

Opinion No. 47.

**Schools—Contracts—Teachers—
High School Principals.**

HELD: Under Section 39 of Chapter 148, Laws of 1931, where a principal of a county high school has taught for two successive periods of one year each and no written notice has been given within the statutory time that her services would not be required for the next school year, her contract is deemed renewed for a further term of one year.

February 19, 1935.

Mr. Fred W. Schmitz
County Attorney
Townsend, Montana

We have your letter of February 6, in which you state that the Principal of the Broadwater County High School has been employed by the Board for two successive periods of one year each, the last of which will expire at the end of the present school year. Since no written notice has been given her that her services would not be required for the next school year, it is our opinion that "her contract is deemed renewed for a further term of one year."

Section 83 (3) Chapter 148, Laws of 1931, provides: "In the case of a county high school, to employ for a period of not exceeding two (2) years some person as principal of the county high school who shall possess the qualifications required of a district superintendent of schools and who shall have charge of the county high school and whose tenure shall be the same as that of a district superintendent, except that the term shall be two (2) years instead of three (3)."

And Section 39 of the same chapter is as follows: "The board of trustees of any school district may appoint a superintendent of schools, his contract shall thereafter be deemed renewed for a further term of one (1) year, and successively thereafter for like terms of one (1) year each, unless the board of trustees shall by a majority vote of its members give written notice to such superintendent on or before the 1st day of February of the last year of his current term that his services will not be required

after the expiration of his existing contract."

We agree with you that Section 1075, R. C. M. 1921, does not apply to county high school principals, and after carefully considering the statutory provisions quoted above, it is our opinion that your conclusion is correct. (56 C. J. 397.)

See Opinion No. 131, rendered by this office.