

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 BILL NO. 361
2 INTRODUCED BY Boyle 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."

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 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;

1 161 holds a master's degree in school administration
2 from a unit of the Montana university system or an
3 equivalent institution and
4 161 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-