Committee Members,

Some educators have expressed concern about the ability of homeschooled children to be successful in post secondary education. I have compiled a partial list of the colleges and universities in which Montana home educated children have been accepted or are currently enrolled. They include the following:

Montana State University
Texas A&M
Northern Montana College
Rocky Mountain College
LeTourneau University
Wheaton College
Thomas Aquinas College
Walla Walla College
Seattle Pacific University
University of Oregon
Christian Heritage College
Liberty University
Stanford
USC
Wiemar College
U of Berkeley
MIT
Magdalen College, N.H.

A number of institutions, such as Boston University, Northern Montana College and Harvard have had such positive experience with home educated students, they are actively soliciting and recruiting them.

Submitted by Kent Gilge, Chairman

EXHIBIT #12

DATE 3-19-91

HB 287

Boston University

Office of Admissions
121 Bay State Road
Boston, Massachusetts 02215



December 17, 1990

To homeschooled students:

Boston University welcomes applications from homeschooled students. We believe students educated primarily at home possess the passion for knowledge, the independence, and self-reliance that enable them to excel in our intellectually challenging programs of study.

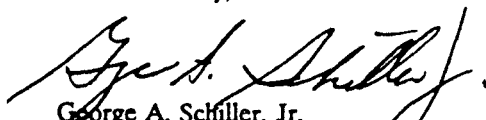
Two homeschooled students currently attend Boston University. One is a sophomore in the College of Liberal Arts, the other a freshman in the College of Engineering. Both students are doing very well. Their educational and personal transitions from homeschooling to the University are a proven success.

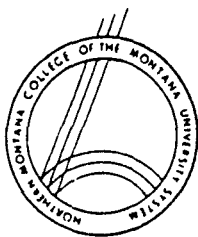
If you are a homeschooled student interested in attending college or simply concerned to know more about your options in higher education, we would be pleased to talk with you. To get in touch with us, please call or write to Kathy Mackin, Assistant Director Of Admissions (telephone 617 353-4806). An interview can also be arranged. Our address:

Boston University
Office of Undergraduate Admissions
881 Commonwealth Avenue
Boston, Massachusetts 02215

We look forward to hearing from you.

Yours sincerely,


George A. Schiller, Jr.
Director of Undergraduate Admissions



NORTHERN MONTANA COLLEGE

Montana University System
HAVRE, MT 59501
(406) 265-3704

EXHIBIT #12
DATE 3-19-91
HB 287

February 13, 1991

Office of
Admissions

Mr. Kent Gilge, Chairman
Montana Coalition of Home Educators
P.O. Box 654
Helena, MT 59624

Dear Mr. Gilge:

Thank you for your letter dated February 10, 1991. For organization's sake, let me respond to your questions singularly.

Admissions requirements for home schooled students are quite simple. The student must make arrangements to take the G.E.D. examination and, upon successful completion of the examination, are allowed to begin college as a student under conditional status. Conditional status essentially requires the student to enroll for a prescribed credit load and, after completing these courses without being placed on academic probation, are removed from conditional status and are considered regular students.

The obvious implication is that no matter how well educated the home school student, current policy will treat that student as if he/she had not completed a high school education. This is true even if the student has completed the ACT or SAT examination with high marks.

Your second question asked what my experience with home educated students has been. I am currently familiar with five students who have applied for admission at Northern Montana College who were home taught. Four of these students are currently enrolled and are doing quite well. Two of the four are well above average. The fifth student was offended by the G.E.D. requirement and did not matriculate.

I have no reservations at all about admitting home educated students. To the contrary, I would like to see the G.E.D. requirement dropped and replaced by an appropriate ACT or SAT score to verify the quality of the home education. Based on what I've seen, I'm confident that these students are prepared for the challenge.

If I may be of further assistance, please feel free to write again or call me at (406)265-3704.

Sincerely,

A handwritten signature in cursive script, appearing to read "Kelly Palmer", followed by a horizontal line.

Kelly Palmer
Director of Admissions

xc: file



CARROLL COLLEGE

EXHIBIT

#12

DATE

3-19-91

HB

287

March 5, 1991

Mr. Kent Gilge
Montana Coalition of Home Educators
P. O. Box 654
Helena, MT 59624

Dear Mr. Gilge:

I received your letter on February 27th concerning home educated students in Montana. I hope my information will be helpful to you.

All students are individually evaluated for admission to Carroll. To be accepted without provision to the college, a home educated student would need to meet the following academic requirements:

- * score at least 50% on the GED (Graduation Equivalency Diploma)
- * score a minimum of a 21 composition on the ACT Test or a minimum combined score of 800 on the SAT test.

Any student who does not meet these minimum requirements are reviewed by the Admission Committee.

Carroll College does not have a large number of students with this type of educational background, but the few students we do have seem to be doing very well. Therefore, based on past experience, I do not have any concerns or reservations about enrolling home educated students.

Sincerely,

Candace A. Cain
Director of Admission



EXHIBIT #12

DATE 3-19-91

BB 287

Mrs. Danielle Neal
P.O. Box 293
Augusta, Montana 59410

19 January 1991

Dear Mrs. Neal;

In reply to your letter, I would be pleased to pass on my assessment your daughter's academic performance and her social adjustment to college life.

As you know, the curriculum at Magdalen College is a four year integrated program based on the great books. Students read the primary texts of the Western tradition, beginning with Homer and concluding with Heisenberg. In addition, the program at Magdalen College includes four years of mathematics and three years of science. There are no electives. The Magdalen College program is taught by the seminar method of instruction, which requires that each student be actively engaged in class discussion.

This demanding academic program would make any weaknesses in Brenda's prior education obvious. I am pleased to report that Brenda is an active participant in class discussions and that overall she is doing well academically.

As far as I know Brenda had no difficulty adjusting to college life. I know for certain that she has many friends and a rich social life at the College.

If Brenda is a representative Montana home-schooler, then I would conclude that home-schooling in Montana is a success.

With my very best regards,

Sincerely,

George Stanciu, Ph. D.
Academic Dean

EXHIBIT #13

DATE 3-19-91

HB 287

D. Starshine, Ph.D.
704 First
Helena, MT 59601
449-6663

Thank you for taking the time to gain the information necessary to make a wise decision on SB 287. I appreciate your time here listening and other time you must spend reading.

I am Dorothy Starshine. I have taught in the Helena school system for over twenty years and am currently teaching English to 7th and 8th grade students. I have a doctorate from the University of Georgia in Reading Education. Both my thesis and dissertation involved testing. Five of my eight school-age grandchildren are being homeschooled and I am proud of their education.

I am here to support point 4 of SB 287 because I feel the parents can best evaluate their homeschool students.

I will begin by talking about tests in general. As ubiquitous as tests are, it is difficult to realize that standardized tests have existed less than a hundred years. In the last fifty years, they have become big business. Ralph Nader estimates at least 3 to 4 billion dollars are spent annually on testing.

Tests have two main components: reliability and validity. Reliability is a statistical measure that simply reports the percentage of time that a student taking that test would have that score. Reliability is an objective measure of a test.

Validity, on the other hand, is a subjective measure of a test. Validity refers to the degree to which the test measures what the test user thinks it measures. To be valid, a test must test what has been taught. For example, a math test reports how well a student manipulates numbers. A spelling test reports how well a student spells words. Even these simple examples are fraught with difficulties such as how many digits and the range of those digits are used in the math problems or which words are used in the list of spelling words.

A stickier wicket is the achievement test. Achieved what? If schools or the county superintendent administer the tests to homeschoolers, the tests will be invalid for neither the schools nor the superintendent has a clue as to what has been taught to homeschool students. Homeschool students study a variety of subjects at a variety of levels because homeschools have a small student-teacher ratio. If public school teachers had only 1 to 5 students for their total enrollment, they could also diversify their teaching. There is no way that a school or county superintendent could choose a valid test to administer to a homeschool student because to be valid, a test must test what has been taught.

Standardized tests are not developed to measure the achievement of one student but a group of students. Alan Cohen in Tests: Marked for Life?

However useful it may be in describing a group,
an NRST (norm referenced standardized test)

EXHIBIT

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DATE

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doesn't provide a reliable picture of an individual score especially if the student is above or below the average. And more importantly, it's an insensitive and sluggish measure of instructional outcome, whether we're measuring an individual or a group.

Furthermore, standardized testing has had its day. Leading experts in education want a process form of evaluation. Susan Harman writes in the January 1991, issue of Language Arts.

The pressure to raise test scores, in turn, results in: impoverished curricula of arbitrary facts and discrete details which are really just test practice;... passive students;... and almost total neglect of the kinds of intellectual experiences which would, in fact, help children reach "higher standards."

...Our de facto national standards--the tests--have themselves become political, emotional, and pedagogical barriers to quality education.

...Many of us also know how to improve schools and it's not by tests, mandates, or other magical thinking. Instead, like all teaching, it's careful, slow, thoughtful, personalized work. Our 50-year testing detour was a forced march to a

dead end. It's time to return to the high road of progressive educational reform.

Homeschools are ahead of educational reform. They are already offering that careful, slow, thoughtful, personalized education we wish we could offer in public schools but cannot because of the many students we must teach.

I urge you to support SB 287 because only the parents who are with their students all day every day know what their students have been studying. Only the parents, selecting among the thousands of tests available to them, can possibly find a test that matches what their students have been learning and thus administer a valid test.

EXHIBIT

#14

DATE

3-19-91

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Regarding SB 287

TESTIMONY OF KIMBRA WOOD

349 Sacajawea Peak Drive
Bozeman, Montana

Hello! I am Kimbra Wood, a homeschooling mother, and I realize that you are being asked to make a decision about something which is probably unfamiliar to you. Therefore I'd like to tell you a little about my experience, which is common to most homeschoolers.

I've taught our three children for seven years, teaching them to read through many hours cuddled on the couch with each child. My children are twelve, nine, and seven, but I still read aloud to them every morning, sharing a treasury of great literature. Math, science, history and language form the core of the ten subjects we study. Although I have only two years of college education my children score over 95% on the California Achievement Test. Our children take piano lessons, are involved in organized sports, including cross-country skiing and soccer, and attend church weekly. They relate well to people of all ages, partly due to the steady stream of guests through our home.

All of us believe that our state and country need qualified leaders with strong intellectual and moral fiber. Homeschooling is an excellent way to meet this need.

I thank you for the opportunity to speak today.

EXHIBIT #15

DATE 3-19-91

HB 287

TESTIMONY OF ROGER E. KOOPMAN
in support of SB 287

House Education and Cultural Resources Committee
March 19, 1991

MR. CHAIRMAN. It is said to be very important for people to have confidence in their government, and that is true. Yet of even greater importance is that government have confidence in her people.

Perhaps more than anything else, SB 287 is an expression of the confidence government has in her people. It is an affirmation of human freedom in the pursuit of educational excellence, and is saying to Montana parents, "we continue to trust you with the decisions you make in behalf of your children's education."

While this legislation addresses the rights of children and parents to home educate, it should not be construed as a statement endorsing one form of education over another. This bill, in part, is a reminder to all parents that they are the ones who are ultimately responsible for the education their children will receive, whether they choose private, public or home school. It is altogether fitting that they should accept that fundamental responsibility.

Furthermore, this bill recognizes that educational diversity and freedom of choice will, in the long run, serve everyone's best interests. The fruits of freedom shower down on all; its beneficiaries are an entire society.

EXHIBIT

#16

DATE

3-19-91

SB

287

Honorable Chairperson and Committee Members:

I am Roxie Sporleder from Great Falls. I have a Master's Degree in Education and currently hold a Montana Class 1 Teaching Certificate. I have over 20 years' experience in the field of education, working in such capacities as a teacher, an administrator of a private school, an in-service trainer for teachers, and a homschooler of seven children. Three of my homeschooled children are currently attending college. I am asking you to support Senate Bill 287.

Today I would like to address in particular the provision stating that the parent is the sole authority and is responsible for all decisions regarding the selection of instructional materials, curriculum, and textbooks. I believe parents have both the capabilities and the resources to effectively fulfill these responsibilities.

First of all, we must realize that the homeschool movement is serviced by a full range of professionals. These not only include individuals with Bachelor of Arts degrees, but also those with Master's degrees and Doctoral degrees in Education. Those with advanced degrees are involved in scientific educational research, in curriculum development, in teacher and parent education, and in other administrative and supportive services. With the help of these professionals, including the Hewitt Research Foundation and the National Home Education Research Institute, homeschoolers are on the cutting edge of educational methodology. Some of the current trends in American education are cooperative learning, learning styles instruction, individualized instruction, process writing, and cross-age tutoring. By the very nature of homeschooling itself and by deliberate choice, these are curriculum methods successfully employed by homeschooling parents.

Secondly, many basic books about schooling and homeschooling are available to the parent. The Big Book of Home Learning series by Mary Pride, The Curriculum Manual by Cathy Duffy, The Homeschool Manual by Dr. Ted Wade, professor of education, and Homestyle Teaching and Homegrown Kids by Dr. Raymond and Dorothy Moore are but a few of these kinds of books. These give clear and detailed guidelines and instructions on curriculum construction

EXHIBIT 16
DATE 3-19-91
HP 287
textbook sources and selection, curriculum reviews, approaches to teaching each subject, and much more information.

Thirdly, parents have access to hundreds of publishers that print for the general public, for the private school, and/or the homeschool. These publishers include the major Christian publishing companies such as Bob Jones Press, A Beka Publishing, and Alpha Omega. In the last Teaching Home, a national magazine for homeschoolers, 93 publishers were reviewed or advertized. Through these publishers, high structured, closely supervised programs are available as well as individual textbooks and materials.

A fourth major resource to parents are the monthly newsletters and magazines published especially for the homeschooler. The Teaching Home, the nationally distributed magazine mentioned earlier, contains a wealth of information to enable parents to succeed. Dr. Ruth Beechick serves as the Educational Consultant for this magazine. Besides the ads for the publishers, textbooks and curriculums are reviewed and rated. "Teaching Methods and Tips" is a regular column that gives practical ideas to make teaching more effective. Each month there is a special section with up to ten articles devoted to a specific teaching area and methodology such as reading, literature, music, hands-on-learning, mathematics, and other curriculum subjects.

A fifth valuable resource to the homeschooling parent are the workshops, conventions, and seminars that are conducted by professionals and experienced homeschoolers throughout the United States. There are at least 24 state conventions, including Montana and over 24 workshop courses offered to parents. The Association of Christian Schools International has invited homeschoolers to their regional conventions and publishing companies such as Bob Jones offer 1 to 5 day seminars for parents.

The sixth resource I wish to mention are the support groups in the local communities. These can be mini-workshops where professionals and homeschoolers present valuable information on curriculum, the teaching-learning process, and other educational subjects, or they are discussions of relevant issues by parents, resulting in parents helping other parents. The purpose of these support groups is to continue the training of the parent in educational areas, to solve particular problems faced in

EXHIBIT

#16

DATE

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the education of children, and to share ideas.

In summary, parents have their own professional network to help them set up a curriculum and select methodologies that are best suited to the particular learning style and needs of their children and in accordance with their philosophy of education and religious convictions.

Respectfully submitted,

Roxie Sporleder

Roxie Sporleder

2215 4th Ave. South

Great Falls, Montana 59405

EXHIBIT #17

DATE 3-19-91

HB 287

Testimony of Juliette Bouma
Augusta, Montana

Mr. Chairman & Members of the Committee:

I am Juliette Bouma, a 2nd-generation home-educator. The oldest daughter of 'Chet' and 'Ginny' Baker, formerly of Montana, I now teach my own three children.

Mother received her degree in interior decorating from Southern Methodist University in Dallas, Texas.

We 'formally' studied 3 hours a day, 4 days a week, 8 months a year. She knew what she did **not** want in curriculum, so proceeded to find what she **did** like. She started home-educating the four of us in 1972.

From the chart attached, you can see what years we children were home-taught and where each of us has gone since graduating from high-school. (Keep in mind that Mom's weak point was Science.)

I ask that SB 287 do pass, as a clarification of the protected responsibilities I have had for years.

Thank you for your time.

Juliette Bouma
Name

3 19-91
Date

EXHIBIT

#17

DATE 3-19-91

HB 287

Date: 3-19-91

My brothers, sister and I were home-schooled by our mother, Mrs. Virginia Birt Baker, during the years 1972 to 1987. Five of those years were in Montana. Following is a chart briefly listing some of the academic achievements of us four now-grown children.

Name	Years	Grades	Post-secondary academic achievements	Present Status	Future Plans
Juliette	6	7-12	One semester intensive phonics education, Xavier University, Cincinnati, Ohio.	housewife & mother; home-schooling 3 children.	Same.
Christopher	7	6-12	BS: biomedical science, from Texas A&M. MS: nutrition, TX.A&M. Advanced post-graduate courses in nutrition, from Virginia Tech, VA. Doctoral candidate, chiropractic/medical at Texas Chiropractic College, Pasadena, Texas.	Student intern at VA hospital, Houston, Texas, specializing in nutrition, rheumatism, & neurology.	Doctor/ chiropractor/ nutritionist.
Nancy	9	4-12	Three years accounting & business management, Covenant College, Lookout, TN. & Univ. of TX., Tyler, Texas.	Married, manager of travel agency, parttime graduate student.	CPA, then fulltime housewife & mother, parttime CPA.
Matthew	13	K-12	Senior, agricultural engineering, TX. A&M, specializing in food processing.	4th year undergraduate student; reserve police officer, Bryan, Texas.	MS: in food science and technology, & business.

Not included are our many extra-curricular activities, honors, awards, elected offices, and achievements (i.e.: Chris's high G.P.A., his times on the Dean's list, or his record as graduate assistant to the Dean of Agriculture at TX. A&M., and class president at T.C.C.; the fact that Matt was chosen out of a 45,000 student body by the Chancellor of TX. A&M to live in the guest house on his estate, in his house when the family is away; the fact that Julie is the owner of a u.s. patent, the result of one of her imaginative inventions; or that Nancy is a world traveller.

EXHIBIT #18

DATE 3-19-91

HB 287

Testimony of Danielle Neal

Mr. Chairman & Members of the Committee:

I am Danielle Neal, a home-schooling mother. I am presently teaching four children.

With no formal experience in the teaching field and little knowledge of curriculum, I started teaching my oldest, 12-year-old Brenda. Seven years later, she tested above the state and national average on the SAT college entrance exam. She was accepted by each college to which she applied. One of the colleges is listed in the **Barron and Peterson's Guide to Prestigious Colleges** as one of the top 4% of competitive colleges in the nation. She is presently a sophomore, pre-law student.

My reward was made paramount when I took her to the airport for her first flight to college. She hugged and thanked me with, "Mom, I would never be here today if it hadn't been for Dad and you." I will never forget that moment!

I thank the Montana Legislature for having made that possible.

Please pass SB 287.

Danielle Neal
Name

March 19, 1991
Date



EXHIBIT

18

DATE

3-19-91

HB

287

Mrs. Danielle Neal
P.O. Box 293
Augusta, Montana 59410

19 January 1991

Dear Mrs. Neal;

In reply to your letter, I would be pleased to pass on my assessment your daughter's academic performance and her social adjustment to college life.

As you know, the curriculum at Magdalen College is a four year integrated program based on the great books. Students read the primary texts of the Western tradition, beginning with Homer and concluding with Heisenberg. In addition, the program at Magdalen College includes four years of mathematics and three years of science. There are no electives. The Magdalen College program is taught by the seminar method of instruction, which requires that each student be actively engaged in class discussion.

This demanding academic program would make any weaknesses in Brenda's prior education obvious. I am pleased to report that Brenda is an active participant in class discussions and that overall she is doing well academically.

As far as I know Brenda had no difficulty adjusting to college life. I know for certain that she has many friends and a rich social life at the College.

If Brenda is a representative Montana home-schooler, then I would conclude that home-schooling in Montana is a success.

With my very best regards,

Sincerely,

George Stanciu, Ph. D.
Academic Dean

TESTIMONY OF BRENDA NEAL
Augusta, Montana

EXHIBIT ¹⁸

DATE 3-19-91

SB 287

I am Brenda Neal, a country girl from Augusta. I am a 1989 graduate of a Montana home school and presently a second-year pre-law student at Magdalen College in Bedford, New Hampshire. I wish to share my experiences and beliefs with the Montana Legislature and why I am in favor of SB 287 as it takes into consideration home education.

Senate Bill 287 assures:

(1) flexibility and individuality. The parent/teacher has the indisputable advantage of recognizing the individual differences in his/her children and responds accordingly, using a variety of instructional skills, teaching the students to work independently, and motivating them. The parent/teacher also can take advantage of community resources outside the home to broaden the student's knowledge.

(2) responsibility and performance assessment. The parent/teacher is committed to his child's education. He/she determines the academic curriculum, creating many paths to knowledge, helping the student to pose and solve problems on his own, and managing and monitoring the student's achievement and understanding of how the various subjects are linked to other areas of learning. I agree, as long as the home-educated student is enrolled in an active home school curriculum, that no external assessment of instruction or accountability is desired, required, or constitutionally authorized.

I began home education in the seventh grade. The only national test I had taken was the SAT, the college entrance exam. I scored above the national and state average, thus opening all doors for my college education. This can all be attributed to my home education, since before that I was a student who hated school and especially reading. My parents saw that I lacked the necessary skills to read well, and since my second year of home schooling, I began to enjoy reading even for pure leisure. School was not the task it had been but was a pleasurable challenge to learn. If my mother had not taught me to read well, I would never have attained good grammar skills or a wide vocabulary, which I also attribute to my Latin course. Because of my English and grammar skills, I was recently asked by my English college professor to tutor other students in my class.

I know that my home education evoked my facile acceptance to all the colleges to which I applied and the scholarships awarded to me. One of the colleges where I was accepted is rated in Barron and Peterson's Guide to Prestigious Colleges in the top 4% of competitive colleges in the nation. The college I am attending is a private college in a Boston suburb, and I am planning a career in law.

EXHIBIT #18

DATE 3-19-91

HB 287 adjust

Perhaps you are asking yourselves, how did I adjust socially, especially coming from a rural Montana home, twenty miles to the nearest community, to a major college in an eastern city, no less?! Well, the adjustment was smooth, with absolutely no problems at all. I fell right into the circulation of social and academic life. I associate with a large circle of colleagues and am always open and willing to meet and talk with anyone. As for extra curricular activities, I am an active member of a volleyball team and a guard on the college girls basketball team. I have also joined one of the most outstanding drama clubs in the Boston area. This is an art from which I derive much pleasure. Along with drama, I belong to a seventy-person choir where I sing alto, and I have an hour and a half practice three times a week in addition to my academic load.

I kindly request that the Montana Senate Education Committee take my testimony into deep consideration. Please accept my sincere thank-you for your time and consideration.

Brenda Neal

Brenda Neal

2/15/91

[Date]

3-19-91

Exhibits 19-33 are letters supporting SB 287. The originals are stored at the Montana Historical Society, 225 North Roberts, Helena, MT 59601. (Phone 406-444-4775)

**HOUSE OF REPRESENTATIVES
VISITOR REGISTER**

EDUCATION & CULTURAL RESOURCES

COMMITTEE

BILL NO. SB 389

DATE 3-19-91

SPONSOR(S) Senator Van Valkenburg

PLEASE PRINT

PLEASE PRINT

PLEASE PRINT

NAME AND ADDRESS	REPRESENTING	SUPPORT	OPPOSE
James A. Reno 1544 Redwing Circle Billings	Home School	X	
Mrs. Louis F. Boruma	self	X	
James W. Long			X
Chip Geromann	Mr. Rural Ed Assoc	X Amad	
Bruce W. Gorer	MSBA	X W. Gorer	

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HOUSE OF REPRESENTATIVES

VISITOR'S REGISTER

House S
 DATE 3/19/91 COMMITTEE Senate Yellowtail BILL NO. SB 456
 SPONSOR(S)

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NAME AND ADDRESS	REPRESENTING	BILL	OPPOSE	SUPPORT
Clay Sedman	Mr. Paul Sedman	SB 456		X
DAVID EWER	BOARD OF INVESTMENT			
Daniel Sybrant	Pigot Public Schools			X
Uri Lauer	MEA	SB 456		S
Bruce W. Moer	BSA	SB 456		X
John Meloe	M.F.T.	456		X

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**HOUSE OF REPRESENTATIVES
VISITOR REGISTER**

EDUCATION & CULTURAL RESOURCES

COMMITTEE

BILL NO. SB 287

DATE 3-19-91

SPONSOR(S) Senator Gage

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NAME AND ADDRESS	REPRESENTING	SUPPORT	OPPOSE
Jeff Waldum Rt. 38 Box 2008 Livingston, MT	Self	X	
Cathy Brimhall	self & children	X	
Aimee Brimhall	Self	X	
LaNell Hanson	self & children	X	
Paul Peck 9500 Hwy 324 Dillon MT	Homeschoolers & self	X	
Cynthia Peck " "	" "	X	
Daniel Webb 5776 Shannon Court	Homeschoolers & self	X	
Sharon Turner Helena, MT. 59601	Self & children	X	
Nick Turner 5776 Shannon Ct. Helena MT 59601	Home School	X	
Lanie Brumbyan	Home School	X	
Carl Brumbyan	Home School	X	
Wanda Brumbyan	Home School	X	
Bethany Musick	Home School	X	
Amanda Musick	Home School	X	

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**HOUSE OF REPRESENTATIVES
VISITOR REGISTER**

EDUCATION

COMMITTEE

BILL NO.

S.B. 287

DATE

3.19.91

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NAME AND ADDRESS	REPRESENTING	SUPPORT	OPPOSE
Ahlison Screnar	Homeschool	X	
Karen Screnar	Home School	X	
Debbie Kersten	" "	X	
Laurie Bumgarner	" "	X	
Liz Dunkel	Homeschool	X	
Susan Stoebe	Homeschool	X	
Earleen Lloyd	Homeschool	X	
Bob and Nancy Balyeat	Selves & Missoula Home Educators	X	
Art & Pat Plouman & Dawn Plouman	Homeschool	✓	
Ron Baar	Home school	✓	
Nell Baar Nell Baar	Home School	✓	
Jeanne M. Johnson	Gallatin Valley Home Educators	X	
Mrs. John Briscoe	Homeschool	X	
Tracy Hawkins	Home Education	X	

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HOUSE OF REPRESENTATIVES
VISITOR REGISTER

EDUCATION

COMMITTEE

BILL NO. 5.B. 287

DATE 3.19.91

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NAME AND ADDRESS	REPRESENTING	SUPPORT	OPPOSE
Jan Maxwell	Home Education	X	
Jon Balian	" "	X	
Deborah T. Murray	Home School	X	
MONA Wilson Bozeman 3050 Harper-Pucket Rd.	Home Education & Family	X	
BOB WILSON Bozeman 3050 Harper-Pucket	" "	X	
Roxie Spotteder 2215 4th Ave S GF	Self	X	
Karen Seyfert Lewistown, Mt	self	✓	
Ann Koopman	Self	X	
Boz-Koopman	Self / Montana Forum	X	
Caroline Koopman	Self	X	
Shelly Sato	Self / Home School Parent	X	
Ruth E. Miggins - Welch	Self	X	
Bill Johnson FAMILY	All home-schoolers	X	
Steve Musick	Home schoolers	X	

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HOUSE OF REPRESENTATIVES
VISITOR REGISTER

Educ & Cultural

COMMITTEE

BILL NO. SB287

DATE 3-19-91

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NAME AND ADDRESS	REPRESENTING	SUPPORT	OPPOSE
Pamela White 724 Aspen Helena	self & home education	✓	
Patty Smith 1436 Redwing Cir.	self and home educators	✓	
Mark Gerber Billings, MT 59105	Montana Coalition of Home Ed	✓	
Vickie Herber	self and home educators	✓	
Jolyn Harp	self & home education	✓	
Vicky Locke Hamilton, MT	self & home ed.	✓	
Robin Stahlecker	self	✓ no amend.	
Maria Forest	Self - home ed	✓	
BARBA A. ALLEN 315 State MISSOULA MT	NHA + self	✓	
Kevin D Cook	self	✓	
Kimbra Wood	self and children	✓	
Bob Welker	Marias Home Educators self + home education	✓	
Russ Wohl	Northern Home Educators	✓	
Evelyn Pearball	Self - Home Educator	✓	

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HOUSE OF REPRESENTATIVES
VISITOR REGISTER

EDUCATION COMMITTEE BILL NO. SB 287
DATE 3-19-91 SPONSOR(S) Senator Gage

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NAME AND ADDRESS	REPRESENTING	SUPPORT	OPPOSE
GARY & MEG BLOM	SELF	✓	
Ruth Harrington	Self	✓	
Cathy Deal	self	✓	
Terri Donaldson	self	✓	
Ami Donaldson	self	X	
Alanna Vannoy	self	X	
Donna Grant	self	X	
Dawn A O'Keefe	O'Keefe Home School	✓	
James Allen	Home School	X	
STEVE WHITE	MT COALITION OF Home	X	
Diana Marshall	Home School	X	
Anneth Friesen	Home School	X	
Julene Dull	Home School	X	
Juliette Bourma ^{Augusta, MT.}	self & home education	X	

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**HOUSE OF REPRESENTATIVES
VISITOR REGISTER**

Educ & Cult Resources

COMMITTEE

BILL NO. SB 287

DATE 3-19-91

SPONSOR(S) Senator Gage

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NAME AND ADDRESS	REPRESENTING	SUPPORT	OPPOSE
KENT GILGE RT 1 BOX 110 CLINTON MT 59523	MT Coal. of Home Ed.	X	
LINDA COLLINS BOX 201 GARDINER 59030	MT. COAL. OF HOME ED.	✓	
Bryan Asay	MCHE	X	
Danita Hane BOX 1702 Hwy 83 N Seeley, MT 59641	MCHE	X	
STAN SMITH 1119 SADDLE BILL RD, HELENA, MT	MT. COALITION OF HOME ED.	X	
Starshine 70 E First - Helena	self	X	
Tiffany Donaldson Box 865 MCR Clancy, MT	self	X	
Bo Stuart Box 941 MCR Clancy, MT	self	X	
Maggie Stuart Box 941 MCR, Clancy MT	self	X	
840 Silverette, Helena Karen Webb	self	X	

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HOUSE OF REPRESENTATIVES
VISITOR REGISTER

House Education COMMITTEE BILL NO. SB287
DATE 3/19/91 SPONSOR(S) SEN GAGE

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NAME AND ADDRESS	REPRESENTING	SUPPORT	OPPOSE
SUSAN NELSON 1001 N. JACKSON	SELF- HOMESCHOOLER	X	
Rep Joe Barnett 204 N. DAVIS Belgrade	HD 76	X	
Jonelle Barnett 204 N. DAVIS Belgrade	Self	X	
LOIS GILGE RT. 1 BOX 110 CHINOOK	SELF- home educator	X	
KEVIN ASAY #6 David Court, Helena	SELF	X	
GREG CLIPHANT 211 S. 36th St. Bldg, MT.	SELF	X	
Elaine Magalsky RT 65/BK 404, Livingston	Mt. Home Learning Center	X	
Joseph J. Magalsky RT 85- Livingston, MT.	Mountain Home Learning Center	X	

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