HOUSE JOINT RESOLUTION NO. 49

INTRODUCED BY VINCENT, EUDAILY, KEEDY, SEIFERT

IN THE HOUSE

IN THE HOUSE						
March	24, 1981	Introduced and referred to Committee on Education.				
April	2, 1981	Committee recommend bill do pass. Report adopted.				
April	3, 1981	Bill printed and placed on members' desks.				
April	7, 1981	Second reading, do pass.				
April	8, 1981	Considered correctly engrossed.				
April	9, 1981	Third reading, passed. Ayes, 88; Noes, 6. Transmitted to Senate.				
	IN THE SENATE					
April	10, 1981	Introduced and referred to Committee on Education and Cultural Resources.				
April	22, 1981	Committee recommend bill be concurred in. Report adopted.				
April	23, 1981	Second reading, concurred in.				
		Third reading, concurred in. Ayes, 34; Noes, 14.				
	IN THE HOUSE					

April 23, 1981 Returned from Senate. Concurred in. Sent to enrolling.

Reported correctly enrolled.

1	HOUSE JOINT RESOLUTION NO. 49
2	NTRODUCED BY VINCENT Girlaily Color SeiSent
3	

A JOINT RESOLUTION OF THE SENATE AND THE HOUSE OF REPRESENTATIVES OF THE STATE OF MONTANA REQUESTING AN INTERIM STUDY OF SCHOOL TEACHER TENURE LAWS AND REQUIRING A REPORT OF THE FINDINGS OF THE STUDY TO THE LEGISLATURE.

7 8 9

10

11

12

13

14

15

16

17

18

19

20

21

22

23

24

25

5

6

WHEREAS, there have been several bills introduced in the 47th Legislature to modify present law on teacher tenure; and

MHEREAS, there is at the present time a recognition among legislators, teachers, administrators, and school district trustees in the state that this is an appropriate time for a comprehensive examination of teacher tenure laws;

with REAS, the present laws on teacher tenure in some respects fail to harmonize with actual fiscal restraints and conditions of school districts and with collective bargaining practices and may in some instances be applied inequirably, causing hardship to some teachers and granting unwarranted job security to others; and

whereas, as was demonstrated during hearings on teacher tenure bills introduced in the current session, the subject is complex and controversial in nature and thus was not

amenable to a solution during the session; and

2 WHEREAS, because alterations in existing tenure law
3 could have significant and long lasting personal and fiscal
4 effects on both teachers and school districts, there is a
5 real need to study teacher tenure through exhaustive public
6 hearings and deliberations that would lead to proposed laws
7 governing the employer-employee relationship in Montana's
8 public schools that represent an equitable accommodation
9 among all concerned.

10

NOW, THEREFORE, BE IT RESOLVED BY THE SENATE AND THE HOUSE

OF REPRESENTATIVES OF THE STATE OF MONTANA:

- 13 (1) That an appropriate interim committee be assigned 14 to study present teacher tenure laws, specifically 15 examining:
- 16 (a) the present system of requiring a certain term of17 years for tenure qualification;
- 18 (b) the substantive and procedural scope of teacher

 19 tenure provisions and the advantages and disadvantages to

 20 teachers, school districts, and the community;
- 21 (c) the fiscal restraints, uncertainties, and 22 timetables that affect school districts in the application 23 of tenure laws:
- 24 (d) collective bargaining practices related to tenure;
 25 and

and the contract of the contra

- 1 (e) inequities in present tenure laws that may cause
 2 hardship to individual teachers, school districts,
 3 administrators, and to the community at large.
- 4 (2) That the committee is urged to study and carefully 5 consider due process and collective bargaining alternatives 6 to present teacher tenure laws.
- 7 (3) That the committee report its findings to the 48th 8 Legislature together with recommendations for legislation, 9 if any, necessary to implement such findings.

-End-

Approved by Committee an Education

1	HOUSE JOINT RESOLUTION NO. 49
2	INTRODUCED BY VINCENT Circuly KILAN SeiSert
3	
4	A JOINT RESOLUTION OF THE SENATE AND THE HOUSE OF
5	REPRESENTATIVES OF THE STATE OF MONTANA REQUESTING AN
6	INTERIM STUDY OF SCHOOL TEACHER TENURE LAWS AND REQUIRING A
7	REPORT OF THE FINDINGS OF THE STUDY TO THE LEGISLATURE.
8	
9	WHEREAS, there have been several bills introduced in
10	the 47th Legislature to modify present law on teacher
11	tenure; and
12	WHEREAS, there is at the present time a recognition
13	among legislators, teachers, administrators, and school
14	district trustees in the state that this is an appropriate
15	time for a comprehensive examination of teacher tenure laws;
16	and
17	WHEREAS, the present laws on teacher tenure in some
18	respects fail to harmonize with actual fiscal restraints and
19	conditions of school districts and with collective
20	bargaining practices and may in some instances be applied
21	inequitably, causing hardship to some teachers and granting
22	unwarranted job security to others; and
23	WHEREAS, as was demonstrated during hearings on teacher
24	tenure bills introduced in the current session, the subject

is complex and controversial in nature and thus was not

1	amenable to a solution during the session; and
2	WHEREAS, because alterations in existing tenure law
3	could have significant and long lasting personal and fiscal
4	effects on both teachers and school districts, there is
5	real need to study teacher tenure through exhaustive public
6	hearings and deliberations that would lead to proposed laws
7	governing the employer-employee relationship in Montana's
8	public schools that represent an equitable accommodation
9	among all concerned.
10	
11	NON. THEREFORE. BE IT RESOLVED BY THE SENATE AND THE HOUSE

13 (1) That an appropriate interim committee be assigned 14 to study present teacher tenure laws, specifically

OF REPRESENTATIVES OF THE STATE OF MONTANA:

examining:

12

15

18

19

20

(a) the present system of requiring a certain term ofyears for tenure qualification;

(b) the substantive and procedural scope of teacher tenure provisions and the advantages and disadvantages to teachers, school districts, and the community;

21 (c) the fiscal restraints, uncertainties, and 22 timetables that affect school districts in the application 23 of tenure laws;

24 (d) collective bargaining practices related to tenure;25 and

SECOND READING

-2

HJR 49

- 1 (e) Inequities in present tenure laws that may cause 2 hardship to individual teachers, school districts, 3 administrators, and to the community at large.
 - (2) That the committee is urged to study and carefully consider due process and collective bargaining alternatives to present teacher tenure laws.

7 (3) That the committee report its findings to the 48th 8 Legislature together with recommendations for legislation, 9 if any, necessary to implement such findings.

-End-

1	HOUSE JOINT RESOLUTION NO. 49
Ż	INTRODUCED BY VINCENT Geolaily KUCAN SeiSert
3	
4	A JOINT RESOLUTION OF THE SENATE AND THE HOUSE OF
5	REPRESENTATIVES OF THE STATE OF MONTANA REQUESTING AN
6	INTERIM STUDY OF SCHOOL TEACHER TENURE LAWS AND REQUIRING A
7	REPORT OF THE FINDINGS OF THE STUDY TO THE LEGISLATURE.
8	
9	WHEREAS, there have been several bills introduced in
10	the 47th Legislature to modify present law on teacher
11	tenure; and
12	WHEREAS, there is at the present time a recognition
13	among legislators, teachers, administrators, and school
14	district trustees in the state that this is an appropriate
15	time for a comprehensive examination of teacher tenure laws;
16	and
17	WHEREAS, the present laws on teacher tenure in some
18	respects fail to harmonize with actual fiscal restraints and
19	conditions of school districts and with collective
20	bargaining practices and may in some instances be applied
21	inequitably, causing hardship to some teachers and granting
22	unwarranted job security to others; and
23	WHEREAS, as was demonstrated during hearings on teacher
24	tenure bills introduced in the current session, the subject

is complex and controversial in nature and thus was not

amenable to a solution during the session; and 2 WHEREAS, because alterations in existing tenure law 3 could have significant and long lasting personal and fiscal effects on both teachers and school districts, there is a real need to study teacher tenure through exhaustive public hearings and deliberations that would lead to proposed laws 7 qoverning the employer-employee relationship in Montana's public schools that represent an equitable accommodation 9 among all concerned. 10 11 NOW. THEREFORE. BE IT RESOLVED BY THE SENATE AND THE HOUSE 12 OF REPRESENTATIVES OF THE STATE OF MONTANA: 13 (1) That an appropriate interim committee be assigned 14 to study present teacher tenure laws, specifically 15 examining: 16 (a) the present system of requiring a certain term of 17 years for tenure qualification; 18 (b) the substantive and procedural scope of teacher 19 tenure provisions and the advantages and disadvantages to 20 teachers, school districts, and the community; fiscal restraints, uncertainties, 21 (c) the 22 timetables that affect school districts in the application 23 of tenure laws: 24 (d) collective bargaining practices related to tenure; 25 and

-2-

(e) inequities in present tenure laws that may cause hardship to individual teachers, school districts, administrators, and to the community at large.

ł

2

3

5

7

- (2) That the committee is urged to study and carefully consider due process and collective bargaining alternatives to present teacher tenure laws.
- (3) That the committee report its findings to the 48th Legislature together with recommendations for legislation, if any, necessary to implement such findings.

-End-

HJR 0049/02

16

17

18

19

20

21

22

23

25

and

HJR 0049/02

1	HOUSE JOINT RESOLUTION NO. 49							
2	INTRODUCED BY VINCENT, EUDAILY, KEEDY, SEIFERT							
3								
4	A JOINT RESOLUTION OF THE SENATE AND THE HOUSE OF							
5	REPRESENTATIVES OF THE STATE OF MONTANA REQUESTING AN							
6	INTERIM STUDY OF SCHOOLTEACHER TENURE LAWS AND REQUIRING A							
7	REPORT OF THE FINDINGS OF THE STUDY TO THE LEGISLATURE.							
8								
9	WHEREAS, there have been several bills introduced in							
10	the 47th Legislature to modify present law on teacher							
11	tenure; and							
12	WHEREAS, there is at the present time a recognition							
13	among legislators, teachers, administrators, and school							
14	district trustees in the state that this is an appropriate							
15	time for a comprehensive examination of teacher tenure laws;							
16	and							
17	WHEREAS, the present laws on teacher tenure in some							
18	respects fail to harmonize with actual fiscal restraints and							
19	conditions of school districts and with collective							
20	bargaining practices and may in some instances be applied							
21	inequitably, causing hardship to some teachers and granting							
22	unwarranted job security to others; and							
23	WHEREAS, as was demonstrated during hearings on teacher							
24	tenure bills introduced in the current session, the subject							

is complex and controversial in nature and thus was not

2	WHEREAS+ because afterations in existing tenure la
3	could have significant and long lasting personal and fisca
4	effects on both teachers and school districts, there is
5	real need to study teacher tenure through exhaustive public
6	hearings and deliberations that would lead to proposed. law
7	governing the employer-employee relationship in Montana
8	public schools that represent an equitable accommodation
9	among all concerned.
10	
11	NOW, THEREFORE, BE IT RESOLVED BY THE SENATE AND THE HOUS
12	OF REPRESENTATIVES OF THE STATE OF MONTANA:
13	(1) That an appropriate interim committee be assigne
14	to study present teacher tenure laws, specificall
15	examining:

years for tenure qualification;

of tenure laws:

(a) the present system of requiring a certain term of

(b) the substantive and procedural scope of teacher

(c) the fiscal restraints, uncertainties, and

(d) collective bargaining practices related to tenure;

tenure provisions and the advantages and disadvantages to

timetables that affect school districts in the application

teachers, school districts, and the community;

amenable to a solution during the session; and

HJR 0049/02

(e)	inequ	ities	in	present tenure	laws	that	may	c au se
hardship	to	indiv	idual	teachers,	scho	1	distr	icts.
administr	ators.	and to	o the	community at	Large	_		

2

7

- (2) That the committee is urged to study and carefully consider due process and collective bargaining alternatives to present teacher tenure laws.
- (3) That the committee report its findings to the 49th Legislature together with recommendations for legislation, if any, necessary to implement such findings.

-End-

- 3-