

MINUTES

MONTANA SENATE 53rd LEGISLATURE - REGULAR SESSION

COMMITTEE ON EDUCATION

Call to Order: By Senator Blaylock, on January 11, 1993, at 1 p.m.

ROLL CALL

Members Present:

Sen. Chet Blaylock, Chair (D)
Sen. Harry Fritz, Vice Chair (D)
Sen. Bob Brown (R)
Sen. John Hertel (R)
Sen. Dennis Nathe (R)
Sen. Spook Stang (D)
Sen. Daryl Toews (R)
Sen. Mignon Waterman (D)
Sen. Bill Wilson (D)
Sen. Bill Yellowtail (D)

Members Excused: Senator Hertel

Members Absent: Senator Nathe

Staff Present: Eddye McClure, Legislative Council
Sylvia Kinsey, Committee Secretary

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

Committee Business Summary:

Hearing: SB 28, SB 61, SB 75, SB 77
Executive Action: SB 61, SB 75, SB 77

HEARING ON SENATE BILL 77

Opening Statement by Sponsor:

Senator Swysgood, Senate District 37, explained Senate Bill 77, saying in 1991 the Legislature established a Joint Committee on Postsecondary Education on policy and budget. He said he introduced this bill at the request of the committee of which he was chairman and this was one of the recommendations that will be coming to the Legislature from that committee. The committee membership is listed in page 1, Section 2 of the bill. He said in the beginning they had some problems in deciding what they were faced with and their individual perceptions of what the committee was to do, but in the end everything came together and

it proved quite beneficial and he would ask the Legislature to have this committee be continued.

Proponents' Testimony:

John Hutchinson, Commissioner of Higher Education, said the formation of this Joint Regents Legislative Executive Committee came partially as a result of the Education Commission for the 90's and Beyond. The Committee was designed to increase communication and exchange of information between the Board of Regents and the Legislative and Executive branches. This was a very unique committee and he was not aware of any like it in the nation, so Montana broke the ground by creating this joint committee. In the initial stages of the committee's work there was some uncertainty and even some wariness in the attempt to determine their function and role. Over time the committee did function very well, they looked at such issues as duplication within the University System, the problem of transfer of credits, nursing education, tuition policy for the Board of Regents, incentive funding, administrative inefficiency and also dealt with the matter of telecommunications. He said they had conducted one of their meetings using the interactive compressed video telecommunications network. He felt this committee had served it's purpose in dealing with issues and said the barriers were reduced and most of the concerns they had about the operations of the committee have dissipated.

DAnna Smith, Montana Associated Students, MSU, said the Mt. Ass. Students came to this Legislature with the desire and intention of increasing communications between all parties, especially between the Board of Regents and the State Legislature. She said they felt SB 77 was not only a good way to increase communications, but also a good way to manage.

Opponents' Testimony:

None.

Informational Testimony:

None.

Questions From Committee Members and Responses:

Senator Fritz asked why this committee, which apparently exceeded everybody's expectations, was not made permanent rather than authorizing it for another two years. Senator Swysgood said he felt any statutory committee is basically a two year committee because the appropriation has to be reauthorized for them to continue. The bill was drafted to have an ongoing two year review.

Senator Fritz said if it continues to work well we will do this again. Senator Swysgood said he hoped so. He did not feel it

would be necessary to come back and reauthorize it every two years, although you would have to look at the appropriations.

Senator Waterman asked if there is a fiscal note for this bill and was told there was not because a companion appropriation bill would have to be started in the House. He said last session this committee was appropriated \$60,000 and we turned money back during the special session to help meet the obligations of the state deficit. Their total expenditures anticipated through the end of December were \$9,268 and they are asking an appropriation of \$11,000 for this committee for the next biennium.

Senator Yellowtail asked if the committee had a Legislative agenda, a set of bills that will be before us. Senator Swysgood said there will be a report from this committee with the recommendations contained in that report which will be sent to all the Legislators. He believed only two bills had been recommended, a continuation of this committee and the other dealt with deferred maintenance. He was reminded of a third which was the nursing recommendation.

Senator Yellowtail expressed his concern about duplication in terms of the various committees. We have the Board of Regents that ought to be doing a lot of these things and we have added about \$20,000 in appropriation for the operation of Legislation for a House Select Committee on Education, then \$11,000 on this committee. He asked if it was fairly certain that this committee would not duplicate the activities of any of the other committees. Senator Swysgood said he would hope if there were over lapping concerns that it be kept to a minimum. This committee was formed to foster the communication which was always lacking between Education and the Legislature and the ongoing problems that occurred because of that lack of communication.

Senator Waterman asked who from this committee of the Legislative representatives now serve on a joint subcommittee. She felt there should be some continuity between the joint subcommittees and those involved with this study. Senator Swysgood said he was the only member, Senator Nathe did not serve on this particular interim committee, he was a part of previous interim committees on Higher Education. Senator Jacobson was also on that committee, but not on the subcommittee.

Senator Blaylock asked if, when the committee was started, there were any problems with all the people who were voting since you have a mixture of the Executive and the Legislature on it. Senator Swysgood said we had debate at the beginning as to how we would allow voting since we had non-Legislative members on this committee. He said they agreed as a committee that all members would have the voting privilege when it came to making recommendations or recommending legislation to be introduced. They felt that was the only fair way if they were going to operate within the meaning of the committee itself.

Senator Blaylock said he believed it was on the Capitol Building and Grounds Committee where they had a mixture of the Executive and Legislative. He was not certain they had a ruling, but he seemed to recall someone said you could not allow the Executive people to be voting on an essentially Legislative committee.

Senator Swysgood said they asked for an interpretation from Gregg Petesch and it was his determination that they could operate under the context they operated under.

Senator Blaylock said he did believe there was a need for good communications. Dr. Hutchinson mentioned what this committee was able to accomplish and he would like to have Senator Swysgood's judgement as to whether these are not issues the Board of Regents should be taking care of. Senator Swysgood said that is what the committee is faced with as it deliberates some of its functions. Yes, it is the Regents obligation, and the Board of Regents can go ahead and do what they want anyway, but some of the issues and the commitment to quality, the types of areas the Board of Regents had implemented or were looking at implementing, were brought before the committee. The committee addressed the concerns and some of them we did not agree with to the point where we recommended them to the Legislature. That message went back to the Board of Regents and that is possibly why you see some hesitancy or more deliberation on their part before they implement certain issues they have the power to act upon.

Senator Blaylock observed that we should continue commitment to quality and excellence in the Higher Education system, but we are all sensitive that we are duplicative here. Three years ago we had the special committee appointed by Governor Stephens to look into Higher Education. They did excellent work and came out with recommendations for what should be done. At the present time, no matter how much we are committed to those things or to the issues your committee is recommending, if it takes money we have problems.

Senator Swysgood said he agreed, but while the fiscal condition of the state will affect all of us, the committee tried to focus on those areas of concern that they felt were vital to the ability of the kids to receive an education of the highest quality within the fiscal constraints we are in. He said specific issues were the transferability of credits, some concerns such as enrollment caps etc. This committee took on these issues and did have some impact on the Regents when they expressed their desires. Some of those very controversial issues have yet to be decided.

Closing by Sponsor:

Senator Swysgood closed by saying it was his wish that this committee continue. The next committee should have a better understanding of where they are going and perhaps more fruitful recommendations for Legislation. While they struggled in the

beginning, in the end he felt they had made good progress that he would like to see continue.

HEARING ON SENATE BILL 75

Opening Statement by Sponsor:

Senator Hockett, Senate District 7, said this bill would repeal the sunset provision of a bill passed in the last Legislature in accumulating sick leave pay-off and retirement benefits for the administrative and other non-teaching personnel in the school system. This is rather a prudent way for the district to budget for people who are retiring. The school administrative people are asking that this sunset clause be removed.

Proponents' Testimony:

Bruce Moerer, Montana School Boards Association (MSBA) said it is prudent fiscal management when you have accumulating liability building and increasing constantly which, if they retire or resign or whatever, you have to pay this out in one lump sum. If a number of senior staff members leave at one time your general fund can get hit pretty hard. The Office of Public Instruction (OPI) passed rules that we have to budget for this within the 104% cap, so if you make a transfer from general fund to this account, you have to budget for it, and that allows you to pay this money when people retire without taking a big hit on the general fund.

Lynda Brannon, Montana Association of School Business Officials (MASBO) urged support of this bill since it represents good fiscal management at the district level.

Don Waldron, Montana Rural Education Association (REA) said they also support this bill for the reasons given.

Loren Frazier, School Administrators of Montana (SAM), support this bill for reasons previously given.

Opponents' Testimony:

None.

Informational Testimony:

None.

Questions From Committee Members and Responses:

Senator Blaylock said this accumulation of vacation time bothered him and asked Mr. Waldron if the Superintendents are the main ones that let it pile up. He was told that actually it was originated for the classified employees because they do build up vacation time. Senator Blaylock asked if we couldn't require

them to take that vacation time rather than building it up. Mr. Waldron said by contract any Board can take care of that. He did not know of anything in the law that says it has to be set a certain way. It can be taken care of on an individual basis.

Senator Blaylock asked Mr. Moerer why Boards do not require vacation time be used rather than accumulated if they have that power. Mr. Moerer said he was not sure they could require them to use it all because the statute does allow them to accumulate up to two years worth. There is a limit of two years vacation time and after that they lose it if they don't take it. As a practical matter this will vary from district to district and time to time. The Superintendent is the only certified staff that vacation would apply to.

Senator Fritz said the limit is two years, and if that accumulates at two weeks or at four weeks a year this could, at 25 years of service, be a large amount. Mr. Moerer said he believed they accumulate two years worth based on the current year. When you start out you are entitled to 10 days per year vacation which builds up over time when you are eligible to (about) 21 days. After 25 years you could accumulate two times 21 days vacation which you would be entitled to as a pay out.

Senator Blaylock expressed concern over problems such as the accumulated vacation time and the Legislature having to deal with it over and over again.

Closing by Sponsor:

Senator Hockett said he felt the concern Senator Blaylock expressed in regard to the same problems coming back to the Legislature was valid, but he did not feel this bill represented that concern. We would have to go in and change the statutes that allow the accumulation of vacation time. He felt this bill was prudent management of the funds for the school district and the budgetary problems that are facing them.

HEARING ON SENATE BILL 28

Opening Statement by Sponsor:

Senator Kennedy handed out testimony (exhibit 1) from Bill Cooper, Superintendent of Schools in Kalispell, and said at was at the request of Mr. Cooper that he was presenting this bill. This bill would eliminate the requirement that a school board meeting be held in a school building or a building belonging to the district. Mr. Cooper said across the street from where they held their school board meetings was the City Hall which is handicapped accessible, and conditioned to televise and have media coverage of meetings, and they would like to use the facilities.

Proponents' Testimony:

Bruce Moerer, MSBA, said handicapped accessibility is a big issue and there are a number of districts around the state that have problems in that respect, and are becoming crowded in the Board room which is their last priority in concerns of space.

Eric Feaver, MEA, spoke in approval of HB 28 and said his organization believes this is an appropriate piece of legislation.

Opponents' Testimony:

None.

Informational Testimony:

None.

Questions From Committee Members and Responses:

Senator Fritz asked if Senator Kennedy could tell him why this provision is in the law and was told Senator Kennedy had not found anyone who knew that answer.

Senator Toews said he understood there used to be School Board meetings held in bars, etc., and Senator Fritz said he believed this provision would not preclude that happening.

Senator Yellowtail, in view of Senator Toews observation, asked Senator Kennedy if he would object if the law were changed to specify a public building within the school district. Senator Kennedy asked if that would mean that in case a school board had a large meeting anticipating a lot of people, the Outlaw Inn with the big room would qualify as a public building. Senator Yellowtail said we could specify "publicly owned" so the Outlaw Inn would not qualify.

Senator Waterman said she would not have an objection if they wanted to hold a meeting in a convention center, but suspected they would have as large a room in the school gymnasium. She said she was concerned about not restricting the meetings to the district.

Senator Blaylock commented that the committee will probably have to put some restriction on this bill. While most of the school boards would live up to their civic duty and meet reasonably, this could open it up to abuse. He told of a school board which, rather than meeting in the school building, traveled 50 miles to meet in another community and were being paid mileage.

Senator Kennedy said he could see the advantage of having it restricted to the school district.

Closing by Sponsor:

Senator Kennedy closed by saying this bill makes a lot of sense for our area. He urged the committee to vote favorably for the bill.

Senator Blaylock said when the committee goes into executive session, Senator Kennedy would be notified and they could discuss an amendment.

HEARING ON SENATE BILL 61

Opening Statement by Sponsor:

Senator Stang, Senate District 26, said SB 61 was requested by the Department of Family Services (DFS). This would clarify the curricula at the state correctional facilities. This bill allows special attention to be given to development of the needs of incarcerated students, and clears up the conflict of the current state rules regarding the accreditation standards. He said it is not the intent of this bill to jeopardize the transfer of credits from the correctional institution to the public institutions. There has been some controversy over this bill and he proposed an amendment (exhibit 2) which he hoped would solve the problem.

Proponents' Testimony:

Al Davis, Administrator of the Juvenile Correction Division, DFS, said the Department is interested in this bill because it clears up the confusion and gives the correctional institutions the ability to provide an alternative school program for incarcerated youth. Presently the law provides that schools may request permission for alternative standards where needs are indicated. 90% or more of the kids coming into correctional facilities are behind or below grade level and have not been able to adjust to the public school curriculum. Only between 30% and 50% of the kids leaving the correctional facility are not going back to the public school programs. He said if there were any population in the state that should be considered for alternative school programs, it is those coming into a correctional facility. He could not see where the passage of this bill would have any impact on the ability to transfer credits from the correctional institutions to the public schools.

Brenda Wahler, President of the Mountain View Education Association said their position is support of this bill as amended by Senator Stang. She said they felt it important that the language be made clear in the bill that the schools of Mountain View and Pine Hills be fully accredited public schools. She handed out a fact sheet on Mountain View School. (Exhibit 3) Mountain View is an accredited school, already has an alternative format, and they have the ability to put each student on an individualized course of instruction and permit them to work at their own pace.

Shirley Kapitzke, Pine Hills Education Association, said they

also support this bill as amended.

Jack Oberweiser, teacher at Mountain View School, supported SB 61 as amended.

Opponents' Testimony:

None.

Informational Testimony:

None.

Questions From Committee Members and Responses:

Senator Fritz asked for some examples of alternative courses that are available at Mountain View and other schools. Brenda Wahler said they have English, Math, Social Studies, etc. and within those courses they try to prepare the student for the same kind of things they will encounter when they go back to their home community. She gave the example of American History which would expose students to the American Revolution, Civil War, etc. but at the same time they are flexible in meeting the needs of the students. She said currently they have a student who will be 18 years old and reads at a third grade level. They need adapted materials, cassette tapes and video tapes. They have a special education instructor that they work with to design something that will educate a student and prepare them to leave. The same procedure is used in every class to adapt courses to the individual.

Mr. Oberweiser commented that the alternative format is seen in the sense that our programs are so individualized. Every single student has his/her own program. He said he worked with each student as opposed to a class of 26 who must keep up because the teacher will be on another page the next day.

Senator Yellowtail said this bill is subtle and wanted Mr. Davis to explain exactly what we are accomplishing here. He asked if the effect of this bill is to permit the correctional institutions to "now" install alternative education. Mr. Davis said they are probably already doing it, the programs are pretty close to those of the alternative schools in the communities. SB 61 clarifies the language so this language correlates with the language that is applicable to the public school system.

Senator Waterman asked if alternative education doesn't allow more flexibility in minutes of classes, etc. She asked if that wasn't what was gained by going to an alternative standard. Mr. Davis said he did not think it did but there was an OPI representative present.

Jack Copps, Deputy Superintendent, OPI said the alternative standard is designed to allow school districts to offer up any

alternative with the exception of two things. The requirement of the Education of teaching staff and anything that would be contrary to law. He said if he understood the bill correctly, it was asking that the school be offered the same opportunity that other public schools in Montana have.

Closing by Sponsor:

Senator Stang said this bill does allow the standards to be changed, and although it did say eliminate programs he did not believe they could be eliminated without the approval of the board of education or the OPI. In talking to some of the teachers, in some classes the name of the class may differ from the name in the public schools, if they send a student back to public schools who has had a class of social studies and and that student goes into a school that has the class called history, the school does not want to accept those credits. He believed this was a problem the OPI and the Board of Education should take a look at.

EXECUTIVE ACTION ON SENATE BILL 61

Motion: Senator Stang moved to AMEND SB 61 (see exhibit 2) which would change line 15 to read "Montana school accreditation" standards.

Discussion:

None.

Vote: The motion to AMEND SB 61 PASSED unanimously.

Motion/Vote: Senator Stang moved SB 61 DO PASS AS AMENDED. The motion PASSED unanimously.

DISCUSSION ON SB 28

Discussion on SB 28 was held on a proposed amendment to say "publicly owned facility within the district". Senator Blaylock said he would contact Senator Kennedy and see if he approved the amendment.

Senator Yellowtail said he would propose to reinstate the language on line 1 and line 2 so it would say "except for an unforeseen emergency, meetings must be conducted in school buildings or a publicly owned facility within the district".

Senator Waterman said the "unforeseen emergency" was put in because of the boiler blow up in Boulder. With "a publicly owned facility within the district", you have removed the necessity for inserting "unforeseen emergency". Senator Yellowtail agreed and said the amendment could start on line 2 and reinsert "meetings".

Senator Stang pointed out the only publicly owned building in St. Regis was the school and suggested leaving "unforeseen emergency" in the bill.

Ms. McClure was requested to prepare the amendment for the Wednesday meeting.

EXECUTIVE ACTION ON SENATE BILL 75

Motion: Senator Waterman moved SB 75 DO PASS.

Discussion: Senator Yellowtail said he had some concern about the accumulated leave, but probably we should address the statute that places the two year cap. Senator Blaylock agreed and said if possible he would shut that down to one year.

Vote: The motion that SB 75 DO PASS was PASSED unanimously.

EXECUTIVE ACTION ON SENATE BILL 77

Motion: Senator Fritz MOVED SENATE BILL 77 DO PASS.

Discussion: Senator Waterman pointed out there would be at least three or four committees recommended and was concerned that we continue to add these interim committees which stretch the Legislative Council staff quite thin.

Senator Fritz said as long as we meet 90 days every two years he felt interim committees were needed. This particular committee has been needed as a semi formal way of producing some communication between the Legislature and the Board of Regents to overcome the finger pointing and blame game that is carried out. He supported this two years ago, it seemed to do well, and he believed this interim committee was very valuable.

Senator Yellowtail said this seems to be a worthy committee. They will sunset in two years and we will be able to review their success. He was also concerned with the proliferation of committees and they all cost money. He felt the Board of Regents bears the responsibility for all of what is contained in this bill and would like to have the Board of Regents tell us why they are not able to accomplish these objectives.

Senator Fritz felt it was difficult to make the system of governments of Higher Education as outlined in the '72 Constitution, work. The formal structure doesn't seem to work too well and we need to make it work informally. He believed the key to strong and effective governments is strong and effective executive leadership. This committee seems to be a way to overcome some of formality, and the members of this committee can work on issues outside the formal constructoral parameters.

Senator Yellowtail asked if the Legislature could assign to this

committee the interim studies that from time to time we feel moved to conduct. He asked if this could be the vehicle to accomplish those interim studies. Senator Fritz said if this bill passes he could not see why it could not be done that way.

Senator Blaylock asked if this committee that was set up two years ago went through the same process the other interim committees go through where they are ranked in importance, or was it just ipso facto set up. Some committee members answered to the effect that the committee was appointed before the end of the session and that the money was appropriated from other than Legislative Council for interim committees.

Senator Blaylock referred to Senator Fritz mentioning a strong executive and said particularly in the past two years Governor Stephens had been very adamant about not raising any taxes and was going to make cuts. If we follow the OPI and the Office of the Budget (OBPP), the "big bucks" lie in Higher Education, K through 12 and Family Services, SRS. If we have this committee and they are working well with the Board of Regents, know what the problems are, and know what they would like to tackle, then if the Governor who appoints that Board of Regents is opposed, this or anything else will not solve very much.


Senator Fritz said he would like to see a report on their telecommunication meeting and learn whether it saved a lot of travel money.

Vote: The motion to DO PASS SB 77 PASSED unanimously.

ADJOURNMENT

Adjournment: 2:40 p.m.


CHET BLAYLOCK, Chair


SYLVIA KINSEY, Secretary

CB/sk

ROLL CALL

SENATE COMMITTEE EDUCATION DATE 7/11/93

NAME	PRESENT	ABSENT	EXCUSED
SENATOR BLAYLOCK, Chair	✓		
SENATOR FRITZ, V.C.	✓		
SENATOR BROWN	✓		
SENATOR NATHE		✓	
SENATOR TOEWS	✓		
SENATOR HERTEL			✓
SENATOR WILSON	✓		
SENATOR WATERMAN	✓		
SENATOR YELLOWTAIL	✓		
SENATOR STANG	✓		

FC8

Attach to each day's minutes

SENATE STANDING COMMITTEE REPORT

Page 1 of 1
January 11, 1993

MR. PRESIDENT:

We, your committee on Education and Cultural Resources having had under consideration Senate Bill No. 61 (first reading copy -- white), respectfully report that Senate Bill No. 61 be amended as follows and as so amended do pass.

Signed: Chet Blaylock
Chet Blaylock, Chair


That such amendments read:

1. Page 1, line 15.

Following: "to the"

Insert: "Montana school accreditation"

-END-


Amd. Coord.
Sec. of Senate

071545SC.San


SENATE STANDING COMMITTEE REPORT

Page 1 of 1
January 11, 1993

MR. PRESIDENT:

We, your committee on Education and Cultural Resources having had under consideration Senate Bill No. 75 (first reading copy -- white), respectfully report that Senate Bill No. 75 do pass.

Signed: Chet Blaylock
Chet Blaylock, Chair

 Amd. Coord.
Sec. of Senate

071547SC.San

SENATE STANDING COMMITTEE REPORT

Page 1 of 1
January 11, 1993

MR. PRESIDENT:

We, your committee on Education and Cultural Resources having had under consideration Senate Bill No. 77 (first reading copy -- white), respectfully report that Senate Bill No. 77 do pass.

Signed: Chet Blaylock
Chet Blaylock, Chair

AP Amd. Coord.
— Sec. of Senate

071546SC.San

BILL COOPER
Superintendent

CATHRYN McDEVITT
Asst. Superintendent

SENATE EDUCATION
1

EXHIBIT NO. _____

DATE

BILL NO.

1/11/93
26

TOM TRUMBULL
Director of Business

GARY ROSE
Administrative Asst.

PAT LEE
Dir. of Special Services

SCHOOL DISTRICT NO. 5

PHONE (406) 758-5015 - 233 1ST. AVE. EAST - KALISPELL, MONTANA 59901

FLATHEAD HIGH SCHOOL
Principal, William Vogt
758-5075

KALISPELL JUNIOR HIGH
Principal, Patrick Feeley
758-5030

LINDERMAN SCHOOL
Principal, Russ Winters
758-5024

RUSSELL SCHOOL
Principal, Andy Young
758-5052

PETERSON SCHOOL
Principal, Steve Resor
758-5057

HEDGES SCHOOL
Principal, Gayle Vidal
758-5048

ELROD SCHOOL
Principal, Rick Davis
758-5043

EDGERTON SCHOOL
Principal, Mike Anderson
758-5055

Memorandum

January 6, 1993

TO: Senator Ed Kennedy

FR: Bill Cooper, *BC*

RE: Senate Bill 28

School District #5 in Kalispell is in need of a convenient handicapped accessible facility to hold Board meetings. Kalispell's city hall is right across the street from the school district office and is handicapped accessible. In addition, it is also wired for sound and television. This convenient access to the media would be an added benefit to the school district as all meetings are televised over cable and coverage is also required at times by the regular news stations.

The City Council has graciously, in a spirit of intergovernmental cooperation, offered its facility to us for our meeting at no cost to the taxpayers of either entity and we would like to take advantage of this opportunity. Current law precludes us from entering into this cooperative arrangement, however, because we legally are prohibited from holding our meeting on property not owned by the school district.

A change in the law would allow us to hold our Board meetings in the Chamber of the City Council. This move would dramatically improve our access to the handicapped public and the media at no cost to the taxpayers. For these reasons, I thank you for carrying the bill and I urge its passage.

Since a FAX is far less expensive than a trip to Helena, I hope the legislators will not take my absence at the hearing as a lack of strong interest in the passage of SB28 but a sensitivity to the budget crisis that we all face.

Amendments to Senate Bill No. 61
First Reading Copy

Requested by Senator Stang
For the Senate Committee on Education and Cultural Resources

Prepared by Eddye McClure
January 11, 1993

Senate Education

AMENDIT NO. 2

DATE 1/11/93

BILL NO. 61

1. Page 1, line 15.

Following: "to the"

Insert: "Montana school accreditation"

Testimony on ~~SB 61~~ submitted by the Mountain View Education Association

Our concern: SB 61, as introduced, offers language that is vague. Clear language needs to be inserted into the bill to require the educational programs at Mountain View School to meet the Montana standards for accredited public schools. Otherwise, SB 61 leaves open the possibility that our School could become a non-accredited program meeting only the minimum requirements to comply with Montana's compulsory school attendance law. This could mean that credit earned at Mountain View would not have to be accepted by High Schools back in our students' home communities.

Primary focus: Students at MVS need to attend a fully accredited public school. Students at MVS now attend a fully accredited Class C school staffed by certified teachers of excellent quality. We offer all basic subjects required for graduation, plus Special Education and a GED option.

Why worry about educating delinquent youth? Education is, for many delinquent youths, the only way out of the cycles of violence and poverty that have characterized their lives. To sacrifice a quality education for our students is to condemn them to entry-level, low-paying jobs that offer little incentive to avoid a life of welfare dependency or crime.

Can their credits transfer to regular public schools?

As an accredited public school, credit earned toward graduation at MVS is transferable and accepted by other Montana schools We are concerned that any weakening of standards will cause our students to be further behind academically when they return to regular schools.

Do we currently offer alternatives to traditional education?

YES! Students at MVS receive an individualized program of instruction for each subject and are allowed to work to their own best academic ability. Because students come and go on an irregular schedule, we make every effort to accommodate their needs. The school already has a Special Education teacher and the teachers in each academic area work with her to meet the special needs of students.

Do students have alternatives to classroom work?

Yes. Students at MVS have been allowed to go off-grounds for job experiences. For example, every session some of our students serve as pages here at the Montana Legislature and can receive Social Studies credit for their time. We offer child care and business classes that have spun off into work experiences for our students in day care centers and Helena-based workplaces such as the Montana Nurses Association. However, we must again emphasize that completion of a basic education is a prerequisite to future job success. We will not do these troubled youth a favor to allow them to avoid school-based learning that puts them further behind academically.

DATE 1/11/93

SENATE COMMITTEE ON Education

BILLS BEING HEARD TODAY: SB 28, 61, 75, 77

Name	Representing	Bill No.	Check One	
			Support	Oppose
Don Waldman	MREA	SB 28	✓	
Don Waldman	MREA	SB 75	✓	
Brenda Wahler	Mountain View Education Assn	SB 61		
Jack Abewen	MVEA	SB 61		
Shirley Kapitzke	Pine Hill Education Assn.	SB 61		
Eri Glen	MSA	all		
Anna Smith	ASMSL	77	✓	
John Hutchinson	Comm. High Ed	77	✓	
Loren Frazer	SAM	SB 75	✓	
Bruce W. Boerer	BSBA	SB 77	✓	
Bruce W. Boerer	"	SB 75	✓	
John K. McCutley	ASOM	SB 77	✓	
Synda Brannon	MASBO	SB 75	✓	
Jack Camps	OPI	SB 61		

VISITOR REGISTER

PLEASE LEAVE PREPARED STATEMENT WITH COMMITTEE SECRETARY