

MINUTES OF THE MEETING  
EDUCATION COMMITTEE  
MONTANA STATE SENATE

February 10, 1977

The fourteenth meeting of the Senate Education Committee was called to order by Senator Chet Blaylock, Chairman, on the above date, in Room 402 of the State Capitol Building at 11:00 o'clock A. M.

ROLL CALL: All members of the Committee were present.

CONSIDERATION OF SENATE BILL No. 233: The Chairman called on Senator Bob Lee, District No. 43, to present his testimony on Senate Bill 233.

Senator Lee introduced the Bill to exempt teachers at State institutions from the State classification scale and pay plan and called on Jim McGarvey to explain its purpose further.

Jim McGarvey, representing the Montana Federation of Teachers, AFL-CIO, testifying in support of the Bill, handed out copies of the teacher's pay scale and classification schedules set up by the State; and in going over these salary schedules, pointed out the 15 steps on the scale which limits teachers to one step advancement per year and that negotiations for fringe benefits have been a problem; that in negotiations on the pay schedule, the State indicated that since these teachers were plugged into the state plan, they have to abide by it, putting teachers in with the whole gamut of state employees. Some of the teachers at Boulder who are working with the regular teachers who are exempt from the state pay scale are receiving less than the regular teachers, which is not fair. He also stated management had indicated they did not oppose this type of legislation.

The Chairman asked for further proponents.

Maurice Hickey, representing the Montana Education Association, supported the Bill, saying they represent the teachers at the various State institutions; that they had gone through appeal procedures with the State, but were still locked into the State plan without regard to education or expertise. He further stated that under the State schedule, it was not possible for teachers employed at the institutions to progress, nor were they allowed a pay raise beyond their rating.

Richard Hull, representing the Mountain View School, Helena, Montana, supporting the Bill, handed out a salary schedule comparison showing the difference in pay between regular teachers in the Helena area and those at Mountain View which is less, and expressed his dissatisfaction with the State plan that after institute teachers get a few years experience, there is no provision for their pay increase commensurate with that experience and also that the State plan is based on a 9-month salary so their requirements are different. He stated that teachers

at institutions need further training to handle the problems with this type of clientel, but the State pay scale does not allow for the additional experience or education in their rate of pay for teachers.

Stan Gerke, representing the AFSCME, AFL-CIO, testifying in support of the Bill, affirmed that during bidget negotiations, they wanted to get the institute teachers out of the State plan in order to address them more equitably.

Tom Schneider, representing M. P. E. A., supported the Bill, stating that the present system was not equitable in that even though the State pay plan is classified, it does not address the type of process these institution teachers must go through to keep accredited, and that it should not be too difficult to segregate the rest of the State employees from these teachers.

There being no further proponents, the Chairman called for opponents.

Clarette LaSalle, from the State Personnel office, in opposition to the Bill, stated they conceded there was a problem with the pay schedule in not allowing credit for continued education or years of experience, but that the State plan would have more fringe benefits than an individual employer could offer; and that if this Bill went through, it would set a precedence and other occupational groups would try to break away from the State plan.

Tom Gouch, representing the Department of Institutions, testified in opposition that the institutions' budgets as presented for approval do not contain sufficient money to allow exemption of teachers from the State compensation structure. He also stated he felt the State should be competitive to hire high quality teachers because of the difficult type of clientel they had to work with, but that it would require additional funding.

There being no further opponents, closing statement was called for.

Senator Lee stated there should be a fiscal note on this to clarify the financial aspect; but looking at the institution teachers' situation realistically, they should not be considered second class and should be paid equitably.

Questions were called for.

Senator Smith expressed a concern about starting to exempt one group of people, then others would want special consideration, to which Senator Lee stated employment in a catagory did not address the question; most of these teachers work for 9 months where regular State employees work for 12 months.

Senator Mathers questioned how many teachers were involved; Mr. McGarvey replied that there were roughly 80 to 90, but Tom Gouch stated the figure was more like 40.

There was discussion regarding fringe benefits, including sick leave, for the teaching industry, which varied in the different schools depending on what had been negotiated in independent contracts, compared to those offered by the State, with Mr. McGarvey answering no to Senator Mathers' question if there was tenure for teachers at the institutions.

Discussion of the financial aspect of passing the Bill was carried on; concern was expressed regarding the additional cost when budgets were already submitted, or if passing this Bill would reopen contracts for additional pay negotiations, to which Mr. McGarvey stated that the Bill would not go into effect until after the fiscal year was over and the legislators had gone home.

There being no further questions, the hearing on Senate Bill No. 233 was closed.

CONSIDERATION OF SENATE BILL No. 304: The Chairman called on Senator Bob Lee to present his testimony on Senate Bill 304.

Senator Lee stated this Bill deals with requiring all teachers in Montana to have a valid certificate and if issued a teaching contract, it should be consistent with collective bargaining. Without a certificate, he stated it would be like hiring a teacher who was not fully qualified to teach; they must get the training to qualify to become a teacher and it would be to their advantage to have the certificate.

Maurice Hickey, representing the M.E.A., testified in support of the Bill. Photo copies of Section 75-6122 of the Montana codes were passed out to the Committee members, along with a written statement, copies of which are attached, detailing their position. Mr. Hickey stated that teachers are now under the collective bargaining laws for public employees but with one difference - they are required to be employed under an individual contract which, of necessity, may be issued prior to the time a final negotiated master contract is signed, and this law would assure that individual contract was subject to the negotiated agreement. He also stated there was a definite surplus of teachers in Montana who couldn't locate jobs, and they feel the emergency authorization to teach law should be eliminated. Originally, authorization in cases of emergency was set up for the small isolated area schools where qualified teachers were impossible to get on a short notice or emergency basis and in order to keep the school operating, they needed special authorization to hire a person other than a teacher with a valid Montana certificate. There is no need for this emergency authorization now. If a substitute is hired, that is a different procedure, and the office the the Superintendent of Public Instruction sets out

the requirements but it is a policy set out by the Board of Education.

The Chairman asked for further proponents.

Jim McGarvey, representing the AFL-CIO, in support of the Bill, testified that it would insure a teacher's individual contract would comply and be subject to the master contract negotiated under the collective bargaining laws governing teachers.

There being no further proponents, opponents were called for.

Chad Smith, representing the Montana School Board Association, in opposition to the Bill, stated this should be looked at with regard to the small areas where there are no surpluses of teachers and no way to get them to fill jobs when emergency situation arises. Strikes are another matter, but regarding page 2 about the independent contract being subject to the collective bargaining agreement, this would mean school boards would not be able to give anything that was not exactly put in the master contract and could result in teachers getting less. He proposed the following amendment:

Page 2, line 9.

Following "controlling", insert "unless the independent contract provides a greater benefit to the teacher than that provided in the collective bargaining agreement."

Jacob Block, Great Falls Public Schools, in opposition to the Bill, stated at times it was difficult to get staff even on minor cases, but to require certified teachers in some of the specialized fields such as art, music, physics, would be impractical. There are qualified persons in the community to teach subjects such as these who do not have certificates, and we should be allowed to use these people. Certified and qualified are entirely different with respect to the various school subjects taught. A person's proficiency should be considered.

Eugene Mack, District #8, White Sulphur Springs Public Schools, in opposition to the Bill, testified that if small schools like White Sulphur Springs were prohibited from using non-certified teachers, because of remoteness and adverse weather and roads which make it impossible to get certified substitutes on short notice from outside the area, they would have to close down. That portion of the Bill pertaining to non-certified teachers should be deleted.

Chairman Blaylock asked for any further opponents.

John Voorhis, Office of the Superintendent of Public Instruction, testified as a matter of information regarding the emergency authorization procedure which was to compensate for lack of teachers at the time it was started and has been abused until the past few years when

only one or two emergency authorization letters were issued. Without the emergency certificates, these persons substitute teaching could not be paid the way the procedure is set up.

There being no further opponents, closing statement was called for.

Senator Lee commented that we wouldn't want anyone in another profession to start practice without a certificate or license and that he didn't believe there was a shortage of teachers in the State; regarding contracts, if school boards wanted to pay more money, that would be a unique position.

Questions were called for.

Senator Mathers questioned that the proposed Bill would require persons to join the M.E.A. and that it would preclude school boards from giving merit awards for outstanding teachers by salary increases, which is an incentive for good teachers. Mr. Hickey answered that no one would be required to join M.E.A., but any deviation from the master contract would have to be looked at since collective bargaining laws govern and the master contract would control and unless there was a provision permitting this, it would not be allowed. Mr. McGarvey added that per Mr. Smith's proposed amendment, merit pay would have to be brought up during the negotiations, not after they were completed.

Senator Smith questioned the advisability of deleting the emergency authorization and requiring all substitutes to be certified as this is a real problem in rural areas. Mr. Hickey replied that the original policy of the Board of Education was so any one under an emergency situation could be hired to be with the children; hopefully, those persons were certified, but many times they were not and application by the school board for a letter of authorization was the only way these persons could be paid.

Senator Fasbender asked if there was another section of the codes that addresses the emergency authorization; that in the absence of specific law, the board of education is granting authority for substitute teachers. Mr. Hickey answered there is no other law and schools were using substitutes under the policy of the board of education.

Referring to Section 75-5707, Senator Dunkle questioned that the authorization for substitute teachers should still be allowed but not recognition for outstanding teacher, to which Senator Blaylock replied there would still be substitutes but nothing allowed in an individual contract that wasn't provided for in the bargaining contract.

Senator Thomas asked what the procedure would be if a school district could not obtain a substitute that was certified; Mr. Hickey stated there were about 200 substitutes operating across the State where no emergency authorization was issued.

Senator Dunkle asked if there would be any great discontent if the repealer were taken off, to which Mr. Hickey replied in the negative.

Senators McCallum and Murray questioned if the collective bargaining agreement carried on until the next one was signed; Senator Lee replied it should spell out the dates or be continued by agreement of the parties and that he had no objection to reinserting the emergency authorization clause.

There being no further questions, the hearing on Senate Bill 304 was closed.

CONSIDERATION OF SENATE BILL No. 322: Chairman Blaylock announced that Senator Graham, sponsor of the Bill, had another meeting he had to attend and had requested Capt. Duane B. Tooley to present the Bill.

Capt. D. B. Tooley, Montana Highway Patrol, explained that the current law on school bus lights requires both red and amber lights be used when picking up children and the intent of this Bill would be to remove the use of amber lights in the city; that the amber lights cause some confusion in the cities since the driver behind is not sure if the amber lights mean caution or stop.

The Chair asked for any further proponents.

Bob Stockton, O. S. P. I., stated the office very much supports the Bill to clear up the confusion caused by the amber lights used on school buses inside the cities; that it has been the policy within the city limits to disembark or pick up at sheltered points and that both the amber and red lights are to be used outside the city limits, and at railroad crossings; but as the buses are not made to operate just the amber lights, it causes confusion.

There being no further proponents, opponents were called for; there being none, the hearing was opened to questions by the Committee.

Senators Dunkle and Boylan questioned the difference between the two colored lights and their use inside or outside the city limits. Senator Blaylock explained that buses weren't built to activate the amber lights without using the red lights because of the master switch being wired for both; and Mr. Stockton added the flashing lights are used to stop in the traffic lane.

Senator McCallum asked if drivers used red lights when discharging children; Capt. Tooley replied not.

Senators Boylan and Thomas expressed concern about the meaning of amber lights merely to slow down and what the proper use was when children were crossing opposite the bus. Mr. Stockton commented that he was not informed enough to give a good answer, but that buses should discharge only at sheltered or designated areas and that the federal laws come

into this also.

Senator Mathers made a motion that Senate Bill 322 DO PASS; motion was seconded and carried by majority vote, with Senator McCallum voting no.

Senator Fasbender asked about setting his Senate Bill 389 in this Committee because of its pertaining to matters other than education.

ADJOURN:

There being no further business, the meeting was adjourned at 12:45 P.M.

/s/ Chet Blaylock

Chet Blaylock, Chairman

## ROLL CALL

COMMITTEE

45th LEGISLATIVE SESSION - - 1977

Date Feb. 10, 1977

[illegible]



DATE Feb. 10, 1977

COMMITTEE ON \_\_\_\_\_ BILL NO. \_\_\_\_\_

## VISITOR'S REGISTER

NAME	REPRESENTING	Check One	
		Support	Oppose
Anthony Storer	myself		
Wm. G. Stanfr	"		
Maileyn Nien	Board of Public Education		
D. B. Torkley	MHP	SB 322	
John Voorlip	SIPM		
John Voorlip	OSPI		
Stan Yeh	AFSCME AFL-CIO	SB 233	
Jim McGarvey	Mont Fed of Teachers AFL-CIO	<del>SB 233</del>	
R. Hull	MT View School K12A.	SB 233	
Eugene Mack	White Sulphur School Dist #8		X
Maurice Whiskey	Mont. Ed. Ass'n	SB 233	
"	" " "	SB 304	
Thomas Schauder	MPEA	SB 233	
Jack Marshall	MEA	SB 233	
Geri Lee	Self	SB 304	233
Sen Lee	Self	SB 304	
G. L. Hammond	AFSCME		
Pat Throck	OSPI	SB 302	
CHAD SMITH	Mont Sch Bd Ass'n	<del>SB 304</del>	SB 30
DAVID SEXTON	MEA	SB 233 SB 304	
Ray Goerns	Bd of Personnel Appeals		
Wayne Buchanan	Montana School Boards Ass'n	SB	SB 304
Jacob Block	Great Falls Public Schools		SB 304
Tom Crute	Fort Benton Schools		SB 304
Tom Gooch	Dept of Insulation		SB 23
Christie Hill	State Personnel		SB 23

NAME: Tom Schneider DATE: 2/10/97

ADDRESS: Box 5600

PHONE: 442-4600

REPRESENTING WHOM? MPER

APPEARING ON WHICH PROPOSAL: SB 233

DO YOU: SUPPORT? X AMEND? \_\_\_\_\_ OPPOSE? \_\_\_\_\_

COMMENTS: It would allow teachers to be paid  
as teachers.

NAME:

Chute LeSue

DATE:

2/10/77

ADDRESS:

Mitchell Bldg

PHONE:

449-3871

REPRESENTING WHOM?

State Personnel - Classification

APPEARING ON WHICH PROPOSAL:

SB 233

DO YOU:

SUPPORT? ☐

AMEND? ☐

OPPOSE? ☒

COMMENTS:

It would set precedent - if other groups  
would also wish to be exempt

It would create inconsistencies with similar  
work in other and the same agency

It is basically a pay plan problem rather  
than Classification

NAME: Tom Gooch DATE: 2/10/77

ADDRESS: Dept. of Institutions - 1539 11<sup>th</sup> Ave

PHONE: 3990

REPRESENTING WHOM? Dept. of Institutions

APPEARING ON WHICH PROPOSAL: SB 233

DO YOU: SUPPORT? \_\_\_\_\_ AMEND? \_\_\_\_\_ OPPOSE? ✓

COMMENTS: Primarily Fiscal Considerations.

COMMENTS: \_\_\_\_\_



John Voelker

2/10/77

Helena

449-3150

GSP1

304

SUPPORT?

Information

AMEND?

OPPOSE?

[illegible]

NAME:

DATE: 2-10-77

ADDRESS:

PHONE:

## REPRESENTING WHOM?

APPEARING ON WHICH PROPOSAL:

DO YOU:

SUPPORT?

AMEND?

**OPPOSE?**

COMMENTS:



NAME: RICHARD HULL DATE: 2/10/77

ADDRESS: Box 899 E. HELENA

PHONE: 227-6345

REPRESENTING WHOM? MOUNTAIN VIEW MGA.

APPEARING ON WHICH PROPOSAL: SB 233

DO YOU: SUPPORT? X AMEND?        OPPOSE?       

COMMENTS: MUCH NEEDED AND OVERDUE

LEGISLATION.

Richard L. Hull

NAME: Eugene Mack DATE: 2-10-77

ADDRESS: P.O. Box White Sulphur Springs MT. 59645

PHONE: 547-3351

REPRESENTING WHOM? School District #8

APPEARING ON WHICH PROPOSAL: 304

DO YOU: SUPPORT?                      AMEND?                      OPPOSE? X

COMMENTS: IF <sup>striking</sup> that portion of Senate Bill 304

pg 1 lines 18 & 19 prohibits the use of  
noncertified substitute teachers then  
White Sulphur Springs Elementary and  
Secondary Schools would be unable to  
to provide substitute teachers for an  
absent teacher. We have no certified  
substitute teachers on our substitute  
list. It would be necessary to attempt  
to obtain substitutes from a minimum  
distance of 45 miles away if some are  
available.

NAME: Maurice J. Hickey DATE: 2/10/77

ADDRESS: 1232 E. 6th Ave

PHONE: 442-4250

REPRESENTING WHOM? Montana Education Association

APPEARING ON WHICH PROPOSAL: SB 304

DO YOU: SUPPORT? ☒ AMEND? ☐ OPPOSE? ☐

COMMENTS: Written -

# STANDING COMMITTEE REPORT

February 19 19 77

MR. President

We, your committee on EDUCATION

having had under consideration SENATE Bill No. 322

Respectfully report as follows: That SENATE Bill No. 322,

Introduced Bill,

B.M.

DO PASS

SENATE COMMITTEE EDUCATION

Date February 10, 1977 SENATE Bill No. 322 Time

NAME	YES	NO
Senator Chet Blaylock, Chairman	✓	
Senator Ed Smith, Vice Chairman	✓	
Senator George McCallum		✓
Senator Bill Mathers	✓	
Senator William E. Murray	✓	
Senator Frank Dunkle	✓	
Senator Paul Boylan	✓	
Senator Larry Fasbender	✓	
Senator Bill Thomas	✓	
Senator Margaret Warden	✓	

Jennie Lind  
Secretary

Chet Blaylock  
Chairman

Motion: Senator Bill Mathers moved that Senate Bill No. 322  
DO PASS; the motion was seconded and carried by majority  
vote; Senator McCallum voting "no".

(include enough information on motion--put with yellow copy of committee report.)

*How much for Helena...*

PAY SCALE COMPARISON

DEGREE	Y.O.E.	STATE PAY	HELENA DISTRICT	LOSS
1. B.A.	3	\$ 9,293.00	\$ 9,408.00	\$ 115.00
2. B.S.	6	\$10,291.00	\$10,416.00	\$ 125.00
3. B.A.+15	5	\$ 9,347.00	\$10,533.00	\$1,186.00
4. B.S.+36	7	\$10,543.00	\$11,743.00	\$1,200.00
5. B.S.+30	7	\$10,530.00	\$11,743.00	\$1,213.00
6. B.S.+30	11	\$10,656.00	\$13,382.00	\$2,726.00
7. M.A.	10	\$ 9,093.00	\$13,549.00	\$4,456.00
8. B.S.+30	15	\$ 9,304.00	\$14,900.00	\$5,596.00
9. B.S.+43	24	\$11,342.00	\$17,270.00	\$5,928.00

HALF TIME TEACHERS

1. B.S.+1	7	\$ 5,056.00	\$ 5,452.00	\$ 396.00
2. M.A.+15	2	\$ 4,576.00	\$ 5,233.00	\$ 657.00

*SB 233*

February 1976

Exhibit "A"

## DEER LODGE SCHOOL DISTRICT #1 SALARY SCHEDULE

\$8800 Base - Level 3

5B 233

Exp.	BA	BA + 1	BA + 2	5th	MA	MA + 1	MA + 2	MA + 3
0	8,800 1.000	9,064 1.030	9,337 1.061	9,469 1.076	9,601 1.091	9,865 1.121	10,129 1.151	10,402 1.182
1	9,099 1.034	9,390 1.067	9,689 1.101	9,838 1.118	9,979 1.134	10,270 1.167	10,560 1.200	10,859 1.234
2	9,398 1.068	9,715 1.104	10,041 1.141	10,208 1.160	10,358 1.177	10,674 1.213	10,991 1.249	11,317 1.286
3	9,698 1.102	10,041 1.141	10,393 1.181	10,578 1.202	10,736 1.220	11,079 1.259	11,422 1.298	11,765 1.338
4	9,997 1.136	10,366 1.178	10,745 1.221	10,947 1.244	11,114 1.263	11,484 1.305	11,854 1.347	12,232 1.390
5	10,296 1.170	10,692 1.215	11,097 1.261	11,317 1.286	11,493 1.306	11,889 1.351	12,285 1.396	12,690 1.442
6	10,595 1.204	11,018 1.252	11,449 1.301	11,688 1.328	11,871 1.349	12,294 1.397	12,716 1.445	13,147 1.494
7	10,894 1.238	11,343 1.289	11,801 1.341	12,056 1.370	12,250 1.392	12,698 1.443	13,147 1.494	13,605 1.546
8	11,194 1.272	11,669 1.326	12,153 1.381	12,426 1.412	12,628 1.435	13,103 1.489	13,578 1.543	14,062 1.598
9	11,493 1.306	11,994 1.363	12,505 1.421	12,795 1.454	13,006 1.478	13,508 1.535	14,010 1.592	14,510 1.650
10	11,792 1.340	12,320 1.400	12,857 1.461	13,165 1.496	13,385 1.521	13,913 1.581	14,441 1.641	14,978 1.702
11		12,646 1.437	13,209 1.501	13,534 1.538	13,763 1.564	14,318 1.627	14,872 1.690	15,435 1.754
12			13,561 1.541	13,904 1.580	14,142 1.607	14,722 1.673	15,303 1.739	15,893 1.806
13				14,274 1.622	14,520 1.650	15,127 1.719	15,734 1.787	16,350 1.858
14					14,898 1.693	15,532 1.765	16,166 1.837	16,808 1.910
15					15,277 1.736	15,937 1.811	16,597 1.886	17,266 1.962

Vertical advancement limited to one step per year.

MA + 2 requires 15 graduate credits above MA + 1.

MA + 3 requires 15 graduate credits above MA + 2.

PH-5

THREE FORKS CITY SCHOOLS 1976-77  
 ATTAINMENT LEVEL 3 --- \$8500.00 BASE --- 10 STEPS

Years of Experience	BA Degree	BA + 1	BA + 2	5th Year	MA
0	8500.00	8760.00	9020.00	9150.00	9270.00
1	8790.00	9070.00	9360.00	9500.00	9640.00
2	9080.00	9380.00	9700.00	9860.00	10,000.00
3	9370.00	9700.00	10,040.00	10,220.00	10,370.00
4	9660.00	10,010.00	10,380.00	10,570.00	10,740.00
5	9950.00	10,330.00	10,720.00	10,930.00	11,100.00
6	10,230.00	10,640.00	11,060.00	11,290.00	11,470.00
7	10,520.00	10,960.00	11,400.00	11,650.00	11,830.00
8	10,810.00	11,270.00	11,740.00	12,000.00	12,300.00
9		11,590.00	12,080.00	12,360.00	12,560.00
10		11,900.00	12,420.00	12,720.00	12,930.00
11		12,210.00	12,760.00	13,080.00	13,300.00

School District to assume up to \$475.00 per year on Group Health Insurance





STATE OF MONTANA  
DEPARTMENT OF ADMINISTRATION  
PERSONNEL DIVISION

# CLASS SPECIFICATIONS

CLASS CODE	094005
GRADE	13
LAST UPDATED	3-14-75

OCCUPATIONAL  
GROUP

Occupations in Education of the Handicapped

MONTANA CLASSIFICATION TITLE

Teacher, Ungraded Room III

## DESCRIPTION OF WORK

GENERAL DUTIES: Performs professional teaching of physically and developmentally impaired students.

SUPERVISION RECEIVED: Works under general supervision of an administrative superior.

SUPERVISION EXERCISED: None.

## EXAMPLE OF DUTIES

Prepares and teaches academic subjects, prevocational skills, self-help skills, crafts, mobility training or vocational skills; supervises students at social occasions; accompanies students outside of the institution; performs public relations work by meeting with other agency officials and public groups or individuals; performs minor administrative duties; supervise extra-curricular activities; may assist other employees in supervising students in dormitory or cottage life; performs related work as required.

## MINIMUM QUALIFICATIONS

KNOWLEDGES: Considerable knowledge of educational principles involved in teaching a particular group of impaired students; child development and behavior modification.

SKILLS: Skill in teaching required learning or communication skill to particular group of students.

ABILITIES: Ability to communicate effectively with students; to establish effective relationships as a teacher; to meet and deal effectively with the public and other agencies.

EDUCATION: Graduation from a college or university with a Bachelor's degree in the area of specialty required by the particular state institution or school.

EXPERIENCE: Two years of experience as a teacher of impaired students.

OR

Any equivalent combination of education and experience.

NECESSARY SPECIAL REQUIREMENTS: Ability to meet special requirements.

USER  
AGENCIES

5113 6405 6408

\*

As Noted Below

All Except Those Noted Below

NOTE: Duties described above are not necessarily all inclusive for this class.



STATE OF MONTANA  
DEPARTMENT OF ADMINISTRATION  
PERSONNEL DIVISION

# CLASS SPECIFICATIONS

CLASS CODE	094004
GRADE	12
LAST UPDATED	3-14-75

OCCUPATIONAL  
GROUP

Occupations in Education of the Handicapped

MONTANA CLASSIFICATION TITLE

Teacher, Ungraded Room II

## DESCRIPTION OF WORK

**GENERAL DUTIES:** Performs professional teaching of physically and developmentally impaired students.

**SUPERVISION RECEIVED:** Works under general supervision of an administrative superior.

**SUPERVISION EXERCISED:** None.

## EXAMPLE OF DUTIES

Prepares and teaches academic subjects, prevocational skills, self-help skills, crafts, mobility training or vocational skills; supervises students at social occasions; accompanies students outside of the institution; performs public relations work by meeting with other agency officials and public groups or individuals; performs minor administrative duties; may assist other employees in supervising students in dormitory or cottage life; performs related work as required.

## MINIMUM QUALIFICATIONS

**KNOWLEDGES:** Working knowledge of educational principles involved in teaching a particular group of impaired students; child development and behavior modification.

**SPECIAL SKILLS:** Skill in teaching required learning or communication skill to particular group of students.

**ABILITIES:** Ability to communicate effectively with students; to establish effective relationships as a teacher; to meet and deal effectively with the public and other agencies.

**EDUCATION:** Bachelor's degree in the area of specialty required by the particular state institution or school.

**EXPERIENCE:** One year of teaching experience.

OR

Any equivalent combination of education and experience.

**NECESSARY SPECIAL REQUIREMENTS:** Ability to meet necessary special requirements.

USER  
AGENCIES

	All	*	As Noted Below	All Except Those Noted Below
5113 6402 6403 6405 6407 6408 6409 6412				

**NOTE:** Duties described above are not necessarily all inclusive for this class.



STATE OF MONTANA  
DEPARTMENT OF ADMINISTRATION  
PERSONNEL DIVISION

# CLASS SPECIFICATIONS

CLASS CODE	094003
GRADE	11
LAST UPDATED	3-14-75

OCCUPATIONAL  
GROUP

Education of the Handicapped

MONTANA CLASSIFICATION TITLE

Teacher Ungraded Room I

## DESCRIPTION OF WORK

GENERAL DUTIES: Performs entry level professional teaching of physically and developmentally impaired students.

SUPERVISION RECEIVED: Works under close supervision of an administrative superior.

SUPERVISION EXERCISED: None.

## EXAMPLE OF DUTIES

Receives close guidance in the preparation and teaching of academic subjects, pre-vocational skills, self-help skills, crafts, mobility training, or vocational skills; assists in supervising students at social occasions; accompanies students outside of the institution; meets with parents or guardian or other professionals to discuss problems or progress of pupil; may assist other employees in supervising students in dormitory or cottage life; performs related work as required.

## MINIMUM QUALIFICATIONS

KNOWLEDGES: Some knowledge of educational principles involved in teaching a particular group of impaired students; child development and behavior modifications.

SPECIAL SKILLS: None.

ABILITIES: Ability to learn and teach effective communication skills; to establish effective relationships as a teacher; to meet and deal effectively with the public and other agencies.

EDUCATION: Bachelor's degree in the area of specialty required by the particular State institution or school.

EXPERIENCE: None.

OR

Any equivalent combination of education and experience.

USER  
AGENCIES

All

\*

As Noted Below

All Except Those Noted Below

NOTE: Duties described above are not necessarily all inclusive for this class.

History: En. 75-6112 by Sec. 93, Ch. 5,  
L. 1971; amd. Sec. 1, Ch. 105, L. 1973.

## Amendments

The 1973 amendment inserted "in writing" in the last sentence of the third paragraph.

75-6122. Ratification of agreements. All professional negotiation agreements reduced to writing and executed by an employer and the representative of teachers must be ratified by a majority of the teachers in the appropriate unit before becoming binding upon the parties. If a professional negotiation agreement is executed by a professional negotiation agent of the employer it must be ratified by a majority of the board of the employer.

Any individual contract between the board and an individual teacher shall be subject to and consistent with the terms and conditions of the professional negotiations agreement involving that appropriate unit of which the teacher is a member. If an individual contract contains any language inconsistent with the professional negotiations agreement, the professional negotiations agreement during its duration shall be controlling.

History: En. Sec. 8, Ch. 424, L. 1971;  
amd. Sec. 1, Ch. 151, L. 1974.

## Amendments

The 1974 amendment added the second paragraph.

75-6129. Policy to recognize heritage of American Indians. It is the constitutionally declared policy of this state to recognize the distinct and unique cultural heritage of the American Indians and to be committed in its educational goals to the preservation of their cultural heritage. It is the intent of this act, predicated on the belief that school personnel should relate effectively with Indian students and parents, to provide means by which school personnel will gain an understanding of and appreciation for the American Indian people.

History: En. Sec. 1, Ch. 464, L. 1973.

## Title of Act.

An act requiring American Indian studies to be part of the educational background of public school teaching personnel employed on, or in public schools located

in the vicinity of, Indian reservations where the enrollment of Indian children qualifies the school for federal funds for Indian education programs, and encouraging American Indian studies as part of the educational background of all school personnel employed in the state.

75-6130. Definitions. (1) As used in this act, "American Indian studies" means instruction pertaining to the history, traditions, customs, values, beliefs, ethics and contemporary affairs of American Indians, particularly Indian tribal groups in Montana.

(2) As used in this act, "instruction" means

(a) a formal course of study offered by a unit of higher education developed with the advice and assistance of Indian people;

(b) in-service training developed by the superintendent of public instruction in co-operation with educators of Indian descent and made available to school districts; or

(c) in-service training provided by a local board of trustees, which is developed and conducted in co-operation with local Indian people.

History: En. Sec. 2, Ch. 464, L. 1973.

Senate Bill 304

I am Maurice J. Hickey, Executive Secretary of the Montana Education Association, appearing in support of Senate Bill 304.

The bill does two things: (1) it eliminates the emergency authorization of employment, and (2) it requires that the individual teacher's contract be subject to and consistent with the collective bargaining agreement if one exists.

We are now under the collective bargaining act for Public Employees, but one difference exists between this group and teachers. That difference is the requirement that each teacher be employed under an individual contract. Since it may be necessary to issue the individual contract before negotiations are finished, this amendment would assure that the content and language would be consistent with the final negotiated agreement.

This problem surfaced under the old negotiation act for teachers and an amendment was added in 1974. The second paragraph of section 75-6122 was added to the law at that time.

We feel this amendment will eliminate confusion as it did under the repealed teacher negotiation act.

Since there is a definite surplus of teachers and many who cannot locate jobs, we do not see any need to issue emergency authorization to teach.

We hope you will give the bill a do pass recommendation.