

SENATE BILL NO. 88

INTRODUCED BY B. BROWN
BY REQUEST OF THE BOARD OF PUBLIC EDUCATION

IN THE SENATE

JANUARY 15, 1991 INTRODUCED AND REFERRED TO COMMITTEE
 ON EDUCATION & CULTURAL RESOURCES.

 FIRST READING.

FEBRUARY 2, 1991 COMMITTEE RECOMMEND BILL
 DO PASS AS AMENDED. REPORT ADOPTED.

FEBRUARY 4, 1991 PRINTING REPORT.

 SECOND READING, DO PASS.

FEBRUARY 5, 1991 ENGROSSING REPORT.

 THIRD READING, PASSED.
 AYES, 49; NOES, 0.

 TRANSMITTED TO HOUSE.

IN THE HOUSE

FEBRUARY 6, 1991 INTRODUCED AND REFERRED TO COMMITTEE
 ON EDUCATION & CULTURAL RESOURCES.

 FIRST READING.

MARCH 9, 1991 COMMITTEE RECOMMEND BILL BE
 CONCURRED IN. REPORT ADOPTED.

MARCH 11, 1991 ON MOTION, CONSIDERATION PASSED

MARCH 12, 1991 SECOND READING, CONCURRED IN.

MARCH 14, 1991 THIRD READING, CONCURRED IN.
 AYES, 95; NOES, 5.

 RETURNED TO SENATE.

IN THE SENATE

MARCH 15, 1991 RECEIVED FROM HOUSE.

 SENT TO ENROLLING.

REPORTED CORRECTLY ENROLLED.

1 Senate BILL NO. 88
 2 INTRODUCED BY Bob Brown
 3 BY REQUEST OF THE BOARD OF PUBLIC EDUCATION
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5 A BILL FOR AN ACT ENTITLED: "AN ACT TO CHANGE THE
 6 MEMBERSHIP AND TERMS OF APPOINTMENT FOR MEMBERS OF THE
 7 CERTIFICATION STANDARDS AND PRACTICES ADVISORY COUNCIL;
 8 AMENDING SECTIONS 2-15-1522 AND 20-4-131, MCA; AND PROVIDING
 9 AN IMMEDIATE EFFECTIVE DATE AND A RETROACTIVE APPLICABILITY
 10 DATE."
 11

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

13 **Section 1.** Section 2-15-1522, MCA, is amended to read:

14 "2-15-1522. Certification standards and practices
 15 advisory council. (1) There is a certification standards and
 16 practices advisory council allocated to the board of public
 17 education.

18 (2) The council consists of seven members appointed by
 19 majority vote of the board of public education. The
 20 membership of the council must include:

21 (a) ~~four~~ three teachers engaged in classroom teaching,
 22 including:

23 (i) one who teaches within kindergarten through grade
 24 8;

25 (ii) one who teaches within grades 9 through 12 or ~~at a~~

1 ~~designated-vocational-technical-center; and~~
 2 ~~(iii)-one-who-is-employed-as-a-specialist;-and~~
 3 ~~(iv)(iii) one additional teacher from any category set~~
 4 ~~forth in this subsection (2)(a) or (2)(b);~~

5 (b) one person employed as a specialist or K-12
 6 specialist;

7 ~~(b)(c)~~ one faculty member from an approved teacher
 8 education program offered by an accredited teacher education
 9 institution;

10 ~~(c)(d)~~ one person employed as an administrator, with
 11 the certification required in 20-4-106(1)(c); and

12 ~~(d)(e)~~ one school district trustee.

13 (3) The board of public education shall select and
 14 appoint the members by June 1. If a vacancy occurs on the
 15 council, the board of public education shall appoint a
 16 person from the category of membership, as provided in
 17 subsection (2), in which the vacancy has occurred to serve
 18 the unexpired term.

19 ~~(4) The--term--of--office--of--an-appointed-member-is-2~~
 20 ~~years~~ Members shall serve staggered 3-year terms and must be
 21 appointed so that no more than three appointments expire in
 22 any 1 year."

23 **Section 2.** Section 20-4-131, MCA, is amended to read:

24 "20-4-131. Definitions. As used in 2-15-1522 and
 25 20-4-131 through 20-4-133, ~~unless--the--context---clearly~~

1 ~~indicates otherwise,~~ the following definitions apply:

2 (1) "Approved teacher education program" means a
3 program that is offered by an accredited teacher education
4 institution and approved by the board of public education.

5 (2) "Council" means the certification standards and
6 practices advisory council created in 2-15-1522.

7 (3) "K-12 specialist" means a person employed by a
8 school district as a librarian, school counselor, or special
9 education or chapter I teacher or a person who has a K-12
10 endorsement and who is assigned to teach art, music, or
11 physical education in a classroom that is not
12 self-contained.

13 {3}(4) "Specialist" means a person employed by a school
14 district ~~in-a-profession-other-than-the-teaching--profession~~
15 as a school psychologist."

16 NEW SECTION. Section 3. Implementation of staggered
17 terms. (1) To implement the staggered-term system provided
18 for in 2-15-1522, the first terms of the successors to the
19 five members whose terms expire June 1, 1991, are as
20 follows:

- 21 (a) two members shall serve 2-year terms; and
 - 22 (b) three members shall serve 3-year terms.
- 23 (2) Upon expiration of the terms provided for in
24 subsection (1), each member shall serve a 3-year term.

25 NEW SECTION. Section 4. Effective date. [This act] is

1 effective on passage and approval.

2 NEW SECTION. Section 5. Retroactive applicability.

3 [This act] applies retroactively, within the meaning of
4 1-2-109, to members of the board of public education
5 appointed after June 1, 1988.

-End-

APPROVED BY COMM. ON EDUCATION
AND CULTURAL RESOURCES

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6 specialist;

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8 education program offered by an accredited teacher education
9 institution;

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SECOND READING

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3 program that is offered by an accredited teacher education
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8 school district as a librarian, school counselor, or special
9 education or chapter I teacher or a person who has a K-12
10 endorsement and who is assigned to teach art, music, or
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3 ~~{This act} applies retroactively, within the meaning of~~
4 ~~1-2-1997, to members of the board of public education~~
5 ~~appointed after June 17, 1988.~~

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~~designated vocational-technical center; and~~

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(c) one faculty member from an approved teacher education program offered by an accredited teacher education institution;

(d) one person employed as an administrator, with the certification required in 20-4-106(1)(c); and

(e) one school district trustee.

(3) The board of public education shall select and appoint the members by June 1. If a vacancy occurs on the council, the board of public education shall appoint a person from the category of membership, as provided in subsection (2), in which the vacancy has occurred to serve the unexpired term.

~~(4) The term of office of an appointed member is 2 years~~ Members shall serve staggered 3-year terms and must be appointed so that no more than three appointments expire in any 1 year."

Section 2. Section 20-4-131, MCA, is amended to read:

"20-4-131. Definitions. As used in 2-15-1522 and 20-4-131 through 20-4-133, ~~unless the context clearly~~

THIRD READING



1 indicates otherwise, the following definitions apply:

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4 institution and approved by the board of public education.

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12 self-contained.

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3 {This act} applies retroactively, within the meaning of
4 1-2-199, to members of the board of public education
5 appointed after June 17, 1980.

-End-