

PERSONNEL

Employment and Assignment

Each certificated employee will be employed under a written contract, subject to the terms and conditions of the collective bargaining agreement, District policies and procedures, and state and federal statutes. Employees will be subject to a 12-month probation period to be applied during the employee’s actual employment period.

The Board, after receiving the recommendations of the Superintendent, will determine the non-renewal or termination of certified and classified staff, in conformity with state statutes, applicable District policies and procedures, and collective bargaining agreements.

Classified employees whose positions are covered by a collective bargaining agreement will be employed subject to the terms and conditions of the collective bargaining agreement, District policies and procedures, and state and federal statutes. Classified employees whose positions are not covered by a collective bargaining agreement will be subject to a one-year probationary period. Their employment is governed by District policies and procedures, and state and federal statutes. The District reserves the right to change employment conditions affecting an employee’s duties, assignment, and/or supervisor, subject to collective bargaining language.

“Good cause” means any reasonable job-related grounds for an employee’s dismissal based on: (a) the employee’s failure to satisfactorily perform job duties; (b) the employee’s disruption of the employer’s operation; (c) the employee’s material or repeated violation of an express provision of the employer’s written policies; or (d) other legitimate business reasons determined by the employer while exercising the employer’s reasonable business judgment.

Assignment, Reassignment and Transfer

The Superintendent may assign, reassign, and/or transfer positions and duties of all staff, subject to any provisions contained in the collective bargaining agreements, District policies and procedures and state and federal statutes. Nothing in this policy prevents reassignment of a staff member during a school year.

Legal References:	§ 39-2-904, MCA	Elements of wrongful discharge (Revised per HB254)
	§ 39-2-912, MCA	Exemptions (wrongful discharge) (Revised per HB254)
	§ 39-2-903, MCA	Definitions-wrongful discharge (<i>Revised by House Bill 254</i>)
	§ 39-2-905, MCA	Remedies- wrongful discharge (<i>Revised by House Bill 254</i>)
	§ 39-2-911, MCA	Limitation of actions (<i>Revised by House Bill 254</i>)
	10.57.601a, ARM	Definition of Immoral Conduct (Revised per HB254, Revisions of Montana Wrongful Discharge Act)

Cross References:

Policy History:

Adopted on: 8.13.2013

Revised on: 6.11.2019