

MINUTES

MONTANA SENATE 55th LEGISLATURE - REGULAR SESSION

CONFERENCE COMMITTEE ON SENATE BILL 071

Call to Order: By CHAIRMAN DARYL TOEWS, on April 16, 1997, at 9:00 A.M., in ROOM 405.

ROLL CALL

Members Present:

Sen. Daryl Toews (R)
Sen. Loren Jenkins (R)
Rep. Alvin A. Ellis, Jr. (R)
Rep. John "Sam" Rose (R)
Rep. Joan Hurdle (D)

Members Excused: Sen. Debbie Bowman Shea (D)

Members Absent: None

Staff Present: Connie Erickson, Legislative Services Division
Mary Gay Wells, Committee Secretary

{Tape: 1; Side: B; Approx. Time Count: 9:00 AM; Comments: N/A.}

HEARING ON SB 71

Discussion and Questions From Committee Members and Responses:

CHAIRMAN DARYL TOEWS opened the hearing. A little bit of background might be in order, he said. Actually about two years ago, there were a lot of bills that took responsibilities away from the Office of Public Instruction and brought them down to the local school board. They were usually tied to something that was controversial in the bill. When that happened, the bill would die and the issues never got cleaned up. This year, the OPI worked hard to go in and take everything out that could possibly be given back to the school boards. This is how SB 71 started. Their biggest fear was that when they did this, the Legislature would take and attach a bunch of other things onto it. SB 71 passed the Senate side and went to the House. There was a bill, HB 52, which offered a four day school week. That bill was inserted into SB 71. CHAIRMAN TOEWS told REP. SAM ROSE at the time that HB 52 could be put into SB 71, but it would definitely go to a Conference Committee. And now we are here at that Conference Committee to look at this issue. HB 52 allows for a reduction in days. Instead of 180 days, they could have fewer days. That is the amendment that the House put on.

REP. JOAN HURDLE asked if the reduction of days would be authorized by the State Board of Education? And would that be in conflict with the original intent to return as much as possible to local school boards? **CHAIRMAN TOEWS** replied yes and it is, to a large degree, in conflict because the Legislature was trying to get away from giving variances and giving permission to do a whole lot of things. What this bill does is goes back and says: okay, we will take and have another rule-making on days. Technically, it changes the direction of the bill. With this variance and the Public Ed denies that variance, the local school board will be mad at them again for the denial.

REP. HURDLE said so the local school boards have to ask the Board of Ed for the variance. **CHAIRMAN TOEWS** said technically it goes to OPI and then to the Board of Education. That is why he resisted the amendments. These amendments would be appropriate if there was a baseline that was being worked from. Remember the alternative standards, a baseline was needed to know where the schools were at or if you were looking at the "Improving Montana Schools" you would have a baseline to work from. Then you would have data on what the impact would be on the students. That is not in this bill.

REP. ALVIN ELLIS addressed the bill. He does not totally agree with the analysis. The intent of SB 71 as it came from the Senate was to give local school boards more authority and to allow them to make some changes which locally could be helpful and not necessarily require OPI to sign off on those changes. That is admirable. He does not see that much difference in the four day school week. Quite frankly he felt it probably won't be used much except in larger urban centers because you have kindergarten kids and full days, etc. It just makes it too difficult to administer. It is a hot political potato. In Wyoming, they have done it. However, it does allow more local decision making by local boards. You may dislike having to get permission to do this from the Board of Education, and perhaps that could be amended out. However, it seems to him, that more local control is being allowed and this is an option that they didn't even have before. So how can it be said that when they have to get permission to do it is it going in a different direction. The four day school issue is not tremendously important to him. He doesn't think it will have much application. But it seems to him that in the line of allowing schools more freedom to do what they want, it is pretty hard to argue against.

REP. SAM ROSE said that he has been uncomfortable with this four day school week from the beginning. He feels that the mindset of the people is that they want the children in school. The schools were built for the students not for adult education or anything else. From experience, younger children can not handle a 10 hour day. Not even high school students can handle those long hours. It does give the school board the variation to run the buses at different intervals, but he does not believe that this will be

well received by the public. He does not believe that it is in the best interest of education and that is what the Legislature is here for. Other schools would have to be integrated with a change of hours and days and this would probably create some real problems.

REP. JOAN HURDLE said that as a former first grade teacher and a teacher with an advanced degree in special education, she is very much opposed to the whole concept of a four day school week. The little ones and the children with problems would possibly be ignored in order to schedule sporting events, etc. One of the primary factors in learning with these children is repetition. More sessions of shorter duration is necessary. A four day school week is exactly the opposite of good educational principles.

SEN. LOREN JENKINS said that he has been nervous all session about rule making authority and of course this is more rule making authority. As the committee knows, he is interested in rules. He could not see that it would be viable. In the urban areas, with many single parent families, many work and consequently the schools are babysitters whether they should be or not. If it is cut back to four days, what will these families do on the fifth day? He did not feel that this amendment belong in SB 71.

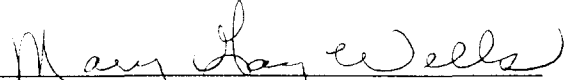
{Tape: 1; Side: A; Approx. Time Count: 9:11 AM; Comments: N/A.}

Motion/Vote: SEN. JENKINS MOVED TO STRIP THE HOUSE AMENDMENTS FROM SB 71. THE MOTION CARRIED on a roll call vote with REP. ALVIN ELLIS voting NO: 5-1

ADJOURNMENT

Adjournment: 9:12 A.M.



SEN. DARYL TOEWS, Chairman

MARY GAY WELLS, Secretary

DT/MGW