



HOUSE COMMITTEE ON APPROPRIATIONS

FISCAL NOTE

HOUSE BILL NO. 805

PRINTERS NO. 1843

PRIME SPONSOR: Bloom

COST / (SAVINGS)

FUND	FY 2014/15	FY 2015/16
General Fund	\$0	\$0

SUMMARY: House Bill 805 amends the Public School Code concerning temporary professional employees, contracts, causes for suspension, persons to be suspended, and appeals. Effective dates would vary by provision.

ANALYSIS: This legislation makes a number of changes to the School Code concerning teacher tenure and suspension. Under current law, teachers may receive tenure after successfully completing three years of service. House Bill 805 would allow superintendents to extend that period to four years if the superintendent determines an additional year is necessary to certify a teacher's work is satisfactory.

House Bill 805 would also allow suspension of professional employees for economic reasons, except for teachers who received a rating of "distinguished" on at least two of the teachers' three most recent evaluations. The school district would also have to first meet certain requirements concerning the furlough of administrative employees, requirements that may be waived if the Secretary of Education and the State Board of Education determine that a school district's operations are already sufficiently streamlined. In addition, any five administrative staff members selected by the school district may be exempted from the proportionate reduction requirement, and any suspensions must occur by majority vote of the school board at a public meeting. Current law limits a school district's ability to furlough professional employees to those instances where there is a substantial decrease in pupil enrollment, a curtailment or alteration of an educational program, or the consolidation of schools.

House Bill 805 requires suspensions of professional employees be based upon employee performance ratings, except in cases where the employees have the same rating, in which case seniority will be the basis. This eliminates the requirement that only seniority be considered when teachers are furloughed. If teachers are reinstated, it must be in the reverse order in which they were suspended.

Five years after the implementation of the economic furlough and suspension provisions, this legislation requires the Legislative Budget and Finance Committee to conduct a study of their effectiveness, and deliver a written report of its findings, including whether these provisions are

being used effectively by school districts to improve efficiency, to the Governor and to the chairs of the House and Senate Education Committees.

Finally, this legislation would require a professional employee aggrieved by a school board action file an appeal with the Secretary of Education within 15 days, not 30 as is in current law.

FISCAL IMPACT: Enactment of this legislation will have no adverse impact on Commonwealth funds.

PREPARED BY: Jeff Miller
House Appropriations Committee (R)

DATE: June 22, 2015

Estimates are calculated using the best information available. Actual costs and revenue impact incurred may vary from estimates.