

SENATE BILL REPORT

HB 2023

As of March 25, 2015

Title: An act relating to changing the deadline for notices of nonrenewal of contracts for certificated school employees.

Brief Description: Changing the deadline for notices of nonrenewal of contracts for certificated school employees.

Sponsors: Representatives Parker, Lytton, Magendanz, Riccelli, Ormsby, Fagan and Santos.

Brief History: Passed House: 3/05/15, 95-3.

Committee Activity: Early Learning & K-12 Education: 3/24/15.

SENATE COMMITTEE ON EARLY LEARNING & K-12 EDUCATION

Staff: Matthew Lemon (786-7405)

Background: Teachers, principals, superintendents, and other certificated employees of school districts and educational service districts (ESDs) are employed under a written contract that is limited to a one-year term, unless otherwise provided by law. Contracts of certificated employees may be nonrenewed when it is determined that there is probable cause, including enrollment decline and revenue loss. Principals, directors, or other individuals employed in a supervisory or administrative position may be transferred to a subordinate administrative position, defined as any certificated position for which the annual compensation is less than the position currently held, in certain cases.

If a district or ESD decides to nonrenew a contract or transfer an administrator to a subordinate position, it must notify the employee in writing no later than May 15, or June 15 if the omnibus appropriations act has not passed the Legislature by May 15. The notice must be provided in person, sent by certified or registered mail, or delivered to the employee's house. If notice is not provided according to these requirements, the employee is presumed to have been reemployed under the same terms and conditions for the following year.

During odd-number years, the regular 105-day legislative session ends in April, generally around April 22 to April 25. During even-numbered years, the regular 60-day session ends during March, generally around March 10 to March 14.

This analysis was prepared by non-partisan legislative staff for the use of legislative members in their deliberations. This analysis is not a part of the legislation nor does it constitute a statement of legislative intent.

Summary of Bill: School districts and educational service districts have until June 15 to send notices of a contract nonrenewal or a transfer to a subordinate certificated position to certificated employees if the omnibus appropriations act has not passed the Legislature by the end of the regular legislative session, rather than if the omnibus appropriations act has not passed by May 15.

Appropriation: None.

Fiscal Note: Not requested.

Committee/Commission/Task Force Created: No.

Effective Date: The bill contains an emergency clause and takes effect immediately.

Staff Summary of Public Testimony: PRO: This is an issue districts first experienced during the height of the recession when it was difficult for the Legislature to get a budget done on a regular timeline due to various pressures. Schools were unsure of the budget status but had to make quick decisions. Some districts had to issue reduction in force (RIF) notices, but were then able to rehire as soon as the budget was finished. This bill would ensure that superintendents and school districts would not have to try to guess. The bill protects both districts and employees. It gives districts and administrators enough time to make decisions based on the budget information they need while also providing enough time for employees who do receive a RIF to find a new position.

Persons Testifying: PRO: Lucinda Young, WA Education Assn.; Dan Steele, WA Assn. of School Administrators.

Persons Signed in to Testify But Not Testifying: No one.