

## EDUCATION

Dean J. Francis Rummel  
The School of Education  
University of Montana, Missoula

*indent* → Educational Goals and Duties: The Education Article declares a worthy goal for educational policy; a goal the citizens of Montana can seek with pride and satisfaction. It has tremendous implications and represents an enlightened and long-range viewpoint by those who drafted the constitution. It projects a system of education which will develop the "full potential of each person" regardless of age from early childhood through advanced age. There is assurance that the legislature will "fund and distribute in an equitable manner to the school districts the state's share of the costs of the basic elementary and secondary school system." Other educational institutions and educational programs may be provided as the legislature deems desirable.

For the first time there is a definite recognition of the "distinct and unique cultural heritage of the American Indians," and the state is committed in its educational goals to the "preservation of their cultural integrity." This will tend to redress old wrongs and restore hope and dignity to a proud and deserving people.

In recognition of the rights of all individuals, and to prevent unfair treatment, the non-discrimination in education provision (Section 7) has been substantially broadened. While the 1889 constitution bars discrimination on account of sex, the revised section would bar discrimination by reason of race, creed, religion, political beliefs, and national origin.

Coordination and Administration of Public Education: One of the more controversial, and yet greater improvements over the 1889 constitution is the provision for a "State Board of Education" composed of (1) the board of regents of higher education and (2) the board of public education. In reality, this is

a single board of education, with two equal-sized divisions, responsible for the development of an educational philosophy for the state, the establishment of educational policies, the determination of long-range plans, and the development of a unified budget for funding of education. This unified state board of education would provide for the coordination and evaluation of all educational programs of the state and the development of an integrated system of education for persons of all ages.

However, for purposes of supervision and management, the State Board of Education would be subdivided into two sub-boards, each consisting of seven members. One, a "Board of Regents of Higher Education" would be responsible for supervision, coordination, management, and control of the Montana system of higher education; the other, a "Board of Public Education" would be responsible for supervision of the public elementary and secondary school system. Since philosophies, purposes, and educational programs differ somewhat between so-called "higher education" and "elementary and secondary education," the provision of two separate divisions, within the State Board of Education will make it possible to appoint members of the boards who have special competence and interest in the different areas.

This arrangement would also encourage coordination and administration of areas and programs of education that are not specifically identified as "college programs" or "elementary and secondary education," but which might include education for the aged, adult education, vocational-technical education, and early childhood education. That is, the proposed constitution makes it possible for the State Board of Education to allocate aspects of these and other programs to the sub-board which may be best suited for their management, supervision and coordination. There need no longer be controversy over who has "control" or who is to be "funded" since the single State Board of Education will be responsible for the delegation of authority and the submission of a unified budget for funding all of its various programs.

While the Board of Public Education has the responsibility to supervise the public elementary and secondary school system, the proposed constitution provides for local control through "School District Trustees" (Section 8). This section would require the election of local school boards as provided by law. That is, school district trustees could now be elected along with other local, county, state, or national elections rather than in a special election.

indent -> Husbanding of Resources for the Funding of Education: The draft constitution continues protection of the public school fund (Section 2), guarantees that the public school fund shall forever remain inviolate (Section 3), continues constitutional status for the Board of Land Commissioners (Section 4), assures equitable apportionment of the income from school lands to public elementary and secondary school districts (Section 5), and provides constitutional direction for the holding and disposal of public lands (Section 11). The funds of the Montana university system are to remain inviolate and sacred to the purposes for which they were dedicated (Section 10).

The state auditor would serve on the state board of land commissioners along with the governor, superintendent of public instruction, secretary of state, and attorney general who presently comprise the board. It would seem that considerable care has been exercised to provide for continuing major support of the goals set forth in the constitution, and that resources to fund education have been guaranteed for posterity.

The draft constitution has continued the ban on state aid to sectarian schools (Section 6), either direct or indirect. However, draft provisions would allow the state to distribute federal funds expressly earmarked for non-public education. This provides for recognition of non-public educational efforts to maintain the state's responsibility, and allocation of its resources, to meet the laudable goals established in Section 1.

In general, the proposed Education Article sets forth an ideal goal for education; provides considerable flexibility in the planning, coordination, and management of educational programs; guarantees the basic rights of all citizens; and protects dedicated resources for the support of education. This proposed constitutional article can well serve the educational needs of present and future generations in Montana.