

HOUSE BILL NO. 11

1/07 Introduced
1/07 Referred to Education & cultural Resources
1/09 Hearing
1/12 Committee Report-Bill Do Pass
1/14 2nd Reading Pass
1/16 3rd Reading Pass

Transmitted to Senate

1/18 Referred to Education & Cultural Resources
1/25 Hearing
2/08 Comm Report-Bill Concurred As Amended
2/13 Referred to Education & Cultural Resources
3/25 Tabled in Committee

1 HOUSE BILL NO. 11
 2 INTRODUCED BY HANNAH
 3 BY REQUEST OF JOINT INTERIM SUBCOMMITTEE NO. 4
 4

5 A BILL FOR AN ACT ENTITLED: "AN ACT TO PROVIDE THAT A
 6 TENURE TEACHER WHO IS EMPLOYED IN AN ADMINISTRATIVE POSITION
 7 MAY BE ASSIGNED TO A TEACHING POSITION WITH A REDUCTION IN
 8 SALARY; AMENDING SECTION 20-4-203, MCA."
 9

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

11 Section 1. Section 20-4-203, MCA, is amended to read:

12 "20-4-203. Teacher tenure. (1) Whenever a teacher has
 13 been elected by the offer and acceptance of a contract for
 14 the fourth consecutive year of employment by a district in
 15 a position requiring teacher certification except as a
 16 district superintendent or specialist, the teacher shall be
 17 deemed to be reelected from year to year thereafter as a
 18 tenure teacher at the same salary and in the same or a
 19 comparable position of employment as that provided by the
 20 last executed contract with such teacher, except as provided
 21 in subsection (2), unless the trustees resolve by majority
 22 vote of their membership to terminate the services of the
 23 teacher in accordance with the provisions of 20-4-204.

24 (2) A tenure teacher who is employed in an
 25 administrative position may be assigned to a teaching

1 position for which the teacher is certified, with a
 2 reduction in salary. The salary for the new assignment must
 3 be the same or more than the salary that the teacher would
 4 have received if the teacher had been continuously employed
 5 in the new assignment rather than in the administrative
 6 position.

7 (3) For the purposes of this section, "administrative
 8 position" means a position that the trustees of a district
 9 designate as administrative or supervisory in nature,
 10 including the position of principal, vice principal, or
 11 director of a department, but not including the district
 12 superintendent."

-End-

INTRODUCED BILL

HB 11



APPROVED BY COMM. ON EDUCATION AND CULTURAL RESOURCES

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-End-

SECOND READING

HB 11



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-End-



STANDING COMMITTEE REPORT

SENATE

HB 11
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February 8, 1985

MR. PRESIDENT

We, your committee on EDUCATION AND CULTURAL RESOURCES

having had under consideration HOUSE BILL No. 11

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ALLOW REASSIGNMENT OF TENURED SCH. ADMINISTRATOR WITH REDUCTION IN SALARY

Respectfully report as follows: That HOUSE BILL No. 11

be amended as follows:

1. Title, line 8.
Following: "SALARY;"
Insert: "REQUIRING CAUSE FOR SUCH AN ASSIGNMENT; PROVIDING FOR POSSIBLE REASSIGNMENT TO AN ADMINISTRATIVE POSITION IF THE ORIGINAL ASSIGNMENT WAS DUE TO FINANCIAL CONDITIONS;"

2. Page 1, line 23.
Following: "teacher"
Insert: ", whether in a teaching or administrative position,"

3. Page 1, line 24.
Following: "(2)"
Insert: "(a)"

4. Page 2, lines 1 and 2.
Following: "certified"
Strike: "with a reduction in salary."
Insert: "The trustees of a district may so assign a person for the person's immorality, unfitness, incompetence, or violation of the adopted policies of the trustees, or if the financial condition of the school district requires a reduction in the number of administrative positions and the reason for the assignment is to reduce the number of administrators employed by the district. A person may appeal the decision to reassign:"

(i) if the person has held the administrative position for less than four consecutive years, to the county superintendent following the procedures set forth in 20-4-207 (2) for the appeal of a teacher dismissed while under contract; or

(ii) if the person has held the administrative position for four or more consecutive years, to the trustees following the procedures set forth in 20-4-204 (2) through (4) for the appeal of termination of tenure teacher services.

(b) "

5. Page 2, line 3.
Following: "same"
Strike: "or more than the"

6. Page 2.
Following: line 6
Insert: "(c) If such assignments had occurred for financial reasons, openings for administrative positions in the district shall be filled from applicants who are former administrators who were assigned to teaching positions for financial reasons."

AND AS AMENDED
BE CONCURRED IN

~~RRXXXX~~

~~RRXXXX~~ Page 1 of 2

(cont.)

Report adopted
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Chairman.

Endorsement
Chet Blaylock
Senator Chet Blaylock, Chairman *MB*