



The perceptions of persons from six education categories regarding the office of county superintendent of schools in Montana
by Mary Ann Brown

A thesis submitted in partial fulfillment of the requirements for the degree of Doctor of Education in General School Administration
Montana State University
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Abstract:

The problem of this study was to determine if there were differences in perceptions among six categories of education-related positions within the State of Montana regarding the duties and legal qualifications of the office of county superintendent of schools in Montana, whether the office of county superintendent of schools is necessary and whether the office should be abolished and if yes, to whom would the duties transfer.

A questionnaire was developed with 60 questions stating the 43 duties, 10 knowledge areas, five possible certificates, and two statements regarding necessity and abolishment of the office of county superintendent of schools. Five hundred seventy-two questionnaires were mailed and four hundred sixty-seven questionnaires were returned which was an 82% return rate. The hypotheses were tested for differences with a chi-square test of independence at the .05 level of significance.

The findings were: 1. several duties need to be considered for elimination by the legislature; 2. K-12 school district respondents and K-12 district superintendents perceived the duties unimportant; 3. the hearing officer role needs to remain with the county superintendent of schools; 4. the support services for schools without administrators were considered appropriate for small-rural school districts and small K-12 school districts; 5. the county superintendent needs to hold an administrative certificate; 6. the position is needed; and 7. the position needs to remain.

The recommendations for implementation were: 1. preparation in legal procedures should be mandated for county superintendents; 2. increase the qualifications to an administrative certificate; 3. increase the county superintendent's salary to a level comparable to a county attorney's; and 4. the office should be redefined to consider regional superintendents, the duties of the office, and other viable means to provide services to smaller school districts. The recommendations for further investigation were: 1. what services would larger school districts need from the office of the county superintendent of schools and 2. if the survey was presented to other interested parties, would the results be different.

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A thesis submitted in partial fulfillment
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Montana State University
Bozeman, Montana

May 1999

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ABSTRACT

The problem of this study was to determine if there were differences in perceptions among six categories of education-related positions within the State of Montana regarding the duties and legal qualifications of the office of county superintendent of schools in Montana, whether the office of county superintendent of schools is necessary and whether the office should be abolished and if yes, to whom would the duties transfer.

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The findings were: 1. several duties need to be considered for elimination by the legislature; 2. K-12 school district respondents and K-12 district superintendents perceived the duties unimportant; 3. the hearing officer role needs to remain with the county superintendent of schools; 4. the support services for schools without administrators were considered appropriate for small-rural school districts and small K-12 school districts; 5. the county superintendent needs to hold an administrative certificate; 6. the position is needed; and 7. the position needs to remain.

The recommendations for implementation were: 1. preparation in legal procedures should be mandated for county superintendents; 2. increase the qualifications to an administrative certificate; 3. increase the county superintendent's salary to a level comparable to a county attorney's; and 4. the office should be redefined to consider regional superintendents, the duties of the office, and other viable means to provide services to smaller school districts. The recommendations for further investigation were: 1. what services would larger school districts need from the office of the county superintendent of schools and 2. if the survey was presented to other interested parties, would the results be different.

CHAPTER I

ORIENTATION OF STUDY AND REVIEW OF LITERATUREIntroduction

The enactment of the Common School Act for the Montana Territory in 1865 established the office of the county superintendent of schools (Common School Act, 1865). With the ratification of the 1889 Constitution of the State of Montana, the office of the county superintendent of schools was established and has continued as part of the educational system in the state (Montana Constitution, 1889). Since Montana became a state, the office of county superintendent of schools has been considered important due to the number of small-rural schools, the limited accessibility of the state superintendent, the minimally trained and inexperienced rural teachers, and the long travel distances (Isenberg, 1969).

In the middle to late nineteenth century, mining and agriculture were the two main occupations for most people in Montana (Malone, 1976). The vastness of the state produced great

distances between mines and towns. Mining claims and camps were the boundaries for the first Montana school districts which contained very few children (Anderson, 1972, Malone, 1976). Virginia City opened the first school in 1866 followed by one in Bozeman in the winter of the same year (Malone, 1976). The distance and sparse population throughout Montana prohibited the creation of large-population school districts. The modes of transportation--horseback, wagon, horse and buggy, or foot--were a contributing factor toward the creation of small-population school districts. Consequently, the county superintendent of schools established school districts with small student populations to allow a reasonable travel distance.

In 1868, there were 704 children enrolled in 25 schools throughout the territory (Malone, 1976). According to the Montana State Superintendent's report for 1872-73, the number of students was 1,881, and these students were enrolled in 91 schools with 99 teachers (Anderson, 1972). With the travel of horse and buggy over poor roads, the Chief State Education Officer could not visit all the public schools in a year to meet the needs of the school districts. The state government realized that it was impossible to monitor all

of the schools in the state from the state capitol, therefore, the county unit was recognized as a means to provide better general supervision of the schools in the state. "With the structure of the state and the county being part of that structure, the logical conclusion was to have the county provide assistance to local school districts and to function as an agent of the state" (Isenberg, 1969). With the limits on existing modes of transportation, the vastness of the state, the poor salaries for rural teachers, the minimally trained and inexperienced teachers, and the time required for travel, the county superintendent of schools was important for both the local school districts and the Montana State Superintendent (State Superintendent's Report, 1920, 1922, 1926, Isenberg, 1969).

Beginning in 1865, the office of county superintendent of schools provided assistance to the school board, teachers, students, and the community (Common School Act, 1865). The county superintendent of schools was required by law to visit each public school in her/his county at least once a year, to observe conditions of the school, to observe teaching and training methods employed by the teacher, to advise and direct the teacher in regard to instruction and discipline, and to consult with trustees and clerks (School Laws

of Montana, 1897). This law provided the county superintendent of schools with the opportunity to gain first-hand knowledge of the school districts in her/his county. Along with these duties, the county superintendent of schools was also to assist school boards and school clerks with matters pertaining to finance, curriculum, or other school-related concerns.

In 1908, the homestead boom began to bring thousands of immigrants to Montana to cultivate the land. Settlers came to Montana to begin farming with free or inexpensive land. They were convinced that the dry farming method would provide a way to use the land in eastern Montana. "The Homestead Act of 1862 offered free farms to all American citizens from the federal government. The farmer would be allowed a quarter-section of land, 160 acres, free except for an incidental filing fee. Then following a five-year 'prove-up' period, the homesteader acquired full legal title to his land" (Malone, 1976). Immigrants moved to Montana because of the dry farming system of agriculture, the availability of land either for free or at low prices, and the promotional campaigns by the railroads (Malone, 1976). Hardy Campbell, a South Dakota farmer, was the best known developer of the dry farming method for raising

crops in regions with low precipitation. The Montana Agricultural Experiment Station did support this dry farming method. With this support, these new farmers believed in Campbell's farming method and began to cultivate the opened regions of the state. During the first years, the moisture was high and crop yields were very good.

Between 1910 and 1920 the population of the state increased by 172,836. The 1920 Montana census listed 548,889 Montanans and 57,677 farms and ranches (Malone, 1976). The increase in farms and ranches from 1910 was 31,463. In 1930, there were 2,819 school districts in Montana (State Superintendent's Report, 1930).

With the beginning of World War I, the government asked farmers to produce more crops, so they responded by turning over uncultivated land. While more land was cultivated and prices rose, farmers began making a profit. As the drought spread from north to south over Montana, the settlers had difficulty producing enough crops to pay for the newly purchased land. "In 1917, the drought came first in the 'High Line' counties and moved southward in 1918 encompassing the eastern two-thirds of the state" (Malone, 1976). Along with the drought came gophers, locusts, forest fires and wind. The farmer watched as the wind produced great clouds of their top

soil. The farmers could not combat the gophers, locusts and wind. These forces of nature led to disaster for the Montana farmer (Malone, 1976).

With the conclusion of World War I, the prices for wheat declined. These new farmers had cultivated the land but were left with low wheat prices and a drought that eroded the top soil. Farm families suffered, and agriculture collapsed in Montana. When agriculture collapsed, the tax base for the small-rural school districts also collapsed. The funding mechanism for the school districts was gone.

With the erosion of the small-rural school district's tax base, parents looked for other ways to educate their children. Consolidation with larger school districts had to be considered with the dwindling tax base, improved roads, and available transportation. Parents also desired a broader educational program than was available in the small rural schools (State Superintendent's Report, 1905-06, Isenberg, 1969, Malone, 1976). Larger school districts provided more educational opportunities for teachers, students, and families. Consolidation was considered an improvement over the one-room school due to enhanced finances for better facilities and

salaries. As schools consolidated, parents and students realized the advantages of larger schools. "In states where consolidation has been tried it has proved a complete success. There is no desire to return to the old order of things" (State Superintendent's Report, 1906).

City school districts were large enough to need the leadership of a district superintendent. These district superintendents had credentials that exceeded those required for county superintendents (State Superintendent Report, 1906, Peabody, 1958). The qualifications for the office of county superintendent of schools approved by the Montana Legislature in 1895 required a certificate of the highest county grade and twelve months' of successful teaching experience in Montana public schools. A district superintendent was required to be a graduate of a college, university, or normal school, hold the highest grade teaching certificate, and have five years of teaching experience. Local school boards had two reasons to hire their own superintendent: (a) requirements from the state legislature for preparation of school superintendents (School Laws of Montana, 1929) and (b) the need to facilitate operations in the school districts with a larger student

population. Because of the combined effects of the increasing number of city superintendents, consolidation of rural school districts, increasing town populations and decreasing rural populations, the necessity for services from the county superintendent naturally decreased.

Over time, the office of county superintendent of schools in Montana has evolved to become almost exclusively the administrator for small-rural school districts with only a head or supervising teacher (Anderson, 1972). With such a change in the role of the county superintendent, the necessity for maintaining the position has come into question. The following questions are often heard in the halls of the Montana Legislature, city school districts, county commission meetings, and even small-rural school districts: What repercussions would result if small-rural K-8 school districts were consolidated with their high school district? Why is the office of county superintendent of schools needed when technology has progressed so that school districts can interact directly with the state office of public instruction and bypass the county superintendent? If the school district superintendent has more administrative credentials and qualifications than the county

superintendent, why does the school district have to interact with the county superintendent? In 1993, a Montana State Legislator introduced a bill to eliminate the duties of the office of county superintendent of schools. In 1995, the Governor's Task Force recommended elimination of the duties but not removal of the office from the Montana Constitution. Because of the recommendation from the Governor's Task Force, a bill was introduced to the 1995 legislature. Neither of these two bills was passed.

Statement of the Problem

The problem of this study was to determine if there were differences in perceptions among six categories of education-related positions within the State of Montana regarding the duties and legal qualifications of the office of county superintendent of schools in Montana, whether the office of county superintendent of schools is necessary and whether the office should be abolished and if yes, to whom would the duties transfer. The six categories of positions in the study included county superintendents, school district superintendents, school district clerks/business officials, head/supervising teachers, school board chairpersons of small-rural

districts, and principals of independent K-8 school districts.

Additionally, the study determined if perceptions were independent of the respondents' age, the number of years in education, the size of the school district, and gender.

Need for the Study

The office of county superintendent of schools was established with the Common School Act of 1865 by the Montana Legislature (Common School Act, 1865). During the last 35 years of the nineteenth century and the first quarter of the twentieth century, the office was considered to be beneficial for the rural school in Montana (State Superintendent's Report, 1920, 1922, 1928). The county superintendent provided the supervision for the teachers and offered assistance where needed.

The office duties are quite varied. The work involves interaction with school administrators, school clerks/business officials, head teachers, school boards, and other county superintendents. The office is an arm of the State Office of Public Instruction and a county center of school information for the public

(Peabody, 1958). As the number of school districts gradually declined, the necessity of the office has been questioned.

Legislators have introduced bills to consolidate or reduce the number of offices of county superintendent of schools. They have also introduced two bills to eliminate the duties of the office of county superintendent of schools. In 1993, the option for a county commission to reduce the office to part time was passed. During the 1993 legislature, a bill was introduced to eliminate the duties of the office, but the bill was not approved.

Forty years ago, the Montana Legislature commissioned a study to review education and taxation in Montana. In 1957-58, the Division of Surveys and Field Services of George Peabody College for Teachers of Nashville, Tennessee contracted with the Montana Taxation-Education Study Commission for a comprehensive study of selected public school problems. The study was limited to four major areas: Organization and Administration; Elementary Education; Secondary Education; and School Finance. In chapter II of the report, the Peabody survey staff reviewed Local School Organization and Administration which included the office of county superintendent of schools. The office of county superintendent of schools was

described as established to provide clearinghouse services and to serve as an arm of the State Office of Public Instruction (Peabody, 1958). The report also stated that technical and professional duties were assigned to a person who may have had no training in administration. The Peabody Report of 1958 recommended the reorganization of the educational system in Montana with the elimination of the office of county superintendent of schools or at the very least, upgrading the qualifications for the office (Peabody, 1958). This recommendation was never implemented by the 1961 Montana Legislature.

A professional paper by Jeff Pence in 1979 indicated that differences existed between the perceptions of Montana county superintendents and Montana district superintendents regarding the duties and status of the office of county superintendent of schools in Montana. Pence used a small sample and discovered differences between these two education groups.

In 1994, a Governor's Task Force to Restructure Montana was formed with one segment devoted to education. After public meetings to gather information, the recommendation to eliminate the duties of the office of county superintendent of schools and

transfer the duties to other county officers or the local school district was made by the education committee (Governor's Task Force, 1994). During the 1995 Legislative Session, this recommendation was introduced as a bill but it did not pass.

County commissions in Montana have the option to reduce the office to part time or consolidate the office of county superintendent of schools with another county office, such as the treasurer, clerk and recorder, or auditor (Montana Codes Annotated, 20-3-213 and 7-4-2301, 1995). Twenty-eight county commissions have consolidated the office or changed the office to part time; the remaining 28 county commissions have opted to leave the office at full time.

With the Montana Legislature, the Peabody report of 1958, Jeff Pence's professional paper, the Governor's Task Force for Restructuring Montana Report, and County Commissions all considering the restructuring or elimination of the office of county superintendent of schools, the need has been established for more research. Montana needs to decide if the office of county superintendent of schools is an essential part of its educational administrative structure.

Definitions

County superintendent is a person elected or appointed to oversee the schools in the county.

School district superintendent is a person hired by the board of trustees to be the chief administrator for the school district.

School district clerk/business official is the manager of the finances and records for a school district.

Head/supervising teacher is a teacher in a small-rural school with kindergarten through eighth grade who assumes responsibility for some leadership duties.

Chairperson of a small rural school district is the trustee who is voted to serve as head of the board of trustees of a K-8 school district.

Principal of an independent K-8 school district is the administrator hired by the board of trustees of a K-8 district to administer the school district.

Research Questions

1. Which duties were considered important by a majority (51 to 100%) of the education groups?
2. Which qualifications were considered important by the majority of the education groups?
3. Did a majority of the respondents perceive the office was necessary?
4. Did a majority of the respondents perceive the office should be abolished?
5. Was there a difference in the perceptions of the respondents on the variable of age regarding the duties, qualifications, necessity, or abolishment of the office of county superintendent of schools?
6. Was there a difference in the perceptions of the respondents on the variable of the number of years in education regarding the duties, qualifications, necessity, or abolishment of the office of county superintendent of schools?
7. Was there a difference in the perceptions of the respondents on the variable of the size of school district regarding the duties,

qualifications, necessity, or abolishment of the office of county superintendent of schools?

8. Was there a difference in the perceptions of the respondents on the variable of gender regarding the duties, qualifications, necessity, or abolishment of the office of county superintendent of schools?

9. Was there a difference in the perceptions of the respondents on the variable of position regarding the duties, qualifications, necessity, or abolishment of the office of county superintendent of schools?

Review of Literature

The review of literature for this study covered three areas of the office of county superintendent of schools: (1) a historical overview of the duties of the office; (2) a historical overview of the qualifications for the office, and (3) a historical overview of the consolidation/elimination attempts for the office.

History of Duties and Qualifications

Originally and until 1821, Montana was an area within the Louisiana Territory. From 1821 to 1863, Montana was incorporated within six different territories and lastly located within the Idaho Territory (Anderson, 1972). In 1864, Montana was established as a separate territory and named the Territory of Montana.

On May 26, 1864, Congress passed the Organic Act establishing a temporary government for the new Territory of Montana (Organic Act for the Territory of Montana, 1864). In Article 1 Section 14 of this Act, Congress provided for sections 16 and 32 of each township to be reserved for the benefit of the public schools. However, schools were not specifically mentioned in any other article of this act. Article 1 Section 7 establishes all county officers. It was another year before the office of county superintendent of schools was established and given specific duties and qualifications.

The Act establishing a Common School System for the Territory of Montana was unanimously approved on February 7, 1865 by the Montana Legislature (Common School Act, 1865). In this school act, qualifications for the office of county superintendent of schools

were established and the position was given duties and a salary. The term of office was three years, and any person in the office would be allowed to stay until the next election. The 1864 public laws of the Territory of Montana defines the duties as follows:

1. Divide the county into school districts, so every student will be in some convenient district and keep in the office a map of the districts of the county.
2. Divide the old districts as the "public good required it".
3. Examine all persons wanting to teach. This examination was to cover orthography, reading, writing, arithmetic, English, grammar, and geography. If the county superintendent was satisfied with the examination and was satisfied that the candidate was of good moral character, he/she could then issue a revocable certificate, good for one year. This certificate could be revoked by the county superintendent for good cause.
4. Visit each school in his/her county taught by a "qualified" teacher.
5. Apportion the school fund of the county among the school districts.
6. Receive reports from teachers and boards and to make a report before December 1st on enrollments, school houses, operating districts, books used and salaries paid teachers.
7. Prevent trespassing on state school lands. (Montana Codes Annotated, 1864)

For the next 24 years, the status of county superintendents and public schools remained the same. With the Enabling Act of 1889, Congress allowed the people of North and South Dakota, Washington,

and Montana to discuss and form constitutions prior to admittance into the Union (Enabling Act, 1889). The provision for "the establishment and maintenance of systems of public schools, which shall be open to all the children of said states, and free from sectarian control" was included in Part Four, Number Four of the Enabling Act for the Montana Constitutional Convention of 1889 (Enabling Act, 1889). In the 1889 Constitution of the State of Montana, the office of county superintendent of schools was established along with the other county officers in Article XVI, Section 5 (Montana Constitution, 1889). Representative Goddard of Yellowstone County introduced the resolution for county officers on the fifth day of the Constitution Convention, Tuesday, July 9, 1889 at the 2:00pm session (Proceedings and Debates, 1889). The clerk read the following resolution:

Resolution in Relation to County Officers. All county and precinct officers who may be in office at the time of the adoption of this Constitution shall hold their respective offices for the full time for which they may have been elected, and until such time as their successors may be elected and qualified in accordance with the provisions of this Constitution and the laws now in force; and the official bonds of all such officers shall continue in full force and effect, as though this Constitution had not been adopted.

Like other county officers, the county superintendent of schools is an elected office. In the 1889 Montana Constitution, only men age 21 or older possessing the required qualifications were allowed to vote in the State of Montana (Montana Constitution, 1889). But Article XVI Section 5 of the Constitution does not distinguish between a man or a woman being eligible to hold the office of county superintendent of schools. Article IX, Section 10 of the 1889 Montana Constitution states that women shall be eligible to hold the office of county superintendent of schools or any school district office and shall have the right to vote at any school district election (Montana Constitution, 1889).

Duties

With the 1897 Laws of Montana, the official duties of the county superintendent increased from seven to fifteen (Laws of Montana, 1897). These original laws that accompanied the 1889 Montana Constitution are included in Appendix A. Each legislature could amend, eliminate, or enact laws referring to the duties of the county superintendent.

During the first decade of the twentieth century, the county

superintendent was given many new duties: (a) the apportionment of school monies, so trustees could pay the expenses of the school district. The county superintendent had to notify the school clerks and the county treasurer of the amount of money available (School Laws of Montana, 1901); (b) collection, preparation, and transmission of the school census to the Commissioner of the Bureau of Agriculture, Labor, and Industry (School Laws of Montana, 1907); and (c) visitation of school districts to consult with the trustees and clerks on matters relating to the good and welfare of their schools (School laws of Montana, 1909).

From 1910 to 1919, eight new duties were added to the county superintendent responsibilities: (a) hold trustees' meetings from time to time in convenient places regarding matters relating to the good of the schools; (b) issue temporary county teaching certificates if he deems it proper to do so; (c) serve on the County Board of Educational Examiners; (d) exercise supervision over the libraries; (e) act as truant officer in districts of the third class when no other provision is made; (f) notify the county treasurer to withhold payment of warrants issued to teachers not holding valid certificates; (g) hear and pass upon all petitions for the creation of

new school districts; and (h) attach to contiguous territory not a part of any district and shall declare school districts abandoned (School Laws of Montana, 1919).

From 1920-1969, county superintendents were given the responsibility to publish annual financial statements for school districts (School Laws of Montana, 1923). The application for temporary teaching certificates was repealed (School Laws of Montana, 1945). Other than these two duties, only minor amendments to the duties of the county superintendent were enacted.

From the 1971 Montana Codes Annotated to the current 1995 codes, the duties of the county superintendent have remained essentially the same with only minor amendments. The duties stated in the 1995 MCA are in Appendix B. The one duty that was eliminated was the reporting of the school census. During this period, discussions to eliminate the office occasionally took place and bills to eliminate or restructure the office were introduced, but to date, nothing has changed with regard to the office.

Qualifications

In 1895, the qualifications for the office of county superintendent of schools were to “(a). hold a certificate of the highest county grade, (b). be a citizen of the United States, (c). have resided one year next preceding the election in Montana, (d). have resided one year in the county in which he is a candidate, (e). have twelve months successful experience in teaching in the public schools of Montana (School Laws of Montana, 1897).” E. A. Steere, Montana State Superintendent of Public Instruction, recommended in his 1894 Third Biennial Report for the State of Montana on Education that the qualifications for county superintendent of schools should be raised to equal those of the city superintendent. He continued to state that because the country children were recruited for the noble ranks of scholars, lawyers, and statesmen, they should have a better education (State Superintendent’s Report, 1894). E. A. Steere stated that higher qualifications and better pay for the county superintendent of schools would attract people that would provide a better school system for the country schools and thus help the nation (State Superintendent’s Report, 1894).

In 1929, the qualifications for the office of county superintendent of schools were strengthened to: "(a). hold a state certificate offered by the State of Montana, (b). be a graduate from a standard normal school, or college, or university, or (c). if not a holder of a Montana certificate, must be a holder of a state certificate granted by examination in accordance with the rules and regulations as prescribed by the Montana state board of educational examiners, and (d) have three years successful experience as a teacher, principal or superintendent of public schools." The grandfather clause does hold for the incumbent officers declaring that they may stay in their present position even if they do not possess the current qualifications (School Laws of Montana, 1929).

By 1995, the qualifications for the office of county superintendent of schools had been strengthened to "(a). be a qualified elector, (b). hold a valid, current class 1 professional certificate (master's degree in an appropriate educational field: a planned fifth year program: or 30 graduate semester credits beyond the bachelor's degree in consultation with and/or approved by an appropriate official), class 2 standard certificate (bachelor's degree and an appropriate approved teacher education program) , or class 3

administrative and supervisory certificate (master's degree and administrative course work required for a principal's or superintendent's endorsement at an accredited institution with approved programs) issued by the superintendent of public instruction, and (c). have at least 3 years of successful teaching experience (School Laws of Montana, 1995)."

The 1895 and the 1995 qualifications for the office of county superintendent of schools are very straight forward and simple. The county superintendent of schools essentially needs to be a teacher and a resident of the State of Montana and the county in which she/he desires to become a candidate for the office. There are two differences between the 1895 and 1995 qualifications: (1) In 1895, a candidate needed only one year of teaching experience in the public schools in Montana as compared to at least three years of successful teaching experience in 1995 (School Laws of Montana, 1995). (2) In 1895, a person had to have lived in the State of Montana and the county one year preceding the election; in 1995, an elector had to be a resident of the State of Montana and of the county for at least 30 days prior to an election. The differences in the qualifications indicate that in 1995 a one-month resident of Montana and a county

who has taught in another state in public or private schools is eligible to be a candidate for the office of county superintendent of schools as compared to a one-year resident of Montana and a county who must have taught 12 months in the Montana public schools before being eligible as a candidate for the office in 1895.

The 1958 Peabody Report raises the question of the qualifications for the office of county superintendent of schools. Several state superintendents wanted to increase the qualifications for the county superintendent (State Superintendent's Report, 1894, 1906, 1908, 1910, 1928). This report recommends raising the qualifications for the Montana county superintendency, "so that only highly qualified educational leaders may hold such positions" (Peabody, 1958). Other recommendations from the report specifies that "qualifications, status, and role of the Montana county superintendent need to be revised." It goes on to state that "the local city superintendent is better trained and more qualified to become the school leader." The report also recommends that all Montana school districts operate from grade 1 to grade 12, and if that recommendation would be implemented, the county superintendent's status would change. In 14 Montana counties, there

would only be one school district, and the services from the office of county superintendent would be reduced to only clerical duties (Peabody, 1958). These recommendations were presented to the Taxation-Education Commission in 1958. The commission submitted their report to the governor without mentioning the name of the office of county superintendent of schools (Taxation-Education Commission Report, 1958). In 1961, the Montana Legislature needed 12 more votes to pass these recommendations and revise the school district structure (Anderson, 1972). The bill for reorganization of the Montana school districts did not pass.

History of Consolidation/Elimination

Representative Whitehall of Deer Lodge, a member of the 1889 Constitution Convention, expressed concern over the office of county superintendent of schools (Proceedings and Debates, 1889). His preference was for the treasurer or even the county attorney to perform the duties of the county superintendent of schools. Representative Whitehall took the position that the county superintendent of schools is a useless office and that its only responsibility was to prepare the school census (Proceedings and

Debates, 1889). Representative Toole of Deer Lodge and Representative Burleigh of Custer also participating in the convention, disagreed with Representative Whitehall's analysis of the office of county superintendent of schools (Proceedings and Debates, 1889). Representative Toole and Representative Burleigh shared stories about their county superintendents and the good work they accomplished for the benefit of students and the schools in their counties. When the vote was taken on Mr. Whitehall's motion, it was declared lost.

Historically, school districts have been created by petitions to the county superintendent of schools. The petition had to be signed by parents of at least ten census children between the ages of six and 21. This method was implemented in the late nineteenth century and created a large number of school districts, varying in size. In 1890, there were 361 school districts. By 1906, the number had increased to 833 school districts. In 1916, there were 1,801 school districts with 2,315 one-room schools. In 1930, Montana had 56 counties with 2,819 school districts. Due to the large number of small school districts, concerns were raised that children were not given a quality education or were not serviced properly. These

concerns led to an increase in the attempts to reduce the number of school districts in Montana. Mrs. Minnie Bailey-Law, Ravalli County Superintendent, advocated the consolidation of districts in 1911 (State Superintendent Report, 1912). When parents of more than five-sixths of the children affected favored the change, Ravalli County consolidated schools (State Superintendent Report, 1912). Ravalli County's attempts to consolidate school districts also presumed the office of county superintendent of schools was no longer needed.

The first legislative attempt at school consolidation began with the county unit plan enacted in 1919:

The county unit plan allowed all third class school districts and parts of these school districts, plus minor portions of any district of the first and second class which are not contiguous to the main body of such districts, to form a single district to be known as the "Rural School District (School Laws of Montana, 1919).

Three counties, Cascade, Carbon, and Choteau, chose to accept the county unit plan in 1920 (Freshour, 1964). These counties all tried but were unable to continue with the county unit plan. By 1928, State Superintendent Trumper discontinued the county unit plan with the following remarks:

During the first year of this biennium Carbon County, the third and last county to continue the county-unit plan of school administration, voted to discontinue the plan... Fortunately for Carbon County the state equalization law went into effect the very year that county unit has been abandoned... There is no question but that county unit has never had a fair trial in Montana... The greatest handicap county unit has had in Montana has been due to the misinformation which the public has received regarding it (State Superintendent, 1928).

In 1958, the Peabody Report commissioned by the Taxation-Education Commission recommended the elimination of the office of county superintendent from the Montana Constitution (Peabody, 1958). This recommendation never reached the desk of the governor due to the Commission's letter to the governor mentioning only the "reorganization of K-12 school districts". It neglected to specifically recommend the office of county superintendent of schools be eliminated. The commission might have believed it was an understood recommendation, but it was never clearly stated in the letter to the governor (Taxation-Education Commission Report, 1958).

During the 1971 convention for the Montana Constitutional Commission, a discussion took place for the retention or elimination of the office of county superintendent. It was mentioned that

several reports over the years recommended the elimination of the office of county superintendent of schools. In particular, during 1933, 1937 and 1961 legislative sessions, amendments to eliminate the office of county superintendent of schools were introduced but they were rejected (Montana Constitutional Convention, 1971). In 1969, the Montana Legislative Council Study of the Constitution and the Montana Constitution Revision Commission both recommended elimination of Article XVI, Section 5 of the Constitution which creates the county superintendent of schools.

Every county commission has the ability to combine the office of the county superintendent of schools with another office in the county (Montana Codes Annotated, 1995). Twenty-eight of the 56 Montana counties have chosen to combine the office with another county office, reduce it to part-time, or contract out the duties. In 1994, the county commissions in Jefferson, Hill, Carbon, and Liberty counties proposed to reduce the office of county superintendent of schools to part time or combine it with another county office. However, these four counties retained their full-time county superintendents after receiving testimony from the public and school personnel.

In 1994, the Governor's Task Force recommended eliminating the duties of the county superintendent of schools and transferring the functions to other officials or to the school districts:

Task Force members believe the position of elected county superintendent of schools has become outdated and unnecessary. The Task Force believes that with local control of schools comes local responsibility for administering those schools (Governor's Task Force, 1994).

Governor Mark Racicot supported this bill before the Legislature.

The Task Force believed both savings in cost and simplified administration of schools would result if the office of county superintendent of schools were eliminated. However, the Task Force chose not to eliminate the office because it would require a constitutional amendment. County commissioners can combine the office with another office in the county but cannot redistribute the duties of the county superintendent of schools. Redistributing the duties is a state role (Governor's Task Force, 1994). This bill would have eliminated the duties of the office of county superintendent of schools and transferred them to other county offices or to the local school district and retained the office in the Montana Constitution.

The States of Washington, Wyoming, Oregon, North Dakota and South Dakota started with an administrative structure similar to

Montana's. They each had county superintendents due to the large number of small school districts. In 1959, Washington changed their administrative structure and eliminated the office of county superintendent of schools (S. Lewis, Personal Communication, July 10, 1997). Today, Wyoming has 48 school districts in 23 counties. In 1955, the newly elected Wyoming state superintendent started the consolidation movement. From 1967 to 1974, Wyoming went from 140 to 48 school districts. Wyoming does have Boards of Cooperative Education Services (BOCES), but they exist for special education students and for assistance in construction of new school buildings. Wyoming has a state department of public instruction and local school districts. There is no intermediate level administration, i.e. county superintendent, in Wyoming (R. Hammer, Personal Communication, July 9, 1997). Oregon does not currently have county superintendents (M. Walster, Personal Communication, July 9, 1997). North Dakota has 236 school districts of which the majority are K-12 districts. North Dakota, like Montana, retains the office of county superintendent of schools. In 1993, the office of county superintendent of schools in North Dakota became an appointed position rather than an elected office (P. Laubach,

Personal Communication, July 8, 1997). Pat Laubach, Office of State Superintendent Representative, states that the goal of the North Dakota Legislature is to eliminate the office of county superintendent of schools by the year 2000 if not sooner. South Dakota has retained 175 school districts and 75 percent of those districts service less than two hundred students. South Dakota has the state department of public instruction and the local school districts, but not an intermediate administrative level. School districts may join together to form a cooperative for special education programs. South Dakota completed consolidation of K-12 school districts in the mid-to-late 1960's (J. Toman, Personal Communication, July 10, 1997).

The office of county superintendent of schools continues to be questioned regarding its usefulness and necessity. During the 1889 Montana Constitution Convention, Representative Whitehall of Deer Lodge questioned the need for the office. From 1889 to 1997, the question continues to be asked: Is the office of the county superintendent of schools needed?

Politics and County Superintendents

This study does not address the politics of the office of county superintendent of schools. But it is known for a fact that frequently county superintendents are elected because of their party affiliation rather than their educational and leadership competencies. This researcher questions whether the candidates for the office of county superintendent should be identified by party affiliation in an election.

Chapter II

METHODOLOGYIntroduction

The problem of this study was to determine if there were differences in perceptions among six categories of education-related positions within the State of Montana regarding the duties and legal qualifications of the office of county superintendent of schools in Montana, whether the office of county superintendent of schools is necessary and whether the office should be abolished and if yes, to whom would the duties transfer. The six education categories in the study include county superintendents, school district superintendents, school district clerks/business officials, head/supervising teachers, school board chairpersons of small-rural districts, and principals of independent K-8 school districts. Additionally, the study determined if perceptions were independent of the respondents' age, the number of years in education, the size of the school district, and gender.

Chapter II discusses the conceptual framework and the description of populations and samples, followed by a description of the data collection method, method of analysis, hypotheses tested and delimitations.

Conceptual Framework

“In Amendment X of the United States Constitution, the powers not delegated to the United States by the Constitution, nor prohibited by it to the State, are reserved to the States respectively, or to the people” (US Constitution, 1788). Education is not specifically stated in the U.S. Constitution and its amendments, therefore, states are allowed to address the issue of education in their individual state constitutions.

States in the West followed the lead from the eastern states regarding education and the education administrative structure. Montana is one of the western states that adopted their educational administrative structure with their 1889 Constitution.

The 1889 Montana Constitution addresses education in Articles V, VII, XI and XVI. Article V addresses the Legislature and its power and structure. The State Superintendent of Public Instruction is

named in Article VII, Section 3. of the Montana Constitution (Montana Constitution, 1889). In Article XVI, Section 5 county officers, including the county superintendent of schools, are named. Article XI in Montana's Constitution addresses education, public lands, school district trustees and the state board of education.

Article XI establishes schools, school district procedures for the election of trustees and the state board of public education. Section 7 establishes free quality public elementary and secondary schools. Section 11 gives the Board of Public Education general supervision over the public school system.

The Montana State Legislature, the State Board of Public Education, the State Superintendent of Public Instruction, the County Superintendents of Schools and school district trustees, all were established by the Montana Constitution and comprise the education administrative structure for the State of Montana. The study fits into the conceptual framework for the education administrative structure established through the 1889 Montana Constitution. The office of county superintendent of schools has duties and responsibilities toward the State Office of Public Instruction and the local school districts. The office was originally established and

continues to be a part of the Montana educational administrative structure.

Description of Populations and Samples

The six populations for this study consisted of all individuals who served as: a county superintendent of schools, a school district superintendent, a school district clerk/business official, a head/supervising teacher, a chairperson of a small-rural school board or a principal of a K-8 independent school district in the State of Montana during the 1997-98 year. The list of individuals for the populations were obtained from the county superintendents' offices within the State of Montana during August of 1997 (Montana School Directory, 1997). The six populations totaled 841 individuals.

Samples for the study were randomly drawn from populations of school district superintendents, school clerks/business officials, head/supervising teachers, and chairpersons of small-rural school districts. The complete populations of the county superintendents and the principals of independent K-8 school districts were used. People who reviewed the questionnaire and the members of the pilot study were not included in the populations. The six populations

ranged in size from 21 to 332.

The size of the samples were determined by the work of Robert Krejcie and Daryle Morgan. In their article published "Determining Sample Size for Research Activities," Krejcie and Morgan in 1970 addressed "the need for an efficient method of determining the sample needed to be representative of a given population... A formula was available from the research division of the National Education Association but the table allowed for easy reference." The table allows the researcher to determine the sample size given the size of the population. The sample size is based on 95% confidence that the result is not different by more than 5%. The sample size table is in Appendix C.

A list of random numbers was drawn through the use of the MSU STAT software program. This list of randomly drawn numbers was used to choose individuals from the alpha-numeric list of each population.

The following table identifies the size of the sample for each population.

Table 1. Categories, population and sample size

Categories	Population	Sample
County Superintendent	55	55
District Superintendent	187	127
School Clerk/Business Official	332	181
Head/Supervising Teacher	123	94
Chairperson of small-rural school district	123	94
Principal of K-8 school district	21	21
Total	841	572

Data Collection Method

Instrument

The questionnaire for the study was developed by the researcher. In Section One of the questionnaire, the researcher listed the duties of the county superintendent based upon the 1995 Montana Codes Annotated and commonly acknowledged duties performed by county superintendents of schools. The additional duties included assisting school districts with legal issues, hiring personnel, planning and conducting staff development, curriculum development, grant writing and the school trustee election process. This section required the respondents to rate the importance of each

duty of the county superintendent of schools using a four point Likert scale. In the second and third sections of the questionnaire, the legal qualifications from the 1995 Montana Codes Annotated and the Montana Teacher and Administrator Certification Standards were stated. Using a four point Likert scale, the respondents rated the importance of the qualifications for county superintendent of schools. In the fourth section, the respondents were asked to respond to two questions. The first asked if the office of county superintendent of schools in Montana was a necessary administrative office in the State of Montana. The second asked if the office of county superintendent of schools should be abolished. In section five, demographic information which formed the basis of the analysis was requested. The questionnaire and accompanying request letters are included in Appendix D.

Review of Instrument

Six educators reviewed the questionnaire during the 1997 spring and summer semesters. The researcher chose these educators because of their interaction with the office of the county superintendent of schools, their position in school districts, their

experience, and their reputation regionally and statewide as well as locally. These educators represented a cross section of the study populations. Of the six educators, two were superintendents, one was a county superintendent of schools, two were school district clerk/business managers, and one was a principal of a K-8 school district. They worked in different size school districts: two in Class AA school districts; another at a Class B school district; the fourth in a small-rural school; the fifth in a rural school with a population over 100 students; and the sixth was a county superintendent with 12 years in that position.

The educators were sent the questionnaire and a list of questions. The questions focused on: the ambiguity of the questions, understanding of the questions, suggestions for additional questions, clarity of directions, comprehensibility of response categories, format, ordering of the sections, understanding of one specific section, suggestions for improvements, and additional comments. Responses received were used to refine the questionnaire. All letters of correspondence to the reviewers, a blank response sheet, and the comments received from the reviewers are included in Appendix E.

Validity

“For a test to have good content validity, it must have adequately sampled the appropriate content area” (Gay, 1996). Since the duties listed on the questionnaire were taken directly from the 1995 Montana Codes Annotated, the validity for the instrument was established. The qualifications listed on the questionnaire were taken directly from the 1995 Montana Codes Annotated and the Montana Teacher and Administrator Certification Standards.

Additionally, six commonly acknowledged duties which are performed by county superintendents within the State of Montana were included. These duties have been addressed informally among county superintendents for many years by the researcher. During conferences, regional and statewide meetings, these duties have been discussed among county superintendents.

