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Senate BILL NO. 285

INTRODUCED BY BENEDICT

A BILL FOR AN ACT ENTITLED: "AN ACT REVISING ADULT EDUCATION AND ADULT BASIC EDUCATION LAWS; ALLOWING COMMUNITY ORGANIZATIONS TO APPLY FOR ADULT BASIC EDUCATION FUNDING FROM THE STATE; ALLOWING COUNTY ADULT LITERACY FUNDING FOR PERSONS WHO ARE 16 YEARS OF AGE OR OLDER AND NOT ATTENDING SCHOOL; AND AMENDING SECTIONS 20-7-701, 20-7-712, AND 20-7-714, MCA."

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

Section 1. Section 20-7-701, MCA, is amended to read:

"20-7-701. ~~Definition of adult basic education and adult education~~ Definitions. As used in this title, unless the context clearly indicates otherwise, the following definitions apply:

(1) "Adult basic education" means instruction in basic skills, such as reading, writing, arithmetic, and other skills required to function in society, offered to persons 16 years of age or older who are not regularly enrolled, full-time pupils for the purposes of ANB computation. Adult basic education may include any subject normally offered in the basic curricula of an accredited elementary or secondary school in the state.

(2) "Adult education" means the instruction of persons 16 years of age or older who are not regularly enrolled, full-time pupils for the purposes of ANB computation.

(3) "Community school program" means a program in which a public building, including but not limited to a public school or a community or junior college, is used as a community center operated in conjunction with community organizations, local governmental agencies, or other groups in the community to provide educational, recreational, cultural, and other related community services for the community that the center serves in accordance with the needs, interests, and concerns of that community.

(4) "Community-based organization" means a private nonprofit organization that is representative of a community or significant segments of a community and that provides education, vocational education or rehabilitation, job training, or internship services and programs. The term includes neighborhood groups and organizations, community action agencies, community development corporations, union-related

1 organizations, employer-related organizations, tribal governments, and organizations serving Indians."

2
3 **Section 2.** Section 20-7-712, MCA, is amended to read:

4 **"20-7-712. Adult basic education fund and its distribution.** (1) To encourage adult basic education,
5 the legislature may appropriate funds to the superintendent of public instruction for the support of adult
6 basic education programs ~~in~~ provided by any school, or community college district, community school
7 program, or community-based organization.

8 (2) The superintendent of public instruction shall direct the distribution of funds appropriated by
9 the legislature for adult basic education. The trustees of any district or the governing board of a community
10 school program or a community-based organization may apply to the superintendent for funds for its adult
11 basic education courses. The financial administration and accounting of adult basic education funds ~~shall~~
12 must be the same as that of adult education."

13
14 **Section 3.** Section 20-7-714, MCA, is amended to read:

15 **"20-7-714. County adult literacy programs -- authorization to levy tax and establish fund.** (1) (a)
16 The governing body of a county may, in its discretion, establish a fund and levy up to 1 mill on each dollar
17 of taxable property in the county for the support of county literacy programs that give first priority to
18 providing direct instruction to adults. The tax levy is in addition to all other tax levies and is subject to
19 limitations on property taxes set forth in 15-10-402.

20 (b) The fund may be used only for the support of adult literacy programs within the county.

21 (2) (a) If a county levies a property tax for adult literacy programs, the county governing body shall
22 appoint a county adult literacy board to administer the expenditure of funds from the county adult literacy
23 fund established in subsection (1).

24 (b) The county adult literacy board shall coordinate all adult literacy programs receiving county
25 adult literacy funds. The board may adopt policies concerning program standards and financial
26 accountability for organizations receiving adult literacy funds. The board may require that adult literacy
27 programs match adult literacy funds with federal, state, or private money. The board may, with the
28 concurrence of the appropriate county officials, arrange for county in-kind services to support adult literacy
29 programs.

30 (c) County adult literacy funding may be expended only on literacy programs for persons who are

1 ~~at least 18 years of age and whose high school class has graduated~~ 16 years of age or older and who are
2 not regularly enrolled, full-time pupils for the purposes of ANB computation."

3

4 **NEW SECTION. Section 4. Notification to tribal governments.** The secretary of state shall send
5 a copy of [this act] to each tribal government located on the seven Montana reservations and to the Little
6 Shell band of Chippewa.

7

-END-

SENATE BILL NO. 285

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~~(2) "Adult education" means the instruction of persons 16 years of age or older who are not regularly enrolled, full-time pupils for the purposes of ANB computation.~~

~~(3) "Community school program" means a program in which a public building, including but not limited to a public school or a community or junior college, is used as a community center operated in conjunction with community organizations, local governmental agencies, or other groups in the community to provide educational, recreational, cultural, and other related community services for the community that the center serves in accordance with the needs, interests, and concerns of that community.~~

~~(4) "Community based organization" means a private nonprofit organization that is representative of a community or significant segments of a community and that provides education, vocational education or rehabilitation, job training, or internship services and programs. The term includes neighborhood groups and organizations, community action agencies, community development corporations, union related~~

1 ~~organizations, employer-related organizations, tribal governments, and organizations serving Indians."~~

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3 **Section 2.** Section 20-7-712, MCA, is amended to read:

4 ~~"20-7-712. **Adult basic education fund and its distribution.** (1) To encourage adult basic education,~~
 5 ~~the legislature may appropriate funds to the superintendent of public instruction for the support of adult~~
 6 ~~basic education programs in provided by any school, or community college district, community school~~
 7 ~~program, or community based organization.~~

8 ~~(2) The superintendent of public instruction shall direct the distribution of funds appropriated by~~
 9 ~~the legislature for adult basic education. The trustees of any district or the governing board of a community~~
 10 ~~school program or a community based organization may apply to the superintendent for funds for its adult~~
 11 ~~basic education courses. The financial administration and accounting of adult basic education funds shall~~
 12 ~~must be the same as that of adult education."~~

13

14 **Section 1.** Section 20-7-714, MCA, is amended to read:

15 **"20-7-714. County adult literacy programs -- authorization to levy tax and establish fund.** (1) (a)
 16 The governing body of a county may, in its discretion, establish a fund and levy up to 1 mill on each dollar
 17 of taxable property in the county for the support of county literacy programs that give first priority to
 18 providing direct instruction to adults. The tax levy is in addition to all other tax levies and is subject to
 19 limitations on property taxes set forth in 15-10-402.

20 (b) The fund may be used only for the support of adult literacy programs within the county.

21 (2) (a) If a county levies a property tax for adult literacy programs, the county governing body shall
 22 appoint a county adult literacy board to administer the expenditure of funds from the county adult literacy
 23 fund established in subsection (1).

24 (b) The county adult literacy board shall coordinate all adult literacy programs receiving county
 25 adult literacy funds. The board may adopt policies concerning program standards and financial
 26 accountability for organizations receiving adult literacy funds. The board may require that adult literacy
 27 programs match adult literacy funds with federal, state, or private money. The board may, with the
 28 concurrence of the appropriate county officials, arrange for county in-kind services to support adult literacy
 29 programs.

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2 not regularly enrolled, full-time pupils for the purposes of ANB computation."

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4 ~~NEW SECTION. Section 4. Notification to tribal governments.~~ The secretary of state shall send
5 a copy of [this act] to each tribal government located on the seven Montana reservations and to the Little
6 Shell band of Chippewa.

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~~(2) "Adult education" means the instruction of persons 16 years of age or older who are not regularly enrolled, full-time pupils for the purposes of ANB computation.~~

~~(3) "Community school program" means a program in which a public building, including but not limited to a public school or a community or junior college, is used as a community center operated in conjunction with community organizations, local governmental agencies, or other groups in the community to provide educational, recreational, cultural, and other related community services for the community that the center serves in accordance with the needs, interests, and concerns of that community.~~

~~(4) "Community based organization" means a private nonprofit organization that is representative of a community or significant segments of a community and that provides education, vocational education or rehabilitation, job training, or internship services and programs. The term includes neighborhood groups and organizations, community action agencies, community development corporations, union related~~

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4 ~~"20-7-712. Adult basic education fund and its distribution. (1) To encourage adult basic education,~~
5 ~~the legislature may appropriate funds to the superintendent of public instruction for the support of adult~~
6 ~~basic education programs in provided by any school, or community college district, community school~~
7 ~~program, or community based organization.~~

8 ~~(2) The superintendent of public instruction shall direct the distribution of funds appropriated by~~
9 ~~the legislature for adult basic education. The trustees of any district or the governing board of a community~~
10 ~~school program or a community based organization may apply to the superintendent for funds for its adult~~
11 ~~basic education courses. The financial administration and accounting of adult basic education funds shall~~
12 ~~must be the same as that of adult education."~~

13
14 **Section 1. Section 20-7-714, MCA, is amended to read:**

15 **"20-7-714. County adult literacy programs -- authorization to levy tax and establish fund. (1) (a)**

16 The governing body of a county may, in its discretion, establish a fund and levy up to 1 mill on each dollar
17 of taxable property in the county for the support of county literacy programs that give first priority to
18 providing direct instruction to adults. The tax levy is in addition to all other tax levies and is subject to
19 limitations on property taxes set forth in 15-10-402.

20 (b) The fund may be used only for the support of adult literacy programs within the county.

21 (2) (a) If a county levies a property tax for adult literacy programs, the county governing body shall
22 appoint a county adult literacy board to administer the expenditure of funds from the county adult literacy
23 fund established in subsection (1).

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25 adult literacy funds. The board may adopt policies concerning program standards and financial
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27 programs match adult literacy funds with federal, state, or private money. The board may, with the
28 concurrence of the appropriate county officials, arrange for county in-kind services to support adult literacy
29 programs.

30 (c) County adult literacy funding may be expended only on literacy programs for persons who are

1 ~~at least 19 years of age and whose high school class has graduated~~ 16 years of age or older and who are
2 not regularly enrolled, full-time pupils for the purposes of ANB computation."

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4 NEW SECTION. Section 4. Notification to tribal governments. ~~The secretary of state shall send~~
5 ~~a copy of [this act] to each tribal government located on the seven Montana reservations and to the Little~~
6 ~~Shell band of Chippewa.~~

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~~(2) "Adult education" means the instruction of persons 16 years of age or older who are not regularly enrolled, full-time pupils for the purposes of ANB computation.~~

~~(3) "Community school program" means a program in which a public building, including but not limited to a public school or a community or junior college, is used as a community center operated in conjunction with community organizations, local governmental agencies, or other groups in the community to provide educational, recreational, cultural, and other related community services for the community that the center serves in accordance with the needs, interests, and concerns of that community.~~

~~(4) "Community based organization" means a private nonprofit organization that is representative of a community or significant segments of a community and that provides education, vocational education or rehabilitation, job training, or internship services and programs. The term includes neighborhood groups and organizations, community action agencies, community development corporations, union related~~

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4 ~~"20-7-712. Adult basic education fund and its distribution. (1) To encourage adult basic education,~~
5 ~~the legislature may appropriate funds to the superintendent of public instruction for the support of adult~~
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7 ~~program, or community based organization.~~

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15 **"20-7-714. County adult literacy programs -- authorization to levy tax and establish fund. (1) (a)**
16 **The governing body of a county may, in its discretion, establish a fund and levy up to 1 mill on each dollar**
17 **of taxable property in the county for the support of county literacy programs that give first priority to**
18 **providing direct instruction to adults. The tax levy is in addition to all other tax levies and is subject to**
19 **limitations on property taxes set forth in 15-10-402.**

20 **(b) The fund may be used only for the support of adult literacy programs within the county.**

21 **(2) (a) If a county levies a property tax for adult literacy programs, the county governing body shall**
22 **appoint a county adult literacy board to administer the expenditure of funds from the county adult literacy**
23 **fund established in subsection (1).**

24 **(b) The county adult literacy board shall coordinate all adult literacy programs receiving county**
25 **adult literacy funds. The board may adopt policies concerning program standards and financial**
26 **accountability for organizations receiving adult literacy funds. The board may require that adult literacy**
27 **programs match adult literacy funds with federal, state, or private money. The board may, with the**
28 **concurrence of the appropriate county officials, arrange for county in-kind services to support adult literacy**
29 **programs.**

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~~(2) The superintendent of public instruction shall direct the distribution of funds appropriated by the legislature for adult basic education. The trustees of any district or the governing board of a community school program or a community based organization may apply to the superintendent for funds for its adult basic education courses. The financial administration and accounting of adult basic education funds shall must be the same as that of adult education."~~

Section 1. Section 20-7-714, MCA, is amended to read:

"20-7-714. County adult literacy programs -- authorization to levy tax and establish fund. (1) (a)

The governing body of a county may, in its discretion, establish a fund and levy up to 1 mill on each dollar of taxable property in the county for the support of county literacy programs that give first priority to providing direct instruction to adults. The tax levy is in addition to all other tax levies and is subject to limitations on property taxes set forth in 15-10-402.

(b) The fund may be used only for the support of adult literacy programs within the county.

(2) (a) If a county levies a property tax for adult literacy programs, the county governing body shall appoint a county adult literacy board to administer the expenditure of funds from the county adult literacy fund established in subsection (1).

(b) The county adult literacy board shall coordinate all adult literacy programs receiving county adult literacy funds. The board may adopt policies concerning program standards and financial accountability for organizations receiving adult literacy funds. The board may require that adult literacy programs match adult literacy funds with federal, state, or private money. The board may, with the concurrence of the appropriate county officials, arrange for county in-kind services to support adult literacy programs.

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