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EXHIBIT 4DATE 1-25-05HB 311

2005 Montana Legislature

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HOUSE BILL NO. 311

INTRODUCED BY B. GLASER

A BILL FOR AN ACT ENTITLED: "AN ACT DEFINING "BASIC SYSTEM OF FREE QUALITY PUBLIC ELEMENTARY AND SECONDARY SCHOOLS" AS REQUIRED BY ARTICLE X, SECTION 1(3), OF THE MONTANA CONSTITUTION; AMENDING SECTION 20-9-307, MCA; AND PROVIDING AN EFFECTIVE DATE AND AN APPLICABILITY DATE."

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

Section 1. Section 20-9-307, MCA, is amended to read:

"20-9-307. BASE funding program -- district general fund budget -- funding sources. (1) A Pursuant to Article X, section 1(3), of the Montana constitution, the legislature is required to establish and maintain a basic system of free quality public elementary and secondary schools and high schools must be established and maintained throughout the state of Montana to provide equality of educational opportunity to all school-age children.

(2) As used in this section, "basic system of free quality public elementary and secondary schools" means enabling students to:

- (a) find joy in learning;
- (b) communicate their ideas, knowledge, thoughts, and feelings;
- (c) learn who they are becoming;
- (d) develop personal responsibility;
- (e) reason critically and creatively;
- (f) affect a world in change;
- (g) assume social responsibility; and
- (h) further their creative ability.

~~(2)~~(3) The state shall assess the cost of the basic system of free quality public elementary and secondary schools and shall, in an equitable manner and based on educationally relevant factors established by the legislature, fund and distribute to the school districts the state's share of the cost of the basic ~~school~~ system of free quality public elementary and secondary schools through BASE aid to support the BASE funding program in the manner established in this title.

~~(3)~~(4) The budgetary vehicle for achieving the financing system established in subsection ~~(2)~~ (3) is the general fund budget of the school district. The purpose of the district general fund budget is to finance ~~these instructional, administrative, facility maintenance, and other operational~~ the costs of the basic system of free quality public elementary and secondary schools, including annual inflation-related adjustments provided for in 20-9-326, of a district not financed by other funds established for special purposes in this title.

~~(4)~~(5) The BASE funding program for the districts in the state is financed by a combination of the following sources:

- (a) county equalization money, as provided in 20-9-331 and 20-9-333;
- (b) state equalization aid, as provided in 20-9-343, including guaranteed tax base aid for eligible districts as provided in 20-9-366 through 20-9-369;
- (c) appropriations for special education;
- (d) a district levy, as provided in 20-9-303, for support of a school not approved as an isolated school under the provisions of 20-9-302; and
- (e) district levies or other revenue, as provided by 20-9-308 and 20-9-353."

NEW SECTION. Section 2. Effective date -- applicability. [This act] is effective July 1, 2005, and applies to the school fiscal years beginning on or after July 1, 2006.

- END -

Latest Version of HB 311 (HB0311.01)

Processed for the Web on January 14, 2005 (4:50pm)

New language in a bill appears underlined, deleted material appears stricken.

Sponsor names are handwritten on introduced bills, hence do not appear on the bill until it is reprinted.

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Prepared by Montana Legislative Services

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CONTENT AND PERFORMANCE STANDARDS

General Provisions

10.54.2501 EXPLANATION OF THE CONTENT AND PERFORMANCE STANDARDS (1) The content and performance standards shall be used by school districts to develop local curriculum and assessment in all the content areas including: communication arts (reading, English language, second language, literature, writing, listening, speaking); fine arts; guidance; health enhancement; library media; mathematics; media; science; social studies; technology; and vocational/practical arts. The K-12 content standards describe what students shall know, understand and be able to do in these content areas. Benchmarks define the expectations for students' knowledge, skills, and abilities along a developmental continuum in each content area. Progress toward meeting these standards is measured at three points along that continuum: the end of grade 4, the end of grade 8, and upon graduation. Performance standards explicitly define the quality of student performance and describe the performance to be demonstrated. Performance level descriptions provide a picture or profile of student achievement at the four performance levels: advanced, proficient, nearing proficiency, and novice.

10.54.2502 DEFINITIONS (1) "Benchmark" means expectations for a student's knowledge, skills, and abilities along a developmental continuum in each content area. That continuum is focused at three points: the end of grade 4, the end of grade 8, and upon graduation (grade 12).

(2) "Content standard" means what a student should know, understand, and be able to do in a specific content area, such as reading, mathematics, or social studies.

(3) "Performance level" means the level of achievement in broad, general terms.

(a) "Advanced level" means superior performance;

(b) "Proficient level" means solid academic performance for each benchmark, reaching levels of demonstrated competency over challenging subject matter, including subject-matter knowledge, application of such knowledge to real-world situations, and analytical skills appropriate to the subject matter;

(c) "Nearing proficiency level" means a student has partial mastery of the prerequisite knowledge and skills fundamental for proficient work at each benchmark; and

(d) "Novice level" means a student is beginning to attain the prerequisite knowledge and skills that are fundamental for work at each benchmark.

(4) "Performance standard" means the specific expectations for performance in each content area at each of the three benchmarks. Performance standards explicitly define the quality of performance and describe the performance to be demonstrated.

10.54.2503 STANDARDS REVIEW SCHEDULE (1) Montana's content and performance standards shall be reviewed and revised on a five-year cycle beginning July 1, 2005.

(2) A schedule for review of specific programs shall be established as a collaborative process with the office of public instruction and the board of public education with input from representatives of accredited schools. The schedule shall ensure that each program area is reviewed and revised at intervals not exceeding five years.

(3) The standards review process shall use context information, criteria, processes, and procedures identified by the office of public instruction with input from representatives of accredited schools.

Arts Content and Performance Standards

Arts have intrinsic value. They cultivate the whole child, building many kinds of literacy while developing intuition, reasoning, creativity, imagination, and dexterity into diverse forms of expression and communication. The Arts enable students to make decisions and seek multiple solutions. They improve perception, reflection, and creative thought. They advance higher order thinking skills of analysis, synthesis and evaluation. The Arts provide powerful tools for understanding human experiences and cultures—past, present and future.

Arts education engages students in a creative process that helps them develop the self-motivation, discipline, cooperation and self-esteem necessary for success in life.

The Arts consists of Dance, Music, Theatre and Visual Arts. The content and performance standards for the Arts describe what all Montana students should know and be able to do in the Arts. Although literary arts are generally considered a part of the Arts, standards for the literary arts are integrated throughout the Communication Arts.

10.54.2801 through 10.54.2809 reserved

10.54.2810 ARTS CONTENT STANDARD 1 (1) To satisfy the requirements of arts content standard 1, a student must create, perform/exhibit, and respond in the arts.

10.54.2811 BENCHMARK FOR ARTS CONTENT STANDARD 1 FOR END OF GRADE 4 (1) The benchmark for arts content standard 1 for a student at the end of grade 4 is the ability to:

- (a) identify his/her own ideas and images based on themes, symbols, events, and personal experiences;
- (b) use a variety of materials and sources to experiment with an art form;
- (c) present his/her own work and works of others;
- (d) collaborate with others in the creative process; and
- (e) describe how a variety of materials, techniques, and processes cause different responses.

10.54.2812 BENCHMARK FOR ARTS CONTENT STANDARD 1 FOR END OF GRADE 8 (1) The benchmark for arts content standard 1 for a student at the end of grade 8 is the ability to:

- (a) create a work from his/her own ideas and images based on themes, symbols, events, and personal experiences;
- (b) select a variety of materials and sources to demonstrate a specific art form;
- (c) prepare and/or revise works for presentation;
- (d) collaborate with others to make artistic choices; and
- (e) describe and analyze artistic choices in his/her own work and works of others.

10.54.2813 BENCHMARK FOR ARTS CONTENT STANDARD 1 UPON GRADUATION (1) The benchmark for arts content standard 1 for a student upon graduation is the ability to:

- (a) conceive and create works of art;
- (b) demonstrate imagination and technical skill in a minimum of one art form using traditional and nontraditional resources;
- (c) select or adapt the elements of a presentational style;
- (d) apply artistic discipline (e.g., concentration, focus) to complete a collaborative work; and
- (e) articulate meaning by describing and analyzing artistic choices in his/her own work and works of others.

10.54.2814 through 10.54.2819 reserved

10.54.2820 ARTS CONTENT STANDARD 2 (1) To satisfy the requirements of arts content standard 2, a student must apply and describe the concepts, structures, and processes in the arts.

10.54.2821 BENCHMARK FOR ARTS CONTENT STANDARD 2 FOR END OF GRADE 4 (1) The benchmark for arts content standard 2 for a student at the end of grade 4 is the ability to:

- (a) identify and apply the concept of composition in:
 - (i) dance by applying the elements of space (shape, level, path in space, pattern, form), time (duration, rhythm), and energy (movement quality) to compose dance phrases;
 - (ii) music by applying the elements of rhythm, melody, harmony, timbre/tone color, and form;
 - (iii) theatre by applying the elements of plot, character, and setting; and
 - (iv) visual arts by applying the elements of line, shape, form, color, space, value, and texture to compose works of art and the principles of design-pattern, balance, contrast, rhythm, proportion, economy, movement, and dominance;
- (b) identify and apply the concept of technique in:
 - (i) dance by identifying and applying the techniques of body awareness (e.g., control, flexibility, dynamics, expression, musicality) in class and performance;
 - (ii) music by identifying and applying the techniques of expressive devices, dynamics, tempo, phrasing, accompaniment, interpretation, and improvisation;
 - (iii) theatre by identifying and applying techniques to develop scenarios, direct, and act; and
 - (iv) visual arts by identifying and applying the techniques common to drawing, painting, sculpture, design,

printmaking, and indigenous/traditional arts;

(c) identify and apply the concept of medium in:

(i) dance by demonstrating the human body in motion;

(ii) music by performing vocal and/or instrumental solos, or in ensembles;

(iii) theatre by performing in ensemble (e.g., live, film, video productions); and

(iv) visual arts by selecting a course of action using two-dimensional processes (e.g., painting, drawing, printmaking) and three-dimensional processes (e.g., sculpture, indigenous/traditional arts);

(d) identify and apply the concept of function in:

(i) dance by identifying examples of social, theatrical, and traditional dance;

(ii) music by identifying examples of music (e.g., ceremonial, celebration, concerts, theatre, dance, film, social, community, entertainment);

(iii) theatre by performing in classroom or school programs/productions; and

(iv) visual arts by identifying examples of cultural, political, communication, expressive, commercial, and environmental visual arts;

(e) identify and apply the concept of style in:

(i) dance by identifying examples of ethnic, folk, classical, popular, historical, and contemporary (e.g., ballet, jazz, modern, tap) dance;

(ii) music by identifying examples of music (e.g., folk, jazz, ethnic, popular, classical, time period);

(iii) theatre by identifying and performing examples of theatre (e.g., comedy, melodrama); and

(iv) visual arts by identifying examples of historical, contemporary, and traditional visual arts, including American Indian art; and

(f) identify and apply the concept of presentation in:

(i) dance by showing dance composition with peers, emphasizing focus and concentration;

(ii) music by participating in performances;

(iii) theatre by demonstrating storytelling and creative dramatics; and

(iv) visual arts by exhibiting craftsmanship, completion, and developing a body of work.

10.54.2822 BENCHMARK FOR ARTS CONTENT STANDARD 2 FOR END OF GRADE 8 (1) The benchmark for arts content standard 2 for a student at the end of grade 8 is the ability to:

(a) apply the concept of composition in:

(i) dance by applying the elements of space (shape, level, path in space, pattern, form), time (duration, rhythm), and energy (movement quality) to compose dances;

(ii) music by applying the elements of rhythm, melody, harmony, timbre/tone color, and form;

(iii) theatre by applying the elements of plot, character, setting, and mood; and

(iv) visual arts by applying the elements of line, shape, form, color, space, value, and texture to compose works of art and the principles of design-pattern, balance, contrast, rhythm, proportion, economy, movement, and dominance;

(b) apply the concept of technique in:

(i) dance by applying the techniques of body awareness (e.g., control, flexibility, dynamics, expression, musicality) in class and performance;

(ii) music by applying the techniques of expressive devices, dynamics, tempo, phrasing, accompaniment, interpretation, and improvisation;

(iii) theatre by applying techniques to write, direct, act, and design; and

(iv) visual arts by applying knowledge of techniques to create works (e.g., painting, drawing, printmaking, photography, computer arts, graphic design, sculpture, indigenous/traditional arts);

(c) apply the concept of medium in:

(i) dance by demonstrating the human body in motion;

(ii) music by performing vocal and/or instrumental solos, or in ensembles;

(iii) theatre by performing solo and in ensemble (e.g., mime, live, film, video productions); and

(iv) visual arts by selecting a course of action using two-dimensional processes (e.g., painting, drawing, printmaking, photography, computer arts) and three-dimensional processes (e.g., sculpture, indigenous/traditional arts);

(d) apply the concept of function in:

(i) dance by identifying examples of social, theatrical, and traditional dance;

(ii) music by performing examples of music (e.g., ceremonial, celebration, concerts, theatre, dance, film, social, community, entertainment);

(iii) theatre by performing in classroom or school programs/productions; and

- (iv) visual arts by demonstrating and comparing examples of cultural, political, communication, expressive, commercial, and environmental visual arts;
- (e) apply the concept of style in:
 - (i) dance by demonstrating examples of ethnic, folk, classical, popular, historical, and contemporary (e.g., ballet, jazz, modern, tap) dance;
 - (ii) music by performing examples of music (e.g., folk, jazz, ethnic, popular, classical, time period);
 - (iii) theatre by performing examples of theatre (e.g., comedy, melodrama, plays from historical periods); and
 - (iv) visual arts by demonstrating examples of historical, contemporary, and traditional visual arts, including American Indian art; and
- (f) apply the concept of presentation in:
 - (i) dance by rehearsing, performing, and critiquing dance;
 - (ii) music by rehearsing, performing, and critiquing musical performances;
 - (iii) theatre by rehearsing, performing, and critiquing storytelling and improvisation; and
 - (iv) visual arts by exhibiting craftsmanship, completion, and developing a body of work.

10.54.2823 BENCHMARK FOR ARTS CONTENT STANDARD 2 UPON GRADUATION (1) The benchmark for arts content standard 2 for a student upon graduation is the ability to:

- (a) apply the concept of composition in:
 - (i) dance by applying the elements of space (shape, level, path in space, pattern, form), time (duration, rhythm), and energy (movement quality) to compose dances;
 - (ii) music by applying the elements of rhythm, melody, harmony, timbre/tone color, and form;
 - (iii) theatre by applying the elements of character and plot as exposition, action, climax, and resolution; and
 - (iv) visual arts by applying the elements of line, shape, form, color, space, value, and texture to compose works of art and the principles of design-pattern, balance, contrast, rhythm, proportion, economy, movement, and dominance;
- (b) apply the concept of technique in:
 - (i) dance by applying the techniques of body awareness (e.g., control, flexibility, dynamics, expression, musicality) in class and performance;
 - (ii) music by applying the techniques of expressive devices, dynamics, tempo, phrasing, accompaniment, interpretation, and improvisation;
 - (iii) theatre by applying techniques to write, direct, act, design, and produce; and
 - (iv) visual arts by applying techniques to create works of art (e.g., painting, drawing, printmaking, photography, computer arts, graphic design, sculpture, indigenous/ traditional arts);
- (c) apply the concept of medium in:
 - (i) dance by demonstrating the human body in motion;
 - (ii) music by performing vocal and/or instrumental solos, or in ensembles;
 - (iii) theatre by performing solo and in ensemble (e.g., mime, live, film, video productions); and
 - (iv) visual arts by selecting a course of action using two-dimensional processes (e.g., painting, drawing, printmaking, photography, computer arts, graphic design) and three-dimensional processes (e.g., sculpture, indigenous/ traditional arts);
- (d) apply the concept of function in:
 - (i) dance by identifying examples of social, theatrical, and traditional dance;
 - (ii) music by performing and comparing examples of music (e.g., ceremonial, celebration, concerts, theatre, dance, film, social, community, entertainment);
 - (iii) theatre by performing in classroom or school programs/productions; and
 - (iv) visual arts by demonstrating and comparing examples of cultural, political, communication, expressive, commercial, and environmental visual arts;
- (e) apply the concept of style in:
 - (i) dance by demonstrating examples of ethnic, folk, classical, popular, historical, and contemporary (e.g., ballet, jazz, modern, tap) dance;
 - (ii) music by performing examples of music (e.g., folk, jazz, ethnic, popular, classical, time period);
 - (iii) theatre by performing examples of theatre (e.g., comedy, tragedy, melodrama plays from historical periods); and
 - (iv) visual arts by demonstrating examples of historical, contemporary, and traditional visual arts, including American Indian art; and
- (f) apply the concept of presentation in:
 - (i) dance by rehearsing, performing, and critiquing dance;