

HOUSE BILL NO. 534

1/29 Introduced  
1/29 Referred to Education & Cultural Resources  
2/13 Hearing  
2/16 Committee Report-Bill Pass As Amended  
2/18 2nd Reading Pass  
2/19 3rd Reading pass

Transmitted to Senate

2/21 Referred to Education & Cultural Resources  
3/13 Hearing  
3/27 Tabled in Committee



1           (2) Any nontenure teacher who receives notification of  
2 his reelection for the ensuing school fiscal year shall  
3 provide the trustees with his written acceptance of the  
4 conditions of such reelection within 20 days after the  
5 receipt of the notice of reelection. Failure to so notify  
6 the trustees within 20 days may be considered nonacceptance  
7 of the tendered position.

8           (3) When the trustees notify a nontenure teacher of  
9 termination, the teacher may within 10 days after receipt of  
10 such notice make written request of the trustees for a  
11 statement in writing of the reasons for termination of  
12 employment. Within 10 days after receipt of the request,  
13 the trustees shall furnish such statement to the teacher.

14           (4) The provisions of this section shall not apply to  
15 cases in which a nontenure teacher is terminated when the  
16 financial condition of the school district requires a  
17 reduction in the number of teachers employed and the reason  
18 for the termination is to reduce the number of teachers  
19 employed."

-End-

APPROVED BY COMM. ON EDUCATION AND CULTURAL RESOURCES

1 HOUSE BILL NO. 534
2 INTRODUCED BY HANNAH, PECK
3
4 A BILL FOR AN ACT ENTITLED: "AN ACT PERMITTING SCHOOL
5 DISTRICT TRUSTEE ELECTIONS TO BE HELD ON THE FIRST TUESDAY
6 IN MAY IN ODD-NUMBERED YEARS AND TO REQUIRE NOTIFICATION OF
7 NONTENURE TEACHER REELECTION IN MAY; AMENDING SECTIONS
8 SECTION 20-3-306 AND 20-4-206, MCA."

9
10 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:
11 Section 1. Section 20-3-306, MCA, is amended to read:
12 "20-3-306. Conduct of election. (1) The Unless
13 otherwise provided by law, the trustees of each district
14 shall call a trustee election on the regular school election
15 day of each school fiscal year under the provisions of
16 20-20-201, except as provided in 20-3-344. The trustees
17 shall call and conduct the trustee election in the manner
18 prescribed in this title for school elections and Title 13.
19 Any elector qualified to vote under the provisions of
20 20-20-301 may vote at a trustee election.

21 (2) In an odd-numbered year, the THE trustees in their
22 discretion may hold the trustee election on the first
23 Tuesday in May, under the provisions of 20-20-201.

24 (2)(3) The trustee election ballots shall be
25 substantially in the following form:

1 OFFICIAL BALLOT
2 SCHOOL TRUSTEE ELECTION
3 INSTRUCTIONS TO VOTERS: Make an X or similar mark in the
4 vacant square before the name of the candidate for whom you
5 wish to vote.
6 Vote for (indicate number to be elected) for a 3-year
7 term:
8 [ ] (List the names of the candidates for a 3-year term
9 with a vacant square in front of each name.)
10 Vote for (indicate number to be elected) for a 2-year
11 term:
12 [ ] (List the names of the candidates for a 2-year term
13 with a vacant square in front of each name.)
14 Vote for (indicate number to be elected) for a 1-year
15 term:
16 [ ] (List the names of the candidates for a 1-year term
17 with a vacant square in front of each name.)"
18 Section 2. Section 20-4-206, MCA, is amended to read:
19 "20-4-206. Notification of nontenure teacher
20 reelection, acceptance, termination and statement of
21 reason. (1) The trustees shall provide written notice by
22 April 15 to all nontenure teachers who have been
23 reelected. Any nontenure teacher who does not receive notice
24 of reelection or termination shall be automatically
25 reelected for the ensuing school fiscal year.



1       ~~{2}--Any nontenure teacher who receives notification of~~  
2       ~~his reelection for the ensuing school fiscal year shall~~  
3       ~~provide the trustees with his written acceptance of the~~  
4       ~~conditions of such reelection within 20 days after the~~  
5       ~~receipt of the notice of reelection. Failure to so notify~~  
6       ~~the trustees within 20 days may be considered nonacceptance~~  
7       ~~of the tendered position.~~

8       ~~{3}--When the trustees notify a nontenure teacher of~~  
9       ~~termination, the teacher may within 10 days after receipt of~~  
10       ~~such notice make written request of the trustees for a~~  
11       ~~statement in writing of the reasons for termination of~~  
12       ~~employment. Within 10 days after receipt of the request,~~  
13       ~~the trustees shall furnish such statement to the teacher.~~

14       ~~{4}--The provisions of this section shall not apply to~~  
15       ~~cases in which a nontenure teacher is terminated when the~~  
16       ~~financial condition of the school district requires a~~  
17       ~~reduction in the number of teachers employed and the reason~~  
18       ~~for the termination is to reduce the number of teachers~~  
19       ~~employed."~~

-End-

1 HOUSE BILL NO. 534  
 2 INTRODUCED BY HANNAH, PECK  
 3  
 4 A BILL FOR AN ACT ENTITLED: "AN ACT PERMITTING SCHOOL  
 5 DISTRICT TRUSTEE ELECTIONS TO BE HELD ON THE FIRST TUESDAY  
 6 IN MAY IN ~~ODD-NUMBERED-YEARS-AND-TO-REQUIRE-NOTIFICATION--OF~~  
 7 ~~NONTENURE--TEACHER--RELECTION--IN--MAY~~; AMENDING SECTIONS  
 8 SECTION 20-3-306 AND 20-4-206, MCA.

9  
 10 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:  
 11 Section 1. Section 20-3-306, MCA, is amended to read:  
 12 "20-3-306. Conduct of election. (1) The Unless  
 13 otherwise provided by law, the trustees of each district  
 14 shall call a trustee election on the regular school election  
 15 day of each school fiscal year under the provisions of  
 16 20-20-201, except as provided in 20-3-344. The trustees  
 17 shall call and conduct the trustee election in the manner  
 18 prescribed in this title for school elections and Title 13.  
 19 Any elector qualified to vote under the provisions of  
 20 20-20-301 may vote at a trustee election.

21 (2) In an odd-numbered year, the THE trustees in their  
 22 discretion may hold the trustee election on the first  
 23 Tuesday in May, under the provisions of 20-20-201.

24 (3) The trustee election ballots shall be  
 25 substantially in the following form:

1 OFFICIAL BALLOT  
 2 SCHOOL TRUSTEE ELECTION  
 3 INSTRUCTIONS TO VOTERS: Make an X or similar mark in the  
 4 vacant square before the name of the candidate for whom you  
 5 wish to vote.  
 6 Vote for (indicate number to be elected) for a 3-year  
 7 term:  
 8  (List the names of the candidates for a 3-year term  
 9 with a vacant square in front of each name.)  
 10 Vote for (indicate number to be elected) for a 2-year  
 11 term:  
 12  (List the names of the candidates for a 2-year term  
 13 with a vacant square in front of each name.)  
 14 Vote for (indicate number to be elected) for a 1-year  
 15 term:  
 16  (List the names of the candidates for a 1-year term  
 17 with a vacant square in front of each name.)"  
 18 ~~Section 2--Section--20-4-206, MCA, is amended to read:~~  
 19 ~~"20-4-206--Notification---of---nontenure----teacher~~  
 20 ~~reelection-----acceptance-----termination-and-statement-of~~  
 21 ~~reason--(1)-The-trustees-shall-provide--written--notice--by~~  
 22 ~~April May 15--to--all--nontenure--teachers--who--have--been~~  
 23 ~~reelected--Any-nontenure-teacher-who-does-not-receive-notice~~  
 24 ~~of--reelection--or--termination---shall---be---automatically~~  
 25 ~~reelected-for-the-ensuing-school-fiscal-year.~~



1       ~~(2) Any nontenure teacher who receives notification of~~  
2 ~~his reelection for the ensuing school fiscal year shall~~  
3 ~~provide the trustees with his written acceptance of the~~  
4 ~~conditions of such reelection within 20 days after the~~  
5 ~~receipt of the notice of reelection. Failure to so notify~~  
6 ~~the trustees within 20 days may be considered nonacceptance~~  
7 ~~of the tendered position.~~

8       ~~(3) When the trustees notify a nontenure teacher of~~  
9 ~~termination, the teacher may within 10 days after receipt of~~  
10 ~~such notice make written request of the trustees for a~~  
11 ~~statement in writing of the reasons for termination of~~  
12 ~~employment. Within 10 days after receipt of the request,~~  
13 ~~the trustees shall furnish such statement to the teacher.~~

14       ~~(4) The provisions of this section shall not apply to~~  
15 ~~cases in which a nontenure teacher is terminated when the~~  
16 ~~financial condition of the school district requires a~~  
17 ~~reduction in the number of teachers employed and the reason~~  
18 ~~for the termination is to reduce the number of teachers~~  
19 ~~employed."~~

-End-