

HOUSE BILL NO. 344

INTRODUCED BY NISBET, MCCORMICK, O'CONNELL, CODY,
WYATT, PHILLIPS, STRIZICH,
GOOD, WALKER, SIMPKINS, MANNING

IN THE HOUSE

JANUARY 21, 1989	INTRODUCED AND REFERRED TO COMMITTEE ON EDUCATION & CULTURAL RESOURCES.
JANUARY 23, 1989	FIRST READING.
FEBRUARY 9, 1989	COMMITTEE RECOMMEND BILL DO PASS AS AMENDED. REPORT ADOPTED.
FEBRUARY 10, 1989	PRINTING REPORT.
FEBRUARY 11, 1989	SECOND READING, DO PASS.
FEBRUARY 13, 1989	ENGROSSING REPORT.
FEBRUARY 14, 1989	THIRD READING, PASSED. AYES, 97; NOES, 0.
	TRANSMITTED TO SENATE.

IN THE SENATE

FEBRUARY 15, 1989	INTRODUCED AND REFERRED TO COMMITTEE ON EDUCATION & CULTURAL RESOURCES.
	FIRST READING.
MARCH 14, 1989	COMMITTEE RECOMMEND BILL BE CONCURRED IN. REPORT ADOPTED.
MARCH 15, 1989	SECOND READING, CONCURRED IN.
MARCH 17, 1989	THIRD READING, CONCURRED IN. AYES, 47; NOES, 0.
	RETURNED TO HOUSE.

MARCH 18, 1989

IN THE HOUSE

RECEIVED FROM SENATE.

SENT TO ENROLLING.

REPORTED CORRECTLY ENROLLED.

1 *House* BILL NO. *344*
 2 INTRODUCED BY *Night-Mechanical O'Connell Co.*
 3 *Walter Allen Jr. J.D. Walker Lemkins Ricketts*
 4 A BILL FOR AN ACT ENTITLED: "AN ACT GENERALLY REVISING THE
 5 LAW RELATING TO THE MONTANA SCHOOL FOR THE DEAF AND BLIND;
 6 EXPANDING THE OBJECTS AND PURPOSES OF THE SCHOOL; ALLOWING
 7 THE BOARD OF PUBLIC EDUCATION GREATER DISCRETION IN HIRING A
 8 SUPERINTENDENT; ALLOWING THE BOARD OF PUBLIC EDUCATION
 9 GREATER DISCRETION IN SETTING THE NUMBER OF STUDENT TRIPS
 10 HOME AT SCHOOL EXPENSE DURING A SCHOOL YEAR; AND AMENDING
 11 SECTIONS 20-8-102, 20-8-103, AND 20-8-121, MCA."

12
 13 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:

14 **Section 1.** Section 20-8-102, MCA, is amended to read:

15 "20-8-102. Objects and purposes. The Montana school
 16 for the deaf and blind shall-be is a residential and
 17 boarding day school for children and adolescents who are
 18 deaf or blind or whose hearing or sight is so defective that
 19 they cannot be successfully taught and ~~for such--reason~~ are
 20 unable to receive a sufficient or proper education in the
 21 public schools of the state. The school shall serve as a
 22 consultative resource for parents of hearing impaired and
 23 visually impaired children not yet enrolled in an
 24 educational program and for public schools of the state
 25 where hearing impaired or visually impaired children are

1 enrolled. The object and purpose of such the school shall-be
 2 is to furnish and provide, by the use of specialized methods
 3 and systems, an ordinary--public-school education for the
 4 hearing impaired and visually impaired children of this
 5 state that is commensurate with the education provided to
 6 nonhandicapped children in the public schools and to--teach
 7 such--trades--and--vocations--as that will enable children
 8 attending being served by such the school to become
 9 independent and self-sustaining citizens. Increased--and
 10 additional-facilities-shall-be-provided-from--time--to--time
 11 for--the--more-thorough-and-successful-training-of-those-who
 12 show-a-special-aptitude--for--becoming--proficient--at--such
 13 trades---or--vocations;--in--the--interest--of--economy--and
 14 increased--opportunities--for---vocational---education---and
 15 training--and-in-order-that-pupils-may-be-practically-taught
 16 such-trades-and-vocations;--so--much--of--all--carpentering,
 17 printing;--painting;--baking;--sewing;--and-other-or-similar
 18 work-necessary-to-be-done-for-and-in-and-about--the--school;
 19 as--the--superintendent--of--the--school-may-deem-practical;
 20 shall-be-done-by-such-pupils-under--competent--teachers--and
 21 specialists--employed-for-such-purpose;--and-this-requirement
 22 shall-apply-to-both-male-and-female-pupils;--"

23 **Section 2.** Section 20-8-103, MCA, is amended to read:

24 "20-8-103. Board of public education rules. The board
 25 of public education shall adopt and prescribe such rules as

the board ~~may--deem~~ considers necessary and proper for the maintenance and government of the school, the admission of children ~~thereto~~ in conformity with the provisions of this chapter, and the qualifications and compensation of the superintendent and teaching staff of the school, provided that ~~said~~ the superintendent must have a ready and working knowledge of the sign language ~~and-must-have-taught-3-or-more-years-in-a-school-for-the-deaf.~~"

Section 3. Section 20-8-121, MCA, is amended to read:

"20-8-121. Transportation of students at school. (1)

The school for the deaf and blind shall provide the transportation expenses allowed in subsection (4) for a residential ~~and-boarding~~ student at the school for the deaf and blind who is a resident of the state of Montana if the student is conveyed to and from the student's residence by:

(a) a scheduled air carrier as defined in 67-1-101;

(b) charter with a commercial air operator as defined in 67-1-101;

(c) a parent or guardian of the student, under an individual transportation contract with the school for the deaf and blind; or

(d) other transportation arrangements, provided that ~~such~~ the transportation is by a carrier of passengers certified by the public service commission and approved by the superintendent of the school for the deaf and blind,

pursuant to rules adopted by the board of public education.

(2) The superintendent of the school for the deaf and blind shall determine which method of transportation in subsection (1) is to be provided to a student, pursuant to rules adopted by the board of public education on transportation of residential and boarding students at the school.

(3) A parent or guardian who transports a student to or from the school under an individual transportation contract is entitled to reimbursement for such transportation, pursuant to rules adopted by the board of public education on such reimbursement.

(4) The transportation of a residential ~~and-boarding~~ student provided in subsection (1) is limited to ~~one-round trip-to-the-student's-residence-each-month-during-such-times as-the-school-is-in-session~~ the number of round trips to the student's residence as specified in the school calendar approved by the board of public education. The superintendent of the school for the deaf and blind may grant a variance from this provision, but in no event may a reimbursement for travel expenses be provided ~~more-than-nine times for travel in excess of the total number of trips~~ approved in any school fiscal year."

-End-

APPROVED BY COMM. ON EDUCATION
AND CULTURAL RESOURCES

HOUSE BILL NO. 344

INTRODUCED BY NISBET, MCCORMICK, O'CONNELL, CODY,

WYATT, PHILLIPS, STRIZICH,

GOOD, WALKER, SIMPKINS, MANNING

A BILL FOR AN ACT ENTITLED: "AN ACT GENERALLY REVISING THE LAW RELATING TO THE MONTANA SCHOOL FOR THE DEAF AND BLIND; EXPANDING THE OBJECTS AND PURPOSES OF THE SCHOOL; ALLOWING THE BOARD OF PUBLIC EDUCATION GREATER DISCRETION IN HIRING A SUPERINTENDENT; ALLOWING THE BOARD OF PUBLIC EDUCATION GREATER DISCRETION IN SETTING THE NUMBER OF STUDENT TRIPS HOME AT SCHOOL EXPENSE DURING A SCHOOL YEAR; AND AMENDING SECTIONS 20-8-102, 20-8-103, AND 20-8-121, MCA."

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

Section 1. Section 20-8-102, MCA, is amended to read:

"20-8-102. **Objects and purposes.** The Montana school for the deaf and blind ~~shall be~~ is a residential and boarding day school for children and adolescents who are deaf or blind or whose hearing or sight is so defective that they cannot be successfully taught and ~~for such reason~~ are unable to receive a sufficient or proper education in the public schools of the state. The school shall serve as a consultative resource for parents of hearing impaired and visually impaired children not yet enrolled in an

educational program and for public schools of the state where hearing impaired or visually impaired children are enrolled. The object and purpose of such the school shall be is to furnish and provide, by the use of specialized methods and systems, an ~~ordinary--public-school~~ education for the hearing impaired and visually impaired children of this state that is commensurate with the education provided to nonhandicapped children in the public schools and to--teach such--trades--and--vocations--as that will enable children attending being served by such the school to become independent and self-sustaining citizens. ~~Increased--and additional facilities shall be provided from--time--to--time for--the--more--thorough--and--successful--training--of--those--who show--a--special--aptitude--for--becoming--proficient--at--such trades---or--vocations---in--the--interest--of--economy--and increased--opportunities--for--vocational--education--and training--and--in--order--that--pupils--may--be--practically--taught such--trades--and--vocations,--so--much--of--all--carpentering, printing,--painting,--baking,--sewing,--and--other--or--similar work--necessary--to--be--done--for--and--in--and--about--the--school, as--the--superintendent--of--the--school--may--deem--practical, shall--be--done--by--such--pupils--under--competent--teachers--and specialists--employed--for--such--purpose,--and--this--requirement shall--apply--to--both--male--and--female--pupils--.~~"

Section 2. Section 20-8-103, MCA, is amended to read:

"20-8-103. Board of public education rules. The board of public education shall adopt and prescribe such rules as the board ~~may--deem~~ considers necessary and proper for the maintenance and government of the school, the admission of children ~~thereto~~ in conformity with the provisions of this chapter, and the qualifications and compensation of the superintendent and teaching staff of the school, provided that ~~said~~ the superintendent must have a ready and working knowledge of the sign language ~~and-must-have-taught-3-or-more-years-in-a-school-for-the-deaf.~~"

Section 3. Section 20-8-121, MCA, is amended to read:

"20-8-121. Transportation of students at school. (1) The school for the deaf and blind shall provide the transportation expenses allowed in subsection (4) for a residential ~~and-boarding~~ student at the school for the deaf and blind who is a resident of the state of Montana if the student is conveyed to and from the student's residence by:

(a) a scheduled air carrier as defined in 67-1-101;

(b) charter with a commercial air operator as defined in 67-1-101;

(c) a parent or guardian of the student, under an individual transportation contract with the school for the deaf and blind; or

(d) other transportation arrangements, provided that ~~such~~ the transportation is by a carrier of passengers

certified by the public service commission and approved by the superintendent of the school for the deaf and blind, pursuant to rules adopted by the board of public education.

(2) The superintendent of the school for the deaf and blind shall determine which method of transportation in subsection (1) is to be provided to a student, pursuant to rules adopted by the board of public education on transportation of residential and boarding students at the school.

(3) A parent or guardian who transports a student to or from the school under an individual transportation contract is entitled to reimbursement for such transportation, pursuant to rules adopted by the board of public education on ~~such~~ reimbursement.

(4) The transportation of a residential ~~and--boarding~~ student provided in subsection (1) is limited to ~~one-round trip-to-the-student's-residence-each-month-during-such-times as-the-school-is-in-session~~ the number of round trips to the student's residence as specified in the school calendar approved by the board of public education. The superintendent of the school for the deaf and blind may grant a variance from this provision, but in no event may a reimbursement for travel expenses be provided ~~more-than-nine times for travel in excess of the total number of trips~~ approved in any school fiscal year."

1 NEW SECTION. SECTION 4. EXTENSION OF AUTHORITY. ANY
2 EXISTING AUTHORITY TO MAKE RULES ON THE SUBJECT OF THE
3 PROVISIONS OF [THIS ACT] IS EXTENDED TO THE PROVISIONS OF
4 [THIS ACT].

-End-

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

Section 1. Section 20-8-102, MCA, is amended to read:

"20-8-102. Objects and purposes. The Montana school for the deaf and blind ~~shall be~~ is a residential and boarding day school for children and adolescents who are deaf or blind or whose hearing or sight is so defective that they cannot be successfully taught and ~~for such reason~~ are unable to receive a sufficient or proper education in the public schools of the state. The school shall serve as a consultative resource for parents of hearing impaired and visually impaired children not yet enrolled in an

educational program and for public schools of the state where hearing impaired or visually impaired children are enrolled. The object and purpose of such the school shall be is to furnish and provide, by the use of specialized methods and systems, an ~~ordinary public school~~ education for the hearing impaired and visually impaired children of this state that is commensurate with the education provided to nonhandicapped children in the public schools and to teach such trades and vocations as that will enable children attending being served by such the school to become independent and self-sustaining citizens. ~~Increased and additional facilities shall be provided from time to time for the more thorough and successful training of those who show a special aptitude for becoming proficient at such trades or vocations in the interest of economy and increased opportunities for vocational education and training and in order that pupils may be practically taught such trades and vocations so much of all carpentering, printing, painting, baking, sewing, and other or similar work necessary to be done for and in and about the school, as the superintendent of the school may deem practical, shall be done by such pupils under competent teachers and specialists employed for such purpose, and this requirement shall apply to both male and female pupils."~~

Section 2. Section 20-8-103, MCA, is amended to read:

1 **"20-8-103. Board of public education rules.** The board
 2 of public education shall adopt and prescribe ~~such~~ rules as
 3 the board ~~may--deem~~ considers necessary and proper for the
 4 maintenance and government of the school, the admission of
 5 children ~~thereto~~ in conformity with the provisions of this
 6 chapter, and the qualifications and compensation of the
 7 superintendent and teaching staff of the school, provided
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4 (2) The superintendent of the school for the deaf and
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 11 or from the school under an individual transportation
 12 contract is entitled to reimbursement for ~~such~~
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15 (4) The transportation of a residential ~~and--boarding~~
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7 superintendent and teaching staff of the school, provided
8 that ~~said the~~ superintendent must have a ready and working
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4 (2) The superintendent of the school for the deaf and
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11 or from the school under an individual transportation
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15 (4) The transportation of a residential ~~and--boarding~~
16 student provided in subsection (1) is limited to ~~one-round~~
17 ~~trip-to-the-student's-residence-each-month-during-such-times~~
18 ~~as-the-school-is-in-session~~ the number of round trips to the
19 student's residence as specified in the school calendar
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