

HOUSE BILL NO. 99

Introduced: 01/06/83

Referred to Committee on Education & Cultural Resources:  
01/06/83

Hearing: 1/19/83

Report: 01/22/83, Do Pass, As Amended

2nd Reading: 01/25/83, Do Pass, As Amended

3rd Reading: 01/27/83, Do Pass

Transmitted to Senate: 1/27/83

Referred to Committee on Education & Cultural Resources:  
1/28/83

Hearing: 3/14/83

Report: 3/23/83, Be Concurred In

2nd Reading: 3/24/83

3rd Reading: 3/28/83

Bill Killed

House BILL NO. 99

INTRODUCED BY Hammond

BY REQUEST OF THE BOARD OF PUBLIC EDUCATION

A BILL FOR AN ACT ENTITLED: "AN ACT TO ALLOW THE BOARD OF PUBLIC EDUCATION TO PERMIT SCHOOL DISTRICTS TO CONDUCT LESS THAN 180 SCHOOL DAYS OF PUPIL INSTRUCTION IN A SCHOOL YEAR IF AN EQUIVALENT IS PROVIDED THROUGH LONGER SCHOOL DAYS; AMENDING SECTIONS 20-1-301 AND 20-2-121, MCA."

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

Section 1. Section 20-1-301, MCA, is amended to read:

"20-1-301. School fiscal year. (1) The school fiscal year shall begin on July 1 and end on June 30. At least 180 school days of pupil instruction shall be conducted during each school fiscal year, except that:

(a) 175 days of pupil instruction for graduating seniors may be sufficient as provided in 20-9-313; or unless

(b) a variance for kindergarten has--been may be granted under 20-1-302; or

(c) a district ~~is~~ may be granted a variance under the provisions of chapter 9, part 8, of this title; or

(d) a district may be granted a variance by the board of public education to conduct less than 180 school days if

the district conducts an equivalent number of hours through longer school days of pupil instruction and meets all other conditions required by the board of public education.

(2) Any district that fails to provide for at least 180 school days of pupil instruction or the equivalent shall not be entitled to receive any apportionment of the state interest and income funds. Any such forfeited moneys shall be apportioned by the county superintendent to the other elementary districts of his county."

Section 2. Section 20-2-121, MCA, is amended to read:

"20-2-121. Board of public education -- powers and duties. The board of public education shall:

(1) effect an orderly and uniform system for teacher certification, specialist certification and for the issuance of an emergency authorization of employment by adopting the policies prescribed by 20-4-102 and 20-4-111;

(2) consider the suspension or revocation of teacher or specialist certificates and appeals from the denial of teacher or specialist certification in accordance with the provisions of 20-4-110;

(3) administer and order the distribution of state equalization aid in accordance with the provisions of 20-9-344;

(4) adopt and enforce policies to provide uniform standards and regulations for the design, construction, and

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A/B 99

-End-

1 operation of school buses in accordance with the provisions  
2 of 20-10-111;  
3 (5) approve or disapprove a reduction of the number of  
4 hours in a district's school day in accordance with the  
5 provisions of 20-1-302;  
6 (6) adopt policies prescribing the conditions when  
7 school may be conducted on Saturday and the types of  
8 pupil-instruction-related days and approval procedure for  
9 such days in accordance with the provisions of 20-1-303 and  
10 20-1-304;  
11 (7) adopt standards of accreditation and establish the  
12 accreditation status of every school in accordance with the  
13 provisions of 20-7-101 and 20-7-102;  
14 (8) approve or disapprove educational media selected  
15 by the superintendent of public instruction for the  
16 educational media library in accordance with the provisions  
17 of 20-7-201;  
18 (9) adopt policies for the conduct of special  
19 education in accordance with the provisions of 20-7-402;  
20 (10) adopt rules for approval of a variance for a  
21 school district to conduct an equivalent to the required  
22 number of school days of pupil instruction in accordance  
23 with the provisions of 20-1-301; and  
24 ~~(10)~~(11) perform any other duty prescribed from time to  
25 time by this title or any other act of the legislature."

App. by comm. on education  
and cultural resources

HOUSE BILL NO. 99

INTRODUCED BY J. HAMMOND

BY REQUEST OF THE BOARD OF PUBLIC EDUCATION

A BILL FOR AN ACT ENTITLED: "AN ACT TO ALLOW THE BOARD OF PUBLIC EDUCATION TO PERMIT SCHOOL DISTRICTS TO CONDUCT LESS THAN 180 SCHOOL DAYS OF PUPIL INSTRUCTION IN A SCHOOL YEAR IF AN EQUIVALENT IS PROVIDED THROUGH LONGER SCHOOL DAYS; TO PROVIDE FOR APPROVAL OF EQUIVALENT PLAN BY DISTRICT VOTERS; AMENDING SECTIONS 20-1-301 AND 20-2-121, MCA."

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

Section 1. Section 20-1-301, MCA, is amended to read:

"20-1-301. School fiscal year. (1) The school fiscal year shall begin on July 1 and end on June 30. At least 180 school days of pupil instruction shall be conducted during each school fiscal year, except that:

(a) 175 days of pupil instruction for graduating seniors may be sufficient as provided in 20-9-313; or unless

(b) a variance for kindergarten has been granted under 20-1-302; or

(c) a district is granted a variance under the provisions of chapter 9, part 8, of this title; or

(d) a district may be granted a variance by the board

of public education to conduct less than 180 school days if the district conducts an equivalent number of hours through longer school days of pupil instruction and meets all other conditions required by the board of public education. AND COMPLIES WITH THE PROVISIONS OF [SECTION 3].

(2) Any district that fails to provide for at least 180 school days of pupil instruction or the equivalent shall not be entitled to receive any apportionment of the state interest and income funds. Any such forfeited moneys shall be apportioned by the county superintendent to the other elementary districts of his county."

Section 2. Section 20-2-121, MCA, is amended to read:

"20-2-121. Board of public education — powers and duties. The board of public education shall:

(1) effect an orderly and uniform system for teacher certification, specialist certification and for the issuance of an emergency authorization of employment by adopting the policies prescribed by 20-4-102 and 20-4-111;

(2) consider the suspension or revocation of teacher or specialist certificates and appeals from the denial of teacher or specialist certification in accordance with the provisions of 20-4-110;

(3) administer and order the distribution of state equalization aid in accordance with the provisions of 20-9-344;

(4) adopt and enforce policies to provide uniform standards and regulations for the design, construction, and operation of school buses in accordance with the provisions of 20-10-111;

(5) approve or disapprove a reduction of the number of hours in a district's school day in accordance with the provisions of 20-1-302;

(6) adopt policies prescribing the conditions when school may be conducted on Saturday and the types of pupil-instruction-related days and approval procedure for such days in accordance with the provisions of 20-1-303 and 20-1-304;

(7) adopt standards of accreditation and establish the accreditation status of every school in accordance with the provisions of 20-7-101 and 20-7-102;

(8) approve or disapprove educational media selected by the superintendent of public instruction for the educational media library in accordance with the provisions of 20-7-201;

(9) adopt policies for the conduct of special education in accordance with the provisions of 20-7-402;

(10) adopt rules for approval of a variance for a school district to conduct an equivalent to the required number of school days of pupil instruction in accordance with the provisions of 20-1-301; and

~~(10)(11)~~ perform any other duty prescribed from time to time by this title or any other act of the legislature."

THERE IS A NEW MCA SECTION THAT READS:

NEW SECTION. Section 3. District election for approval of school year equivalent plan. Before a district applies to the board of education for a variance to conduct an equivalent to the required 180 school days of pupil instruction as provided in 20-1-301, the trustees of the district must submit the question of the school year equivalent plan to the electors of the district for approval at a regular or special school election conducted under the election provisions of Title 20.

-End-

## 1 STATEMENT OF INTENT

## 2 HOUSE BILL 99

## 3 Committee on Education and Cultural Resources

4

5 A statement of intent is required for this bill because  
6 it allows the Board of Public Education to grant permission  
7 to a school district to conduct a school fiscal year of less  
8 than 180 school days by conducting an equivalent number of  
9 hours.

10 The Board shall adopt the following approval  
11 procedures:

12 (1) indication that the first phase of the  
13 implementation of the school fiscal year equivalency plan is  
14 a pilot phase with approval for a limited number of  
15 districts;

16 (2) any deadlines for application that may be  
17 necessary to designate;

18 (3) provisions that school officials hold an election  
19 for implementation of the school fiscal year equivalency  
20 plan and provide a certificate of election prior to  
21 application;

22 (4) indication that the plan shall be subject to  
23 review by the state superintendent of public instruction;

24 (5) indication that the approved plan would be granted  
25 for 2 years and renewable if it is evaluated to be workable

1 and educationally sound by both the school district and the  
2 Board of Public Education.

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15 MAXIMUM OF FIVE districts;

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

Section 1. Section 20-1-301, MCA, is amended to read:

"20-1-301. School fiscal year. (1) The school fiscal year shall begin on July 1 and end on June 30. At least 180 school days of pupil instruction shall be conducted during each school fiscal year, except that;

(a) 175 days of pupil instruction for graduating seniors may be sufficient as provided in 20-9-313; or unless

(b) a variance for kindergarten has ~~been~~ may be granted under 20-1-302; or

(c) a district ~~is~~ may be granted a variance under the provisions of chapter 9, part 8, of this title; or

(d) a district may be granted a variance by the board of public education to conduct less than 180 school days if the district conducts an equivalent number of hours through longer school days of pupil instruction and meets all other conditions required by the board of public education, AND COMPLIES WITH THE PROVISIONS OF [SECTION 3].

(2) Any district that fails to provide for at least 180 school days of pupil instruction or the equivalent shall not be entitled to receive any apportionment of the state interest and income funds. Any such forfeited moneys shall be apportioned by the county superintendent to the other elementary districts of his county."

Section 2. Section 20-2-121, MCA, is amended to read:

"20-2-121. Board of public education -- powers and duties. The board of public education shall:

(1) effect an orderly and uniform system for teacher certification, specialist certification and for the issuance of an emergency authorization of employment by adopting the policies prescribed by 20-4-102 and 20-4-111;

(2) consider the suspension or revocation of teacher or specialist certificates and appeals from the denial of teacher or specialist certification in accordance with the provisions of 20-4-110;

(3) administer and order the distribution of state equalization aid in accordance with the provisions of



1 20-9-344;

2 (4) adopt and enforce policies to provide uniform  
3 standards and regulations for the design, construction, and  
4 operation of school buses in accordance with the provisions  
5 of 20-10-111;

6 (5) approve or disapprove a reduction of the number of  
7 hours in a district's school day in accordance with the  
8 provisions of 20-1-302;

9 (6) adopt policies prescribing the conditions when  
10 school may be conducted on Saturday and the types of  
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24 school district to conduct an equivalent to the required  
25 number of school days of pupil instruction in accordance

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2 (10)(11) perform any other duty prescribed from time to  
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4 THERE IS A NEW MCA SECTION THAT READS:

5 NEW SECTION. Section 3. District election for  
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7 applies to the board of education for a variance to conduct  
8 an equivalent to the required 180 school days of pupil  
9 instruction as provided in 20-1-301, the trustees of the  
10 district must submit the question of the school year  
11 equivalent plan to the electors of the district for approval  
12 at a regular or special school election conducted under the  
13 election provisions of Title 20.

14 NEW SECTION. SECTION 4. EFFECTIVE DATE. THIS ACT IS  
15 EFFECTIVE ON PASSAGE AND APPROVAL.

-End-

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## 2 HOUSE BILL 99

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HB99

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