

1 **Browning Public Schools**

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3 **Policy #5140**

4 Policy Name: *Non-Certified Staff*

5 Regulation: -----

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7 All non-certified personnel are employed to provide services which directly or indirectly benefit the
8 students of the Browning School District. Non-certified personnel will only be hired upon
9 recommendation of the Superintendent. The Classified Labor Agreement governs such employment.

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11 **Procedures**

12 The District shall adopt hiring procedures consisting of the following components:

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14 a. Application Instrument
15 b. Screening Instrument
16 c. Interviewing Procedure
17 d. Recommendation to the Board of Trustees for hire by the Superintendent
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19 **Advertising**

20 School District No. 9 will advertise in the local newspaper any position requiring non-certificate
21 personnel, except in-house vacancies as per contract.
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23 **Contractual Status**

24 All non-certified personnel are hired for the length of position which they are to fill. The District
25 reserves the right to terminate the employment of the employee. Non-certified personnel are
26 employed to facilitate the educational program; their function is essential for the proper operation of
27 the school.
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29 **Duties and Responsibilities**

30 The duties and responsibilities for each person will be determined by job descriptions and position
31 announcements.
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33 The Superintendent reserves the right to change employment conditions affecting an employee's
34 duties, assignment, supervisor, or grade, with notification to the Board of Trustees.
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36 The Board will determine salary and wages for non-certified staff.
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40 **Legal Reference:** § 39-2-904 MCA Elements of wrongful discharge-presumptive probationary
41 period

42 *Hunter v. City of Great Falls* (2002), 2002 MT 331

43 *Whidden v. Nerison*, 294 Mont. 346, 981 P.2d 271 (1999)

44 *Bowden v. The Anaconda Co.*, 38 St. Rep. 1974 (D.C. Mont. 1981)

45 *Scott v. Eagle Watch Inv., Inc.*, 251 Mont. 191, 828 P.2d 1346 (1991)

46 *Prout v. Sears, Roebuck & Co.*, 236 Mont. 152, 722 P.2d 288 (1989)
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48 **Policy History:**

49 Adopted on: 8/28/96

50 Revised on: 5/30/07, 3/26/14