

HOUSE BILL 192

Introduced: 01/13/83

Referred to Committee on Education & Cultural Resources:
01/13/83

Hearing: 1/24/83

Report: 01/24/83, Do Pass

2nd Reading: 1/26/83, Do Pass

3rd Reading: 1/28/83, Do Pass

Transmitted to Senate: 1/28/83

Referred to Committee on Education & Cultural Resources:
01/29/83

Hearing: 3/2/83

Report: 03/17/83, Be Not Concurred In. Report Adopted.

Bill Killed

1 *House* BILL NO. *192*
 2 INTRODUCED BY *Sen. Haysen Winslow Grant Eddley*
 3 *Sen. Bertelsen Donaldson Blair*

4 A BILL FOR AN ACT ENTITLED: "AN ACT TO PROHIBIT A SCHOOL
 5 DISTRICT FROM EMPLOYING A TEACHER WHO IS UNDER CONTRACT TO
 6 TEACH IN ANOTHER MONTANA SCHOOL DISTRICT; AMENDING SECTION
 7 20-4-201, MCA."

8
 9 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:

10 Section 1. Section 20-4-201, MCA, is amended to read:

11 "20-4-201. Employment of teachers and specialists by
 12 contract. (1) The trustees of any district shall have the
 13 authority to employ any person as a teacher or specialist,
 14 but only a person who holds a valid Montana teacher or
 15 specialist certificate or for whom an emergency
 16 authorization of employment has been issued that qualifies
 17 such person to perform the duties prescribed by the trustees
 18 for the position of employment. Each teacher or specialist
 19 shall be employed under written contract, and each contract
 20 of employment shall be authorized by a proper resolution of
 21 the trustees and shall be executed in duplicate by the
 22 chairman of the trustees and the clerk of the district in
 23 the name of the district and by the teacher or specialist.

24 (2) No contract of employment with a teacher or
 25 specialist shall require such teacher or specialist to teach

1 more than 5 days a week or on any holiday recognized by
 2 20-1-305. No deduction shall be made from a teacher's or
 3 specialist's salary by reason of the fact that a holiday
 4 falls on a school day. Any teacher's or specialist's
 5 contract made in conflict with the 5-days-per-week provision
 6 of this section shall not be enforceable against the teacher
 7 or specialist.

8 (3) Whenever the trustees of a county high school and
 9 the trustees of the elementary district where the county
 10 high school is located form a joint board of trustees under
 11 the provisions of 20-3-361, such joint board of trustees may
 12 execute a contract of employment with a teacher or
 13 specialist who shall serve both districts. When such a
 14 contract is executed, the two districts shall prorate the
 15 compensation provided by such contract on the basis of the
 16 total number of instructional hours expended by such teacher
 17 or specialist within each district.

18 (4) Any contract executed under the provisions of this
 19 section may contain the oath or affirmation prescribed in
 20 20-4-104, and the teacher or specialist shall subscribe to
 21 such oath or affirmation before an officer authorized by law
 22 to administer oaths.

23 ~~(5) The trustees of any district may not knowingly~~
 24 ~~employ or continue to employ a teacher who is under~~
 25 ~~contract for the same contract period to teach in another~~

1 Montana school district unless the teacher has received a
2 written release from the trustees of the district holding
3 the contract."

-End-

App. by comm. on education
and cultural resources

1 *House* BILL NO. *192*
2 INTRODUCED BY *Schley, Heyse, Windsor, Small, Eckhardt,*
3 *Person, Gentleson, Donaldson, Blair*

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23 the name of the district and by the teacher or specialist.

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-End-

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INTRODUCED BY *Sen. J. H. Hays*
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(3) Whenever the trustees of a county high school and the trustees of the elementary district where the county high school is located form a joint board of trustees under the provisions of 20-3-361, such joint board of trustees may execute a contract of employment with a teacher or specialist who shall serve both districts. When such a contract is executed, the two districts shall prorate the compensation provided by such contract on the basis of the total number of instructional hours expended by such teacher or specialist within each district.

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