

SENATE BILL 126

Introduced by Nathe

1/14	Introduced
1/14	Referred to Education & Cultural Resources
1/18	Hearing Died in Committee

1 *Senate* BILL NO. 126
2 INTRODUCED BY NATHAN
3

4 A BILL FOR AN ACT ENTITLED: "AN ACT TO REQUIRE A TEACHER TO
5 MAINTAIN ANY ENDORSEMENT HELD WHEN HIRED BY A SCHOOL
6 DISTRICT; AND AMENDING SECTION 20-4-201, MCA."

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

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

10 "20-4-201. Employment of teachers and specialists by
11 contract. (1) The trustees of any district ~~shall have the~~
12 ~~authority--to~~ may employ any person as a teacher or
13 ~~specialist;--but--only--a--person~~ who holds a valid Montana
14 teacher or specialist certificate or for whom an emergency
15 authorization of employment has been issued that qualifies
16 such person to perform the duties prescribed by the trustees
17 for the position of employment. Each teacher employed shall
18 maintain any endorsement issued by the board of public
19 education that he held when he commenced employment with the
20 district, except that lapse of an endorsement may be
21 permitted by the district if it is not otherwise required as
22 a condition of his current employment. Each teacher or
23 specialist shall be employed under written contract, and
24 each contract of employment shall be authorized by a proper
25 resolution of the trustees and shall be executed in

1 duplicate by the chairman of the trustees and the clerk of
2 the district in the name of the district and by the teacher
3 or specialist.

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

13 (3) Whenever the board of trustees of two or more
14 school districts form a joint board of trustees under the
15 provisions of 20-3-361, such joint board of trustees may
16 execute a contract of employment with a teacher or
17 specialist who shall serve the districts. When such a
18 contract is executed, the districts shall prorate the
19 compensation provided by such contract on the basis of the
20 total number of instructional hours expended by such teacher
21 or specialist within each district.

22 (4) Any contract executed under the provisions of this
23 section may contain the oath or affirmation prescribed in
24 20-4-104, and the teacher or specialist shall subscribe to
25 such oath or affirmation before an officer authorized by law

LC 0786/01

1 to administer oaths."

2 NEW SECTION. **Section 2.** Extension of authority. Any
3 existing authority to make rules on the subject of the
4 provisions of [this act] is extended to the provisions of
5 [this act].

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