

SENATE BILL REPORT

HB 2023

As Reported by Senate Committee On:
Early Learning & K-12 Education, February 25, 2016

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; 2/17/16, 98-0.

Committee Activity: Early Learning & K-12 Education: 3/24/15, 2/22/16, 2/25/16 [DP].

SENATE COMMITTEE ON EARLY LEARNING & K-12 EDUCATION

Majority Report: Do pass.

Signed by Senators Litzow, Chair; Dammeier, Vice Chair; McAuliffe, Ranking Member; Billig, Fain, Hill, Mullet, Rivers and Rolfes.

Staff: Alia Kennedy (786-7405)

Background: Teachers, principals, superintendents, and other certificated employees of school districts and educational service districts are employed under written contracts that may be no more than one year in length. Contracts of certificated employees may be non-renewed 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 that of the position currently held, in certain cases.

If the employing district determines that the employment contract should not be renewed for the following year, the district must notify the employee in writing on or before May 15 preceding the beginning of the next school year. If notice is not provided according to these requirements, the employee is presumed to have been re-employed under the same terms and conditions for the following year. The notice must be provided in person, sent by certified or registered mail, or delivered to the employee's home.

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.

There is an exception to the May 15 notification deadline. If the omnibus appropriations act - the general operating budget for the state - has not passed the Legislature by May 15, then the employing district has until June 15 to provide the required notice of contract nonrenewal. 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.

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

Educational service districts have until June 15, rather than May 15, to send contract nonrenewal notices to certificated employees if the omnibus appropriations act has not passed the Legislature by the end of the regular legislative session.

Appropriation: None.

Fiscal Note: Available.

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 a straightforward bill that prevents school districts from having to send unnecessary layoff notices if the budget does not pass on time. The bill helps both school districts and school employees by giving districts enough time to review the budget, while also giving employees who do receive a reduction in force notice enough time to find a new position. The Washington Education Association opposes any attempt to amend the bill to extend the deadline for non-renewal notices beyond June 15. This bill provides certainty by clarifying the current reduction in force law. Layoff notices negatively impact staff morale. Spokane Public Schools supports language that would give school districts 30 days after the budget is passed by the state to send out non-renewal notices. It is important to make sure that school districts have enough time to review the budget and make informed staffing decisions. Sending out layoff notices sends the wrong message to college students because it creates the impression that there is no job security in the teacher profession.

Persons Testifying: PRO: Representative Parker, Sponsor; Wendy Rader-Konofalski testifying on behalf of Lucinda Young, Washington Education Association; Dan Steele, Washington Association of School Administrators; Shawn Lewis, Spokane Public Schools.

Persons Signed In To Testify But Not Testifying: No one.