

HOUSE BILL NO. 537

INTRODUCED BY WILLIAMS, E. SMITH, SCHULTZ, ANDERSON, PORTER,
KEYSER, HUENNEKENS, KESSLER, MENAHAN, DAY, TROPILA, QUILICI

IN THE HOUSE

February 2, 1979	Introduced and referred to Committee on Education and Cultural Resources.
February 16, 1979	Committee recommend bill do pass as amended. Report adopted.
February 19, 1979	Printed and placed on members' desks.
February 20, 1979	On motion, taken from second reading and referred to Committee on Appropriations.
March 26, 1979	Committee recommend bill do pass as amended. Report adopted.
March 27, 1979	Printed and placed on members' desks. Second reading, do pass. Considered correctly engrossed. Third reading, passed. Transmitted to second house.

IN THE SENATE

March 27, 1979	Introduced and referred to Committee on Finance and Claims.
April 10, 1979	Committee recommend bill be concurred in. Report adopted.
April 11, 1979	Second reading, concurred in as amended.

April 12, 1979

On motion, taken from Committee on Bills and Journal. Referred to second reading. Motion adopted.

April 13, 1979

Statement of Intent adopted.

Second reading, concurred in.

April 17, 1979

Third reading, concurred in as amended.

IN THE HOUSE

April 18, 1979

Returned from second house. Concurred in as amended and Intent Statement.

Second reading, amendments adopted.

Third reading, amendments adopted. Sent to enrolling.

Reported correctly enrolled.

1 House BILL NO. 537
 2 INTRODUCED BY William E. Smith, Schultz, Iverson
 3 Doty, Hoyer, Hunsicker, Kuhl, Menahan, Day
 4 A BILL FOR AN ACT ENTITLED: "AN ACT TO PROVIDE ADDITIONAL
 5 FUNDING FOR SECONDARY VOCATIONAL AND INDUSTRIAL ARTS
 6 PROGRAMS THROUGH THE FOUNDATION PROGRAM; AMENDING SECTION
 7 20-9-313, MCA."
 8

9 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:
 10 Section 1. Section 20-9-313, MCA, is amended to read:
 11 "20-9-313. Circumstances under which the regular
 12 average number belonging may be increased. The average
 13 number belonging of a school for a given school fiscal year,
 14 calculated in accordance with the ANB formula prescribed in
 15 20-9-311, may be increased when:
 16 (1) the opening of a new elementary school or the
 17 reopening of an elementary school has been approved in
 18 accordance with 20-6-502. The average number belonging for
 19 such school shall be established by the county
 20 superintendent and approved, disapproved, or adjusted by the
 21 superintendent of public instruction.
 22 (2) the opening or reopening of a high school or a
 23 branch of the county high school has been approved in
 24 accordance with 20-6-503, 20-6-504, or 20-6-505. The average
 25 number belonging for such high school shall be established

1 by the county superintendent's estimate, after an
 2 investigation of the probable number of pupils that will
 3 attend such high school.

4 (3) a district anticipates an increase in the average
 5 number belonging due to the closing of any private or public
 6 school in the district or a neighboring district. The
 7 estimated increase in average number belonging shall be
 8 established by the trustees and the county superintendent
 9 and approved, disapproved, or adjusted by the superintendent
 10 of public instruction no later than the fourth Monday in
 11 June.

12 (4) a district anticipates an unusual enrollment
 13 increase in the ensuing school fiscal year. The increase in
 14 average number belonging shall be based on estimates of
 15 increased enrollment approved by the superintendent of
 16 public instruction and shall be computed in the manner
 17 prescribed by 20-9-314.

18 (5) for the initial year of operation of a program
 19 established under 20-7-117(1), the ANB to be used for budget
 20 purposes is the same as one-half the number of 5-year-old
 21 children residing in the district as of October 1 of the
 22 preceding school year, either as shown on the official
 23 school census or as determined by some other procedure
 24 approved by the superintendent of public instruction;

25 (6) a special full-time pupil, as defined in 20-9-311,

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 INTRODUCED BILL

1 in a given school year will no longer be considered a
 2 special full-time pupil in the ensuing school year (the
 3 superintendent of public instruction may grant one ANB for
 4 such pupil for the ensuing school year); or

5 (7) a high school district provides early graduation
 6 for any student who completes graduation requirements in
 7 less than eight semesters or the equivalent amount of
 8 secondary school enrollment. The increase shall be
 9 established by the trustees as though the student had
 10 attended to the end of the school year and shall be
 11 approved, disapproved, or adjusted by the superintendent of
 12 public instruction; or

13 ~~(8) a high school district provides vocational or~~
 14 ~~industrial arts programs that have been approved by the~~
 15 ~~board of public education. The increase in average number~~
 16 ~~belonging is computed in the manner prescribed by [section~~
 17 ~~2]."~~

18 NEW SECTION. Section 2. Method of determining
 19 additional average number belonging for approved vocational
 20 education and industrial arts programs. (1) (a) The board
 21 of public education shall place all approved programs of
 22 vocational and industrial arts education into one of five
 23 categories according to the cost of the program. Each
 24 category must carry the following weight:

25

<u>Category</u>	<u>Weight</u>
-----------------	---------------

1 I	1.0
2 II	0.8
3 III	0.6
4 IV	0.4
5 V	0.2

6 (b) To determine the number of full-time equivalent
 7 students in each approved program, the student enrollment of
 8 each class period shall be divided by the number of periods
 9 in the school day.

10 (c) To determine the additional average number
 11 belonging that may be used for budgeting purposes for the
 12 ensuing year under 20-9-313(8), the weight of the program
 13 determined in subsection (1)(a) shall be multiplied by the
 14 number of full-time equivalent students as determined in
 15 subsection (1)(b).

16 (2) Approved industrial arts programs shall receive
 17 50% of the additional funds as determined in subsection (1).

18 (3) The board of public education must determine an
 19 additional number belonging that may be used for budgeting
 20 purposes for the initial year of operation of a new program
 21 offered by a school district.

22 (4) School districts with approved programs must
 23 account for the vocational and industrial arts program
 24 expenditures in a subfund of the general fund of the school
 25 district.

STATE OF MONTANA

REQUEST NO. 224-79

FISCAL NOTE

Form BD-15

In compliance with a written request received February 5, 19 79, there is hereby submitted a Fiscal Note for House Bill 537 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 537 provides additional funding for secondary vocational education through the Foundation Program.

ASSUMPTIONS:

Based on information provided by Board for Vocational Education.

FISCAL IMPACT:

Increased expenditures to the Foundation Program

<u>FY80</u>	<u>FY81</u>
<u>\$2,668,206</u>	<u>\$2,668,206</u>

LOCAL IMPACT:

The proposed legislation reduces local contributions (i.e., voted or permissive levies) by approximately \$1,777,025 per year.

Increased expenditures in the Foundation Program must be funded from the State General Fund or a statewide deficiency levy.

Richard L. Frong
BUDGET DIRECTOR
Office of Budget and Program Planning
Date: 2/9/79

APPROVED BY COMM. ON
EDUCATION & CULTURAL RESOURCES

HOUSE BILL NO. 537

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average number belonging may be increased. The average
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20-9-311, may be increased when:

(1) the opening of a new elementary school or the
reopening of an elementary school has been approved in
accordance with 20-6-502. The average number belonging for
such school shall be established by the county
superintendent and approved, disapproved, or adjusted by the
superintendent of public instruction.

(2) the opening or reopening of a high school or a
branch of the county high school has been approved in
accordance with 20-6-503, 20-6-504, or 20-6-505. The average

number belonging for such high school shall be established
by the county superintendent's estimate, after an
investigation of the probable number of pupils that will
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(3) a district anticipates an increase in the average
number belonging due to the closing of any private or public
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increase in the ensuing school fiscal year. The increase in
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(5) for the initial year of operation of a program
established under 20-7-117(1), the ANB to be used for budget
purposes is the same as one-half the number of 5-year-old
children residing in the district as of October 1 of the
preceding school year, either as shown on the official
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1 (6) a special full-time pupil, as defined in 20-9-311,
 2 in a given school year will no longer be considered a
 3 special full-time pupil in the ensuing school year (the
 4 superintendent of public instruction may grant one ANB for
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 7 for any student who completes graduation requirements in
 8 less than eight semesters or the equivalent amount of
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19 **NEW SECTION.** Section 2. Method of determining
 20 additional average number belonging for approved vocational
 21 education and industrial arts programs. (1) (a) The board
 22 of public education shall place all approved programs of
 23 vocational and industrial arts education into one of five
 24 categories according to the cost of the program. Each
 25 category must carry the following weight:

1	Category	Weight
2	I	0.5
3	II	0.4
4	III	0.3
5	IV	0.2
6	V	0.1

7 (b) To determine the number of full-time equivalent
 8 students in each approved program, the student enrollment of
 9 each class period shall be divided by the number of periods
 10 in the school day.

11 (c) To determine the additional average number
 12 belonging that may be used for budgeting purposes for the
 13 ensuing year under 20-9-313(8), the weight of the program
 14 determined in subsection (1)(a) shall be multiplied by the
 15 number of full-time equivalent students as determined in
 16 subsection (1)(b).

17 (2) Approved industrial arts programs shall receive
 18 50% of the additional funds as determined in subsection (1).

19 (3) The board of public education must determine an
 20 additional number belonging that may be used for budgeting
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 25 expenditures in a subfund of the general fund of the school
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Approved by Comm.
on Appropriations

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 24 categories according to the cost of the program. Each
 25 category must carry the following weight:

1	Category	Weight
2	I	1/5 0.2
3	II	0.8 0.16
4	III	0.6 0.12
5	IV	0.4 0.08
6	V	0.2 0.04

7 (b) To determine the number of full-time equivalent
 8 students in each approved program, the student enrollment of
 9 each class period shall be divided by the number of periods
 10 in the school day.

11 (c) To determine the additional average number
 12 belonging that may be used for budgeting purposes for the
 13 ensuing year under 20-9-313(8), the weight of the program
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 23 vocational and industrial arts education into one of five
 24 categories according to the cost of the program. Each
 25 category must carry the following weight:

1	Category	Weight
2	I	1+0 0.25 0.25
3	II	0+0 0.25 0.25
4	III	0+6 0.25 0.15
5	IV	0+4 0.25 0.1
6	V	0+2 0.25 0.05

7 (b) To determine the number of full-time equivalent
 8 students in each approved program, the student enrollment of
 9 each class period shall be divided by the number of periods
 10 in the school day.

11 (c) To determine the additional average number
 12 belonging that may be used for budgeting purposes for the
 13 ensuing year under 20-9-313(8), the weight of the program
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 15 number of full-time equivalent students as determined in
 16 subsection (1)(b).

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 18 50% of the additional funds as determined in subsection (1).

19 ~~{3}--The--board--of--public-education--must--determine--an~~
 20 ~~additional--number--belonging--that--may--be--used--for--budgeting~~
 21 ~~purposes--for--the--initial--year--of--operation--of--a--new--program~~
 22 ~~offered--by--a--school--districts~~

23 ~~{4}{1}~~ School districts with approved programs must
 24 account for the vocational and industrial arts program
 25 expenditures in a subfund of the general fund of the school
 district.

1 STATEMENT OF INTENT RE: HB 537

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Section 1. Rulemaking authority having been specifically granted under Section 1 of House Bill No. 537, this statement of intent is required by state law.

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Section 2. The appropriation made in House Bill No. 537 shall be allocated by the Office of Superintendent of Public Instruction for secondary vocational education according to rules promulgated by that office. The rules shall provide for the placing of all approved programs of vocational and industrial arts education into one of several categories according to the cost of the program and the assigning of weight to each category to enable an equitable allocation of the appropriation. Additionally, the rules shall require each recipient school district to certify that expenditures for secondary vocational programs in that district will actually increase by the amount granted from the appropriation. Additionally, the rules shall provide for consideration of need of the respective school districts and equity of distribution.

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 7 PROGRAMS ~~THROUGH THE FOUNDATION PROGRAM, AMENDING SECTION~~
 8 ~~20-9-313, MCA."~~

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

11 Refer to Third Reading Bill

12 (Strike everything after the enacting clause and insert:)

13 Section 1. Appropriation. There is appropriated
 14 \$1,500,000 to the office of superintendent of public
 15 instruction for the purpose of providing additional funding
 16 for secondary vocational education. The appropriation shall
 17 be allocated under rules promulgated by the office which
 18 shall require each recipient school district to certify that
 19 expenditures for secondary vocational programs in that
 20 district will increase by the amount granted from this
 21 appropriation.

22 Section 2. Accounting. A school district receiving
 23 funds from this appropriation shall account for all
 24 secondary vocational and industrial arts programs in a
 25 subfund of the general fund of the school district.

-End-

HB 537
REFERENCE BILL

April 11, 1979

SENATE COMMITTEE OF THE WHOLE

That House Bill No. 537, third reading bill, be amended as follows:

1. Page 3, line 16.

Following: line 15

Strike: "board of public education"

Insert: "superintendent of public instruction"

2. Page 3, lines 21 and 22.

Following: "(a)"

Strike: "The board of public education"

Insert: "Superintendent of public instruction"

3. Page 1, line 7.

Following: "PROGRAMS"

Insert: "."

Strike: remainder of line 7 and all of line 8 in their entirety

4. Page 1, line 10.

Following: the enacting clause

Strike: the remainder of the bill and Committee of the Whole Amendments Nos. 1 and 2

Insert: "Section 1. THERE IS A NEW MCA SECTION THAT READS:

'Appropriation. There is appropriated \$1,500,000 to the office of superintendent of public instruction for the purpose of providing additional funding for secondary vocational education. The appropriation shall be allocated under rules promulgated by the office which shall require each recipient school district to certify that expenditures for secondary vocational programs in that district will increase by the amount granted from this appropriation.

Section 2. A school district receiving funds from this appropriation shall account for all secondary vocational and industrial arts programs in a subfund of the general fund of the school district.'"