

SENATE BILL 361

IN THE SENATE

February 3, 1979

Introduced and referred to
Committee on Education.

February 17, 1979

Committee recommend bill,
do not pass.

1 ~~State~~ BILL NO. 361
 2 INTRODUCED BY Boylan Anderson
 3

4 A BILL FOR AN ACT ENTITLED: "AN ACT TO REQUIRE A COUNTY
 5 SUPERINTENDENT OF SCHOOLS TO HOLD A MASTER'S DEGREE IN
 6 SCHOOL ADMINISTRATION AND AN ADMINISTRATIVE CERTIFICATE;
 7 PROVIDING FOR EMERGENCY VARIANCE; AMENDING SECTION 20-3-201,
 8 MCA."

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

11 Section 1. Section 20-3-201, MCA, is amended to read:

12 "20-3-201. Election and qualifications. (1) A county
 13 superintendent shall be elected in each county of the state
 14 unless a county manager form of government has been
 15 organized in the county. The county superintendent shall be
 16 elected at the general election preceding the expiration of
 17 the term of office of the incumbent.

18 (2) Any person ~~shall--be~~ is qualified to assume the
 19 office of the county superintendent who:

- 20 (a) is a qualified elector;
- 21 (b) holds a valid teacher certificate issued by the
 22 superintendent of public instruction; and
- 23 (c) has ~~not~~ no less than 3 years of successful
 24 teaching experience as a certified teacher or
 25 administrator;

1 ~~(d) holds a master's degree in school administration~~
 2 ~~from a unit of the Montana university system or an~~
 3 ~~equivalent institution; and~~
 4 ~~(e) holds an appropriate class 3 administrative~~
 5 ~~certificate as provided in 20-4-106, except that he is not~~
 6 ~~required to possess both an elementary and a secondary~~
 7 ~~instruction endorsement."~~

8 NEW SECTION. Section 2. Emergency variance from
 9 certain requirements. (1) Upon application of any qualified
 10 elector residing within the county, the superintendent of
 11 public instruction may, pursuant to guidelines adopted by
 12 the board of public education, grant an emergency variance
 13 from the requirements of subsections (2)(d) and (2)(e) of
 14 20-3-201 for that county whenever those requirements present
 15 an unreasonable obstacle to the securement of a county
 16 superintendent for that county.

17 (2) The board of public education shall adopt rules in
 18 the nature of guidelines to be followed by the
 19 superintendent of public instruction in granting or denying
 20 such emergency variances.

21 (3) An emergency variance is valid only for the term
 22 of office of the county superintendent who takes office
 23 pursuant to that variance.

24 NEW SECTION. Section 3. No application to existing
 25 county superintendents. The requirements of subsections

1 (2)(d) and (2)(e) of 20-3-201 apply only to county
2 superintendents who take office by election or otherwise
3 after July 1, 1979.

-End-