

RECRUITMENT AND RETENTION

LEGISLATOR NOTICE

The Legislative Services Division is required to offer a brief history on the subject matter of a bill draft request prior to drafting. (5-4-105, MCA; [Chapter 309, Laws of 2017](#)) The history must include related legislation introduced over the last five sessions and hyperlinks to the bill, hearing information, and fiscal notes. The legislation links below open to the page showing the status and history of bills introduced on this topic in the past. The bill text and any related fiscal notes can be accessed through the link at the top of that page.

Legislation can be complex, and this history is not intended to be exhaustive. Please contact the drafter of the requested bill for more information.

Background Materials and Research

Topic Summary:

Recruitment and retention of teachers, administrators, counselors, and specialists has been in the national spotlight in recent years. The topic was one of four priorities investigated by the 2015-2016 School Funding Interim Commission. The commission also looked at school employee health benefits as part of this conversation, but ultimately separated the two topics.

One of the national experts who presented to the commission likened recruitment and retention to a “leaky bucket” acknowledging that to maintain an adequate teaching force, policymakers at all levels need to do what they can to reduce unnecessary attrition and ensure a healthy pipeline of new teachers in teacher preparation programs. Some states have addressed the problem by loosening the requirements on becoming a teacher or creating more alternative routes to licensure; this sometimes raises concerns about maintaining teacher quality.

As a strong local control state, employee salaries and benefits are determined at the district level. Montana does not have a statewide salary or minimum salary schedule.

Recruitment and retention was an area of concern identified by the court in the *Columbia Falls v. State* decision of 2004 that found the state funding formula to be constitutionally inadequate. The January 2005 special session added a Quality Educator payment to the funding formula to provide more money to schools; however, there is no direct tie to salaries or benefits from that payment.

While many districts struggle to recruit teachers in certain content areas (special education, math/science, career and technical education, and others) recruitment and retention concerns are of particular concern in rural school districts. In the May 2007

special session, the Legislature created the Quality Educator Loan Assistance Program which provided state money to help teachers in “critical shortage areas” (both content and geographic) pay off student loan debt. The 2015-2016 School Funding Interim Commission examined this program and amended statute to try and target the program even more at isolated rural schools. These changes were enacted by the 2017 Legislature; however, there was no money appropriated for the program for the 2019 biennium.

The 2019 Legislature again modified Quality Educator Loan Assistance Program, but this time around did appropriate money for the program, in an amount that appears to be sufficient. Additionally, the legislature temporarily modified the eligibility criteria for re-employing retired educators without loss of retirement benefits.

Legislative Services Division Materials:

[2015-2016 School Funding Interim Commission webpage](#) (click “Committee Topics, then see materials under “Recruitment and retention”)

Other Materials:

[“Critical Quality Educator Shortage Report”](#) (OPI, November 2019)

[“Tackling Teacher and Principal Shortages in Rural Areas”](#) (NCSL LegisBrief)

Introduced Legislation

*Chapter number assigned means bill was passed and approved.

2019

[HOUSE BILL NO. 211](#) - Chapter Number Assigned -- AN ACT GENERALLY REVISING EDUCATION LAWS RELATED TO RECRUITMENT AND RETENTION; REVISING ELIGIBILITY FOR THE QUALITY EDUCATOR LOAN ASSISTANCE PROGRAM TO BETTER TARGET ASSISTANCE; ALLOWING A QUALITY EDUCATOR RECEIVING LOAN REPAYMENT ASSISTANCE TO EXCLUDE THE REPAYMENT FROM ADJUSTED GROSS INCOME FOR STATE INCOME TAX PURPOSES; ALLOWING IMPACTED SCHOOLS TO PROVIDE LOAN REPAYMENT ASSISTANCE TO ELIGIBLE TEACHERS AFTER COMPLETING A FOURTH YEAR; PROVIDING AN APPROPRIATION; AMENDING SECTIONS 15-30-2110, 20-4-134, 20-4-501, 20-4-502, 20-4-503, 20-4-504, AND 20-4-505, MCA; REPEALING SECTION 20-4-506, MCA; AND PROVIDING AN EFFECTIVE DATE AND AN APPLICABILITY DATE.

[SENATE BILL NO. 139](#) - Chapter Number Assigned -- AN ACT REVISING RETURN TO EMPLOYMENT PROVISIONS UNDER THE TEACHERS' RETIREMENT SYSTEM; REVISING THE CRITERIA TO BE MET FOR A RETIREE TO RETURN TO EMPLOYMENT IN SPECIAL CIRCUMSTANCES WITHOUT LOSS OF RETIREMENT BENEFITS; REVISING REPORTING TO LEGISLATIVE COMMITTEES; AMENDING SECTION 19-20-732, MCA; AND PROVIDING AN IMMEDIATE EFFECTIVE DATE, AN APPLICABILITY DATE, AND A TERMINATION DATE.

[SENATE BILL NO. 50](#) - Died in Standing Committee -- AN ACT REVISING THE QUALITY EDUCATOR LOAN ASSISTANCE PROGRAM; REQUIRING THE SUPERINTENDENT OF PUBLIC INSTRUCTION TO

ADMINISTER THE QUALITY EDUCATOR LOAN ASSISTANCE PROGRAM; AMENDING SECTIONS 20-4-501, 20-4-505, AND 20-4-506, MCA; AND PROVIDING AN EFFECTIVE DATE.

2017

[HOUSE BILL NO. 119](#) - Chapter Number Assigned -- AN ACT REVISING THE QUALITY EDUCATOR LOAN ASSISTANCE PROGRAM; EMPHASIZING GEOGRAPHIC ISOLATION AS A FACTOR IN IDENTIFYING SCHOOLS IMPACTED BY CRITICAL QUALITY EDUCATOR SHORTAGES; MODIFYING THE ASSISTANCE ELIGIBILITY SCHEDULE; AND AMENDING SECTIONS 20-4-501, 20-4-503, 20-4-505, AND 20-4-506, MCA.

[SENATE BILL NO. 115](#) - Chapter Number Assigned -- AN ACT PROVIDING FOR INCREASED FREQUENCY OF STIPENDS AND ADDITIONAL STIPENDS FOR CERTAIN CERTIFIED TEACHERS; MAKING THE STIPENDS ANNUAL; PROVIDING AN ADDITIONAL STIPEND FOR TEACHERS EMPLOYED IN CERTAIN SCHOOLS; AMENDING SECTIONS 19-20-101 AND 20-4-134, MCA; AND PROVIDING AN EFFECTIVE DATE AND AN APPLICABILITY DATE.

2015

[SENATE BILL NO. 141](#) - Chapter Number Assigned -- AN ACT REPEALING THE TERMINATION OF A PROVISION ALLOWING CERTAIN RETIRED TEACHERS, SPECIALISTS, AND ADMINISTRATORS UNDER THE TEACHERS' RETIREMENT SYSTEM TO BE REEMPLOYED IN CERTAIN CIRCUMSTANCES WITHOUT BEING SUBJECT TO THE STANDARD LIMITATIONS; AND PROVIDING AN IMMEDIATE EFFECTIVE DATE.

[SENATE BILL NO. 331](#) - (S) Missed Deadline for General Bill Transmittal -- AN ACT ALLOWING SCHOOL DISTRICT TRUSTEES TO TEMPORARILY EMPLOY CERTAIN QUALIFIED INDIVIDUALS WITHOUT SATISFYING A TRADITIONAL PATHWAY TO LICENSURE; ALIGNING STATE LAW WITH FLEXIBLE LICENSING RULES OF THE BOARD OF PUBLIC EDUCATION; PROVIDING ALTERNATIVE PATHWAYS TO LICENSURE CONSISTENT WITH FLEXIBILITY UNDER RULES OF THE BOARD OF PUBLIC EDUCATION; AMENDING SECTIONS 20-4-101, 20-4-104, 20-4-106, AND 20-4-108, MCA; AND PROVIDING AN IMMEDIATE EFFECTIVE DATE.

2013– No introduced legislation in 2013.

2011 – No introduced legislation in 2011.

2009

[HOUSE BILL NO. 363](#) - Chapter Number Assigned -- AN ACT REVISING THE TEACHERS' RETIREMENT SYSTEM TO ALLOW RETIRED TEACHERS, SPECIALISTS, AND ADMINISTRATORS TO RETURN TO WORK FOR A LIMITED PERIOD OF TIME UNDER CERTAIN CIRCUMSTANCES WITHOUT A REDUCTION IN THEIR RETIREMENT BENEFITS; AMENDING SECTION 19-20-731, MCA; AND PROVIDING AN EFFECTIVE DATE, AN APPLICABILITY DATE, AND A TERMINATION DATE.

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