

Department of Planning and Budget

2020 Fiscal Impact Statement

1. Bill Number: HB1326

House of Origin	<input checked="" type="checkbox"/> Introduced	<input type="checkbox"/> Substitute	<input type="checkbox"/> Engrossed
Second House	<input type="checkbox"/> In Committee	<input type="checkbox"/> Substitute	<input type="checkbox"/> Enrolled

2. Patron: Kory

3. Committee: Education

4. Title: Teachers; probation and dismissal.

5. Summary: Specifies that a teacher may be placed on probation for incompetency, immorality, noncompliance with school laws and regulations, disability as shown by competent medical evidence when in compliance with federal law, conviction of a felony or a crime of moral turpitude, or other good and just cause. The bill replaces the current condition constituting incompetency, for the purposes of teacher employment, of one or more unsatisfactory performance evaluations with the condition of more than one unsatisfactory performance evaluation or one unsatisfactory performance evaluation coupled with a finding by the division superintendent that the teacher (i) exhibited a pattern of poor performance or (ii) failed to respond to efforts to improve his performance. The bill extends from 10 business days to 15 business days the deadline for a teacher to request a hearing after receiving written notice of a recommendation of dismissal. The bill also staggers by 10 days (a) the opportunity for a teacher recommended for dismissal to inspect and copy his personnel file and all other documents relied upon in reaching the decision to recommend dismissal and (b) the opportunity for the division superintendent to inspect and copy the documents to be offered in rebuttal to the decision to recommend dismissal. The bill also extends from 15 business days to 30 business days the deadline for the school board or hearing officer to set a hearing after a request for a hearing by a teacher recommended for dismissal.

6. Budget Amendment Necessary: No

7. Fiscal Impact Estimates: Preliminary. See Item 8.

8. Fiscal Implications: The Department of Education anticipates that it can absorb any additional cost to implement the provisions of this bill. Any fiscal impact to local school divisions is indeterminate.

9. Specific Agency or Political Subdivisions Affected: Department of Education, Board of Education, local school divisions

10. Technical Amendment Necessary: No

11. Other Comments: None