

House Bill 739

## In The House

HOUSE BILL NO. 739

INTRODUCED BY Conn - by Request

4 A BILL FOR AN ACT ENTITLED: "AN ACT TO REQUIRE THAT ALL  
5 CERTIFIED AND NONCERTIFIED SCHOOL PERSONNEL, INCLUDING  
6 VOLUNTEERS IN SPECIAL EDUCATION CLASSROOMS, MUST SATISFY  
7 REQUIREMENTS FOR INSTRUCTION IN SPECIAL EDUCATION TRAINING  
8 TO BE EMPLOYED IN MONTANA PUBLIC SCHOOLS; AND PROVIDING AN  
9 IMMEDIATE EFFECTIVE DATE."

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

12           Section 1. Purpose. The purpose of [this act] is to  
13       guarantee handicapped students in the public schools of  
14       Montana an equal opportunity to benefit from a free and  
15       appropriate public education and to develop their maximum  
16       potential for a full and independent life by insuring that  
17       all certified and noncertified personnel employed and  
18       volunteers utilized in the public schools in Montana have  
19       adequate knowledge and training in the needs of such  
20       handicapped students.

21           Section 2. Qualifications in special education  
22        training required for certified and noncertified personnel

23 (1) As of September 1, 1983, all boards of trustees for  
24 elementary and secondary school districts may employ only  
25 those certified personnel who have satisfied the

1 requirements for instruction in special education training  
2 as defined in [section 3].  
3 (2) As of September 1, 1982, all boards of trustees  
4 for elementary and secondary school districts may:  
5 (a) employ only those noncertified personnel who have  
6 satisfied the requirements for instruction in special  
7 education training as defined in [section 3];  
8 (b) accept as volunteers in special education  
9 classrooms only those persons who have satisfied the  
10 requirements for instruction in special education training  
11 as defined in [section 3].

12 Section 3. Definitions. As used in [section 2], the  
13 following definitions shall apply:

14 (1) "Instruction" means:

15 (a) for certified personnel, a formal course of study  
16 that is offered by a unit of higher education and is  
17 equivalent to at least 6 credit hours;

18 (b) for noncertified personnel and volunteers, at  
19 least 20 hours of inservice training developed by the  
20 superintendent of public instruction in consultation with  
21 parents of handicapped students and made available to school  
22 districts.

23 (2) "Special education training" means instruction  
24 pertaining to the psychology of the handicapped child, as  
25 defined in 20-7-401, the identification of the handicapped

1 child, including but not limited to the learning disabled  
2 child, and methods of instruction for the handicapped child,  
3 including but not limited to the learning disabled child.

4 Section 4. Codification instruction. Sections 1  
5 through 3 are intended to be codified as an integral part of  
6 Title 20.

7 Section 5. Effective date. This act is effective on  
8 passage and approval.

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