

1 *House* BILL NO *333* *Millison*
 2 INTRODUCED BY *Suebeck, Menahan, Lynch*
 3 *Hayler, W. Baeth, Kelly, Kandruck, Mulak*

4 A BILL FOR AN ACT ENTITLED: "AN ACT AMENDING SECTION
 5 75-6104, R.C.M. 1947, TO PROVIDE NONTENURE TEACHERS WITH THE
 6 SAME TERMINATION RIGHTS AND PROCEDURES AS TENURE TEACHERS."

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

9 Section 1. Section 75-6104, R.C.M. 1947, is amended to
 10 read as follows:

11 "75-6104. Termination of **tenure** teacher services.
 12 Whenever the trustees of any district resolve to terminate
 13 the services of a **tenure** teacher under the provisions of
 14 subsection (1) of section 75-6103, they shall notify such
 15 teacher in writing by registered letter or by personal
 16 notification for which a signed receipt is returned before
 17 the first day of April of such termination. Such
 18 notification shall include a printed copy of section
 19 75-6104, R.C.M. 1947, for the teacher's information. Any
 20 **tenure** teacher who receives a notice of termination may
 21 request, in writing ten (10) days after the receipt of such
 22 notice, a written statement declaring clearly and explicitly
 23 the specific reason or reasons for the termination of his
 24 services, and the trustees shall supply such statement
 25 within ten (10) days after the request. Within ten (10) days

1 after the **tenure** teacher receives the statement of reasons
 2 for termination, he may request in writing a hearing before
 3 the trustees to reconsider their termination action. When a
 4 hearing is requested, the trustees shall conduct such a
 5 hearing and reconsider their termination action within ten
 6 (10) days after the receipt of the request for a hearing. If
 7 the trustees affirm their decision to terminate the
 8 teacher's employment, the **tenure** teacher may appeal their
 9 decision to the county superintendent who may appoint a
 10 qualified attorney at law as a legal advisor who shall
 11 assist the superintendent in preparing findings of fact and
 12 conclusions of law. Subsequently, either the teacher or the
 13 trustees may appeal to the superintendent of public
 14 instruction under the provision for the appeal of
 15 controversies in this Title."

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