

HOUSE JOINT RESOLUTION NO. 62

4/17 Introduced
4/17 Referred to Education & Cultural Resources
4/19 Hearing
4/20 Committee Report-Bill Do Pass
4/22 2nd Reading Pass
4/23 3rd Reading Pass

Transmitted to Senate

Died in Committee

1 HOUSE JOINT RESOLUTION NO. 62
 2 INTRODUCED BY *Hannah M. Blain, M. Lightner, J. Williams*
 3 *E. Smith, L. P. Picommed, Park, C. Bailey, S. S. Donaldson*
 4 A JOINT RESOLUTION OF THE SENATE AND THE HOUSE OF
 5 REPRESENTATIVES OF THE STATE OF MONTANA REQUESTING
 6 ASSIGNMENT OF AN INTERIM COMMITTEE TO DEVELOP
 7 RECOMMENDATIONS FOR LEGISLATIVE DETERMINATION OR OVERSIGHT
 8 OF WHAT CONSTITUTES A BASIC EDUCATION.

9
 10 WHEREAS, study of the debates of the Constitutional
 11 Convention discloses that it was intended that the
 12 Legislature was to be free to and expected to set up a
 13 "basic system of free quality public elementary and
 14 secondary" education; and

15 WHEREAS, it was further the intent of the delegates
 16 that when the Legislature had determined what was to be the
 17 basic education, it was free to decide what should be the
 18 state's share of the cost of that education; and

19 WHEREAS, it was the intent that the state's share be
 20 funded and be distributed in an equitable manner; and

21 WHEREAS, the constitutional language and debate seem to
 22 suggest that a "basic quality program" should be defined by
 23 a set of standards or a needs assessment and funded
 24 according to the requirements of the standards or needs
 25 assessment; and

1 WHEREAS, in 1975, the Legislature delegated to the
 2 Board of Public Education the power to define and specify
 3 the "basic instructional program for public schools" and to
 4 set forth such a program in the standards of accreditation
 5 and delegated all other instructional programs to the
 6 discretion of local school boards; and

7 WHEREAS, although the Board of Public Education has set
 8 forth the basic program in the accreditation standards,
 9 there is no formalized link between the required standards
 10 and the Legislature's constitutional obligation to determine
 11 the state share of the cost of a basic education program and
 12 to fund it; and

13 WHEREAS, in each recent legislative session and in a
 14 recent interim study of school finances, the question of the
 15 linkage between funding and required program has arisen,
 16 along with the question of whether the Legislature
 17 recognizes the Board of Public Education's standards of
 18 accreditation as the "basic system of free quality public
 19 elementary and secondary" education mandated by the
 20 constitution; and

21 WHEREAS, the Legislature has not itself defined a basic
 22 education or provided adequate legislative criteria and
 23 oversight; and

24 WHEREAS, it is imperative that the Legislature
 25 seriously approach this issue and prepare itself to define

1 what is a basic education or to accept, with adequate
 2 legislative criteria and oversight, the definition developed
 3 pursuant to delegation to the Board of Public Education and,
 4 in either case, determine what the state's share of the cost
 5 of the system is to be.

6

7 NOW, THEREFORE, BE IT RESOLVED BY THE SENATE AND THE HOUSE
 8 OF REPRESENTATIVES OF THE STATE OF MONTANA:

9 (1) That an appropriate interim committee be assigned
 10 to develop recommendations for legislative determination or
 11 oversight of what constitutes a basic education and methods
 12 for determination of what the state's share of the cost of a
 13 basic education ought to be.

14 (2) That the committee in its study:

15 (a) evaluate the intent of the constitutional
 16 language;

17 (b) review existing accreditation standards and
 18 evaluate the cost implications of the standards;

19 (c) (i) consider options for legislative adoption of a
 20 definition of a basic education; or

21 (ii) means for adopting specific legislative criteria
 22 for and oversight of policies of the Board of Public
 23 Education;

24 (d) consider how to identify the state's share of the
 25 basic program; and

1 (e) consider methods and advantages, if any, of
 2 assigning a duty of submitting a foundation program budget
 3 based on a defined program for legislative consideration.
 4 (3) That the committee report its findings and
 5 recommendations to the 50th Legislature.

-End-

APPROVED BY COMM. ON EDUCATION AND CULTURAL RESOURCES

1 HOUSE JOINT RESOLUTION NO. 62
2 INTRODUCED BY Hannah M. Glass, McMillan, Williams
3 E. Smith, L. P. Pinsonneault, Park, Libbey, Sands, Donaldson

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 5 recommendations to the 50th Legislature.

-End-

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 2 INTRODUCED BY *Hannah*
 3 *E. Smith* *L.P. P.* *Parsons* *Park* *Liberty* *Sands* *Donelson*

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