



## ADMINISTRATIVE RULES OF MONTANA



### 2.44.307 MEMBERSHIP OF TEACHER'S AIDES AND PART-TIME EMPLOYEES

- (1) Teacher's aides employed in an instructional services capacity after September 1, 1989, are required to participate in the teachers' retirement system provided their predominate duties are those of a teacher's aide and not a substitute teacher or any other position for which membership is mandatory under 19-20-302 , MCA and that they are:
  - (a) employed for 3.5 hours per day or 17.5 hours per week and;
  - (b) employed at least 210 hours during the school year.
- (2) Teacher's aides employed prior to September 1, 1989, who remained in the public employee's retirement system are not eligible to participate in the teachers' retirement system while employed as a teacher's aide with the same employer.
- (3) A teacher's aide will be considered in an instructional services capacity if they are assisting a certified teacher in the education and instruction of students in the regular curriculum of the institution.
- (4) Part-time, post graduate instructors in the university system are not eligible for membership.
- (5) A part-time employee, who has not been re-employed under 19-20-804 , MCA will be considered an active member after completing the equivalent of 30 full-time days of membership service.

**Authorizing statute(s):** Sec. 19-4-201 and 19-20-201 MCA

**Implementing statute(s):** Sec. 19-4-302 and 19-20-302 MCA

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**History:** NEW, 1989 MAR p. 1276, Eff. 9/1/89; AMD, 1995 MAR p. 2122, Eff. 10/13/95; AMD, 2000 MAR p. 822, Eff. 3/31/00.