

**Vocational School — State Employees — School Month —
Teachers—Schools.**

The provisions of section 1060 do not apply to teachers employed in vocational school. Teachers employed in vocational school are paid by month as are other state employees.

Mrs. J. W. Walker,
Superintendent,
Vocational School for Girls,
Helena, Montana.

October 2, 1931.

My dear Mrs. Walker:

You have requested an opinion as to whether the law defining a teaching month applies to teachers employed in the vocational school for girls.

Section 1060, R.C.M. 1921, provides:

“In every contract between any teacher and board of trustees, a school month shall be construed as twenty school days, or four weeks of five days each, and no teacher shall be required to teach school on a legal holiday, except as hereinafter provided, * * *.”

Section 1159, R.C.M. 1921, provides:

“The board of trustees may also employ a principal and other necessary officers, agents, and teachers, and shall prescribe the methods of discipline and the course of instruction; and shall exercise the same powers and perform the same duties as are prescribed by law for the management of other schools.”

In my opinion, the provisions of section 1060 do not apply to the teachers employed in the vocational school. The vocational school is a penal or semi-penal institution; the girls who are detained there are

given certain courses of training which may or may not correspond to courses given in the public schools. It is not a public school where children when excused return to the care of their parents.

The provision of section 1060 was intended to apply to the public schools and was intended to apply to teachers employed in the vocational school.

It is therefore my opinion that the teachers employed are paid by the month the same as other state employees.

Very truly yours,

L. A. FOOT,
Attorney General.