

1 *House* BILL NO. *540*  
 2 INTRODUCED BY *Holmes, Valm, Little, Goe*  
 3 *Stutz, Hundman, Bengtson, Furdy*  
 4 A BILL FOR AN ACT ENTITLED: "AN ACT TO ESTABLISH A HIGH  
 5 SCHOOL DISTRICT FOR THE MONTANA STATE PRISON FOR THE PURPOSE  
 6 OF PROVIDING THE INMATES OF THE PRISON WITH A FULLY  
 7 ACCREDITED HIGH SCHOOL PROGRAM."  
 8

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

10 Section 1. Establishment of a special high school  
 11 district for the Montana state prison. A special high  
 12 school district is established for the Montana state prison  
 13 for the purpose of providing the inmates of the prison with  
 14 a fully accredited high school program. The general  
 15 supervision, coordination, and accreditation of the high  
 16 school program shall not differ from any other accredited  
 17 high school program in the public school system of the state  
 18 of Montana.

19 Section 2. Title 75 chapters to apply. The following  
 20 chapters of Title 75 shall apply in their entirety to the  
 21 special high school district established for the Montana  
 22 state prison: chapters 56-57, chapters 60-62, and chapters  
 23 75-76.

24 Section 3. Title 75 chapters not to apply. The  
 25 following chapters of Title 75 shall not apply to the

1 special high school district established for the Montana  
 2 state prison except for specific sections within a chapter  
 3 as so indicated: chapters 58-59, chapters 63-67, chapters  
 4 69-71, chapter 72 except for section 75-7204, chapter 73  
 5 except for section 75-7309, chapter 74, and chapters 77-80.

6 Section 4. Financial administration and source of  
 7 funds. Rules and procedures for the financial  
 8 administration of funds for the special high school district  
 9 for the Montana state prison shall be established by the  
 10 superintendent of public instruction. All funds for the  
 11 support of the special high school district established for  
 12 the Montana state prison shall come from the general fund of  
 13 the state and shall be part of the appropriation of the  
 14 office of the superintendent of public instruction.

15 Section 5. School district budgeting procedures. All  
 16 budgeting rules and procedures for the preparation of the  
 17 budget for the special high school district shall be  
 18 prescribed by the superintendent of public instruction.  
 19 Preparation of the budget for each biennium shall be made by  
 20 the board of trustees of the school district in cooperation  
 21 with the superintendent of public instruction.

22 Section 6. School district board of trustees. (1) A  
 23 board of trustees for the high school district of the  
 24 Montana state prison shall consist of seven (7) members  
 25 appointed by the superintendent of public instruction and

INTRODUCED BILL

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1 confirmed by the board of public education. The term of  
2 office for the trustees shall be determined by the  
3 superintendent of public instruction as approved by the  
4 board of public education.

5 (2) The trustees of the district shall prescribe and  
6 enforce policies for the government of the district. The  
7 trustees shall adopt policies to implement or administer the  
8 policies of the board of public education or the rules of  
9 the superintendent of public instruction.

10 (3) The trustees shall have those powers and duties  
11 that are necessary in order to properly administer all of  
12 the business of the school district, such powers and duties  
13 to be prescribed by the superintendent of public instruction  
14 and approved by the board of public education.

15 Section 7. Capital outlay. All capital outlay for the  
16 special high school district at the Montana state prison  
17 shall be funded by the state of Montana in accordance with  
18 Title 79 chapter 22, R.C.M. 1947.

19 Section 8. Teacher retirement and social security  
20 contributions. The employers' contribution for teacher  
21 retirement, public employees' retirement or the federal  
22 social security system as provided for in section 75-7204  
23 shall not be financed by a county levy but shall be paid for  
24 out of the appropriation for the operation of the special  
25 high school district for the Montana state prison.

1 Section 9. School terms and holidays. Provisions  
2 relating to school terms and holidays including the  
3 definition of pupil instruction, school day, and school  
4 fiscal year shall be established by the superintendent of  
5 public instruction.

6 Section 10. No inmate of the Montana state prison may  
7 be required to attend the high school of the Montana state  
8 prison.

-End-

## STATE OF MONTANA

REQUEST NO. 147-75

## FISCAL NOTE

Form BD-15

In compliance with a written request received February 3, 1975, there is hereby submitted a Fiscal Note for House Bill 540 pursuant to Chapter 53, Laws of Montana, 1965 - Thirty-Ninth Legislative Assembly.

Background information used in developing this Fiscal Note is available from the Office of Budget and Program Planning, to members of the Legislature upon request.

**DESCRIPTION OF PROPOSED LEGISLATION:**

House Bill 540 establishes a high school district for the Montana State Prison for the purpose of providing the inmates of the Prison with a fully accredited high school program.

**ASSUMPTIONS:**

1. At present there are 97 Montana State Prison inmates who are young enough for high school enrollment. A high school program would be tailored to serve all eligible inmates.
2. At least 24 full-time students would participate in the program (the minimum number for high school accreditation).
3. Cost of an accredited high school program for 96 ANB (average number belonging) is a fair representation of the cost of a prison high school program. That cost is \$1,552 per student and does not include capital outlay.

**FISCAL IMPACT:**

	<u>FY 76</u>	<u>FY 77</u>
Increase in General Fund expenditures	\$150,000	\$159,000

**CONCLUSION:**

Enactment of H.B. 540 would result in increased General Fund expenditures of \$309,000 during the biennium.

  
BUDGET DIRECTOR

Office of Budget and Program Planning

Date: February 11, 1975

## STATE OF MONTANA

REQUEST NO. 256-75

## FISCAL NOTE

Form BD-15

In compliance with a written request received March 8, 19 75, there is hereby submitted a Fiscal Note for House Bill 540 Amended pursuant to Chapter 53, Laws of Montana, 1965 - Thirty-Ninth Legislative Assembly.

Background information used in developing this Fiscal Note is available from the Office of Budget and Program Planning, to members of the Legislature upon request.

## DESCRIPTION OF PROPOSED LEGISLATION:

The third reading copy of House Bill 540 provides for the establishment of a high school instructional program leading to a diploma, an approved vocational education program and an adult basic education program at the Montana State Prison.

## ASSUMPTIONS:

1. Average high school enrollment would be 96; 95% of the inmates have the required units through the 10th grade.
2. Teachers at the Prison would receive the average salary for Powell County of \$10,238.
3. The present staff can provide six of the required eight additional units for graduation.
4. There will be an average of five inmates per instructional unit.
5. Additional funds required for a high school diploma program would be used to contract with certified teachers from neighboring school districts.
6. The Prison currently offers an adult basic education program. No additional funds above the budgeted amount will be required.
7. An approved vocational education program can be established through a contract with the Missoula Vo Tech Center.

## FISCAL IMPACT:

	FY 76	FY 77
Additional expenditure for high school program under proposed law	\$ 49,248	\$ 51,710
Additional expenditure for vocational education program under proposed law	107,864	104,634
Additional expenditure for adult basic education program under proposed law	0	0
Total additional expenditures	<u>\$157,112</u>	<u>\$156,344</u>

## CONCLUSION:

Enactment of House Bill 540 as amended would result in increased General Fund expenditures of \$313,456 during the 1975-77 biennium.



BUDGET DIRECTOR

Office of Budget and Program Planning

Date: 3-11-75

Approved by Committee  
on Education

HOUSE BILL NO. 540

INTRODUCED BY HOLMES, PALMER, KIMBLE, SLOAN,  
STOLTZ, GUNDERSON, BENGTSON, FINLEY

A BILL FOR AN ACT ENTITLED: "AN ACT TO ESTABLISH A HIGH SCHOOL ~~DISTRICT~~ INSTRUCTIONAL PROGRAM FOR THE MONTANA STATE PRISON FOR THE PURPOSE OF PROVIDING THE INMATES OF THE PRISON WITH A FULLY ACCREDITED HIGH SCHOOL PROGRAM."

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

Refer to Introduced Bill

(Strike everything after the enacting clause and insert:)

Section 1. There shall be an instructional program for the inmates at the Montana state prison that provides for (1) an approved vocational education program,

(2) academic courses for a high school instructional program that provides high school credits leading to a high school diploma, and

(3) an adult basic education program.

The administrator for the high school instructional program shall have a class 3 administrative certificate as defined in section 75-6006.

Teachers in the high school instructional program shall be certified and paid at the same rate as teachers in

neighboring school districts.

The prison may contract with any accredited high school in the state of Montana for courses for credit that will lead to a high school diploma.

-End-

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 2           INTRODUCED BY HOLMES, PALMER, KIMBLE, SLOAN,  
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 7   PRISON FOR THE PURPOSE OF PROVIDING THE INMATES OF THE  
 8   PRISON WITH A FULLY ACCREDITED HIGH SCHOOL PROGRAM."  
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 13   insert:)

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 15   the inmates at the Montana state prison that provides for  
 16   (1) an approved vocational education program,  
 17           (2) academic courses for a high school instructional  
 18   program that provides high school credits leading to a high  
 19   school diploma, and  
 20           (3) an adult basic education program.

21           The administrator for the high school instructional  
 22   program shall have a class 3 administrative certificate as  
 23   defined in section 75-6006.

24           Teachers in the high school instructional program shall  
 25   be certified and paid at the same rate as teachers in

1   neighboring school districts.  
 2           The prison may contract with any accredited high school  
 3   in the state of Montana for courses for credit that will  
 4   lead to a high school diploma.

-End-

April 3, 1975

SENATE COMMITTEE ON EDUCATION  
AMENDMENTS TO HOUSE BILL NO. 540

That House Bill No. 540, third reading, be amended as follows:

1. Amend title, line 8.  
Following: "WITH"  
Strike: "A FULLY ACCREDITED"  
Insert: "AN APPROVED"
2. Amend title, line 8.  
Following: "SCHOOL"  
Insert: "AND VOCATIONAL EDUCATION"
3. Amend page 1, section 1, line 16.  
Following: "(1)"  
Strike: "an approved"  
Insert: "a"
4. Amend page 1, section 1, line 16.  
Following: "program"  
Insert: "approved and periodically evaluated by the  
superintendent of public instruction"
5. Amend page 1, section 1, lines 18 and 19.  
Following: "program"  
Strike: "that provides high school credits leading to a high  
school diploma"  
Insert: "approved and periodically evaluated by the super-  
intendent of public instruction"
6. Amend page 1, section 1, line 20.  
Following: "program"  
Insert: "approved by the superintendent of public instruction"
7. Amend page 1, section 1, line 23.  
Following: "75-6006"  
Insert: ", except that current administrator would be excepted"
8. Amend page 2, section 1, line 2.  
Following: "accredited"  
Strike: "high"