

House Bill 672

In The House

February 6, 1981

Introduced and referred
to Committee on Education.

February 20, 1981

Committee recommend bill
do not pass.

1 HOUSE BILL NO. 672
2 INTRODUCED BY *Kendrick*

3
4 A BILL FOR AN ACT ENTITLED: "AN ACT TO ALLOW THE TRUSTEES
5 OF ANY SCHOOL DISTRICT TO ISSUE CONDITIONAL CONTRACTS FOR
6 REELECTION OF TENURE AND NONTENURE TEACHERS PRIOR TO APRIL 1
7 WHENEVER FUNDING FOR THE ENSUING SCHOOL FISCAL YEAR IS NOT
8 CONFIRMED OR WHENEVER NEGOTIATIONS FOR TEACHER CONTRACTS ARE
9 NOT COMPLETED; AMENDING SECTIONS 20-4-205 AND 20-4-206,
10 MCA."

11
12 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:

13 Section 1. Section 20-4-205, MCA, is amended to read:
14 *20-4-205. Notification of tenure teacher reelection
15 -- acceptance. (1) The trustees shall provide by April 1
16 written notice by ~~April 1~~ or conditional contracts as
17 provided in [section 3] to all tenure teachers who have been
18 reelected. Any tenure teacher who does not receive notice of
19 reelection or termination shall be automatically reelected
20 for the ensuing school fiscal year.

21 (2) Any tenure teacher who receives notification of
22 his reelection for the ensuing school fiscal year shall
23 provide the trustees with his written acceptance of the
24 conditions of such reelection within 20 days after the
25 receipt of the notice of reelection, and failure to so

1 notify the trustees within 20 days shall constitute
2 conclusive evidence of his nonacceptance of the tendered
3 position."

4 Section 2. Section 20-4-206, MCA, is amended to read:
5 *20-4-206. Notification of nontenure teacher
6 reelection -- acceptance -- termination and statement of
7 reason. (1) The trustees shall provide written notice by
8 April 15 or conditional contracts by April 1 as provided in
9 [section 3] to all nontenure teachers who have been
10 reelected. Any nontenure teacher who does not receive notice
11 of reelection or termination shall be automatically
12 reelected for the ensuing school fiscal year.

13 (2) Any nontenure teacher who receives notification of
14 his reelection for the ensuing school fiscal year shall
15 provide the trustees with his written acceptance of the
16 conditions of such reelection within 20 days after the
17 receipt of the notice of reelection. Failure to so notify
18 the trustees within 20 days may be considered nonacceptance
19 of the tendered position.

20 (3) When the trustees notify a nontenure teacher of
21 termination, the teacher may within 10 days after receipt of
22 such notice make written request of the trustees for a
23 statement in writing of the reasons for termination of
24 employment. Within 10 days after receipt of the request,
25 the trustees shall furnish such statement to the teacher.

INTRODUCED BILL
-2- HB 672

LC 2137/01

1 (4) The provisions of this section shall not apply to
2 cases in which a nontenure teacher is terminated when the
3 financial condition of the school district requires a
4 reduction in the number of teachers employed and the reason
5 for the termination is to reduce the number of teachers
6 employed."

7 ~~NEW SECTION.~~ Section 3. Conditional contracts for
8 reelection of tenure and nontenure teachers. The trustees of
9 any district may issue conditional contracts for reelection
10 to tenure and nontenure teachers prior to April 1 whenever
11 funding for the ensuing school fiscal year is not confirmed
12 or whenever negotiations for teacher contracts are not
13 completed. If the trustees issue conditional contracts
14 pursuant to this section, the written notification of
15 reelection requirements in 20-4-205 and 20-4-206 do not
16 apply.

17 Section 4. Codification instruction. Section 3 is
18 intended to be codified as an integral part of Title 20,
19 chapter 4, part 2, and the provisions of Title 20 apply to
20 section 3.

-End-