

HOUSE BILL 239

IN THE HOUSE

January 18, 1979

Introduced and referred to  
Committee on Education and  
Cultural Resources.

February 15, 1979

Committee recommend bill,  
do not pass.

February 16, 1979

Report adopted.

1 HOUSE BILL NO. 239  
2 INTRODUCED BY Brand

3  
4 A BILL FOR AN ACT ENTITLED: "AN ACT LIMITING EMPLOYMENT  
5 CONTRACTS TO 1 YEAR FOR A DISTRICT SUPERINTENDENT OR A  
6 COUNTY HIGH SCHOOL PRINCIPAL; AND AMENDING SECTION 20-4-401,  
7 MCA."

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

10 Section 1. Section 20-4-401, MCA, is amended to read:

11 "20-4-401. Appointment and dismissal of district  
12 superintendent or county high school principal. (1) The  
13 trustees of any high school district, except a county high  
14 school, and the trustees of the elementary district where  
15 its high school building is located shall jointly employ and  
16 appoint a district superintendent. The trustees of a county  
17 high school shall employ and appoint a district  
18 superintendent, except that they may employ and appoint a  
19 holder of a class 3 teacher certificate with a district  
20 superintendent endorsement as the county high school  
21 principal in lieu of a district superintendent. The trustees  
22 of any other district may employ and appoint a district  
23 superintendent.

24 (2) Whenever a joint board of trustees has been formed  
25 by a county high school and the elementary district where

1 the county high school is located, such joint board shall  
2 jointly employ and appoint a district superintendent. During  
3 the term of contract of the jointly appointed district  
4 superintendent, neither district shall separately employ and  
5 appoint a district superintendent or county high school  
6 principal.

7 (3) The written contract of employment of a district  
8 superintendent or a county high school principal shall be  
9 authorized by the proper resolution of the trustees of the  
10 district or the joint board of trustees and executed in  
11 duplicate by the chairman of the trustees or joint board of  
12 trustees and the clerks of the districts in the name of the  
13 districts and by the district superintendent or the county  
14 high school principal. Such contract shall be for a term of  
15 not more than ~~3 years~~ 1 year, and ~~after the second~~  
16 ~~successive contracts the contract shall be deemed to be~~  
17 ~~renewed for a further term of 1 year from year to year~~  
18 ~~thereafter unless the trustees shall by resolution passed~~  
19 ~~by a majority vote of its membership resolve to terminate~~  
20 ~~the services of the district superintendent or the county~~  
21 ~~high school principal at the expiration of his existing~~  
22 ~~contracts. The trustees shall take such termination action~~  
23 ~~and notify the district superintendent or the county high~~  
24 ~~school principal in writing of their intent to terminate his~~  
25 ~~services at the expiration of his current contract not later~~

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1 ~~then February 1 of the last year of such contracts~~

2 (4) Whenever a joint board of trustees employs a  
3 person as the district superintendent, the elementary  
4 district and the county high school shall prorate the  
5 compensation provided by the contract of employment on the  
6 basis of the number of teachers employed by each district.

7 (5) At any time the class 3 teacher certification or  
8 the endorsement of the certificate of a district  
9 superintendent or a county high school principal that  
10 qualifies such person to hold such position becomes invalid,  
11 the trustees of the district or the joint board of trustees  
12 shall discharge such person as the district superintendent  
13 or county high school principal regardless of the unexpired  
14 term of his contract. The trustees shall not compensate him  
15 under the terms of his contract for any services rendered  
16 subsequent to the date of the invalidation of his teacher  
17 certificate.

18 (6) No district superintendent or county high school  
19 principal shall engage in any work or activity which the  
20 trustees may deem to be in conflict with his duties and  
21 employment as the district superintendent or county high  
22 school principal."

-End-