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SENATE FINANCE AND CLAIMS
EXHIBIT NO. 2
DATE 1-10-05
BILL NO. SB224

TO: Senate Education Committee

FROM: Lance L. Melton, Executive Director
Montana School Boards Association

RE: SB 224

DATE: Tuesday, January 18, 2005

The Montana School Boards Association stands in strong support of SB 224, introduced by Senator Laslovich. SB 224 is an important component in the Legislature's efforts to ensure a basic system of free quality public elementary and secondary schools in Montana, and coordinates with the applicable definition in Senator Ryan's SB 152. Senator Ryan's definition of quality in SB 152, includes:

> *(e) resources and equipment necessary to provide the programs identified in subsections (2)(a) through (2)(c) in a classroom setting* ***or, if appropriate, through off-site, online, and technology-delivered learning programs****. Resources and equipment may include but are not limited to:*
>
> . . . .
>
> *(iii)* ***off-site, online, and technology-delivered learning programs***

Under existing laws, the allowed delivery of educational services is rigidly limited to services provided in a school building. This restriction has limited the rights of students, and has inhibited attempts at efficiency, collaboration among school districts and compliance with accreditation standards. Correspondingly, SB 224 has the potential to enhance opportunities for students while also providing school districts with the flexibility and assistance necessary to improve efficiency, collaboration and compliance levels with accreditation standards.

SB 224's primary provision seeks to change the way we think about students and learning. Rather than require attendance at the "bricks and mortar," SB 224 expands the concept of learning to encompass a number of new possibilities, including:

- Home-based instruction over the Internet for children (with the accompanying savings in transportation) on a part time or full time basis;
- Alternative learning environments for children serving disciplinary suspensions;
- Innovative approaches to improving graduation rates and reducing corresponding dropout rates; and
- Dual credit coursework for motivated students seeking a head start on college course requirements.

Montana School Boards Association - One South Montana Avenue, Helena, MT 59601
(406) 442-2180 – (406) 442-2194 (FAX) – www.mtsba.org
Lance L. Melton, Executive Director

The primary difference between SB 224 and present law is that present law requires the student to come to the school, while SB 224 allows the school to come to the student, and provide learning on flexible terms that better meet the changing needs of today's students and their parents.

By promoting and allowing off-site provision of education services, SB 224 also has the potential to address key accreditation violations cited as one of the determinant facts leading to Judge Sherlock's finding that the existing system is unconstitutional. Many of the existing accreditation violations spring from the failure to have a properly qualified and certified staff member in a particular position. By fostering cooperation among school districts in the provision of course work, SB 224 could very well erase many of those violations by providing a properly certified instructor for courses in rural areas where the ability to recruit and retain a qualified instructor can be particularly trying.

SB 224 could also assist school districts in meeting aspects of NCLB requirements, particularly in the areas of supplemental services, professional development, highly qualified teachers and paraprofessionals and school choice for schools failing to meet AYP.

Perhaps most important is SB 224's promotion of equality in educational opportunity. If schools are allowed to provide educational services off site, all children will gain. Whether a home schooled child gaining supplemental instruction to fill in the gaps where the parent lacks sufficient expertise, a rural child gaining access to the broad curricular offerings of our AA school districts, a child seeking a second chance at graduation after dropout, all will gain additional access to our public education system with the passage of SB 224.

MTSBA appreciates Senator Laslovich's efforts in addressing this important component of quality and local control. SB 224 provides a real example of how the Legislature can promote efficiency in our public schools without denigrating local control.

MTSBA respectfully requests your support of SB 224.

Thanks