

HOUSE BILL NO. 308

INTRODUCED BY GUTHRIE, GUNDERSON

A BILL FOR AN ACT ENTITLED: "AN ACT TO AUTHORIZE THE BOARD OF PUBLIC EDUCATION TO SPECIFY AND DEFINE THE BASIC INSTRUCTIONAL PROGRAM IN PUBLIC SCHOOLS; CREATING A NEW SECTION 75-7503.1, R.C.M. 1947; AMENDING SECTIONS 75-6303, R.C.M. 1947, RELATING TO COMPULSORY ENROLLMENT, AND 75-8904, R.C.M. 1947, RELATING TO INSTRUCTION IN DRUG EDUCATION, AND REPEALING SECTIONS 75-7503, 75-7504, 75-7509, AND 75-8904, R.C.M. 1947, PRESCRIBING SUBJECTS OF INSTRUCTION IN PUBLIC SCHOOLS."

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:

Section 1. There is a new R.C.M. section numbered 75-7503.1 that reads as follows:

75-7503.1. Instruction in public schools. The board of public education shall define and specify the basic instructional program for pupils in public schools, and such program shall be set forth in the standards of accreditation. Other instruction may be given when approved by the board of trustees.

Section 2. Section 75-6303, R.C.M. 1947, is amended to read as follows:

75-6303. Compulsory enrollment and excuses. Any

parent, guardian or other person who is responsible for the care of any child who is seven (7) years of age or older prior to the first day of school in any school fiscal year and has not yet reached his sixteenth birthday and who has not completed the work of the eighth (8th) grade, shall cause the child to be instructed ~~in the English language and~~ in the subjects program prescribed by the board of public education pursuant to section 75-7503 75-7503.1 or--section 75-7504,--whichever-is-applicable. Such parent, guardian or other person shall enroll the child in the school assigned by the trustees of the district within the first week of the school term or when he establishes residence in the district unless:

(1) the child is enrolled in a private institution which provides instruction in the subjects program prescribed by the board of public education pursuant to section 75-7503 75-7503.1 or--section-75-7504,--whichever--is applicable,--and--in--which--the--basic--language--taught--is English;

(2) the child is enrolled in a school of another district or state under any of the tuition provisions of this Title;

(3) the child is provided with supervised correspondence study or supervised home study under the transportation provisions of this Title; or

1 (4) the child is excused from enrollment in a school of  
 2 the district when it is shown that his bodily or mental  
 3 condition does not permit his attendance and the child  
 4 cannot be instructed under the special education provisions  
 5 of this Title.

6 The excuse provided for in subsection (4), above, shall  
 7 be issued by the district superintendent, or the county  
 8 superintendent when there is no district superintendent  
 9 employed by the district. Whenever an excuse is denied by  
 10 the applicable official, an appeal of such decision may be  
 11 made to the district court of the county within ten (10)  
 12 days after the decision upon giving a bond in the amount set  
 13 by the court to pay all costs of the appeal. The decision of  
 14 the district court shall be final.

15 (5) the child is excused from compulsory school  
 16 attendance upon a determination by a district judge that  
 17 such attendance is not in the best interest of the child."

18 Section 3. Section 75-8901, R.C.M. 1947, is amended to  
 19 read as follows:

20 "75-8901. Purpose of act--legislative intent. It is  
 21 the purpose of this act to protect the health and safety of  
 22 the people of Montana from the menace of drug and alcohol  
 23 abuse. The legislative assembly intends to require education  
 24 graduates of any unit of the Montana university system or  
 25 any private college, or private university in Montana, to be

1 aware of the problems resulting from drug and alcohol abuse  
 2 and to be somewhat knowledgeable in dealing with these  
 3 problems among students, ~~and to require all public and~~  
 4 ~~private junior high school students and all public and~~  
 5 ~~private high school students in Montana to be aware of the~~  
 6 ~~problems resulting from drug and alcohol abuse."~~

7 Section 4. Sections 75-7503, 75-7504, 75-7509, and  
 8 75-8904, R.C.M. 1947, are repealed.

-End-

Approved by Committee  
on Education

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 25 any private college, or private university in Montana, to be

1 aware of the problems resulting from drug and alcohol abuse  
 2 and to be somewhat knowledgeable in dealing with these  
 3 problems among students, ~~and--to--require--all--public--and~~  
 4 ~~private--junior--high--school--students--and--all--public--and~~  
 5 ~~private--high--school--students--in--Montana--to--be--aware--of--the~~  
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