

BILL SUMMARY
2nd Session of the 52nd Legislature

Bill No.:	SB 2330
Version:	Proposed Committee Substitute
Author:	Representative Denney
Date:	4/6/2010
Impact:	\$0 to State

Bill Summary

Research Analyst: Dawn Marks

The proposed committee substitute to Senate Bill 2330 specifies that a majority of the administrators and teachers at a school, group of schools or district must approve the empowerment plan. They shall vote by secret ballot.

No employee shall be discriminated against for exercising or not exercising the rights provided through the Empowered Schools and School Districts Act. No employee of a district or employee organization shall impede employees from exercising the rights provided for in the act.

The measure creates the Empowered Schools and School Districts Act which allows schools, groups of schools or districts to become empowered schools through the State Board of Education.

If the State Board of Education approves a school, group of schools within a district or a district's empowerment plan, those schools may receive waivers from certain statutory, regulatory or district requirements. The state board must grant the empowerment plan unless the plan is likely to decrease academic achievement or is not fiscally possible.

The state board shall not waive certain requirements including participation in the Teachers' Retirement System, the state testing program, the federal No Child Left Behind Act and the state's accountability system.

Any waiver for provisions of a collective bargaining unit agreement must be approved by at least 60 percent of the members of the bargaining unit. Administrators shall make every effort to transfer employees wishing to leave an empowered school.

Waivers shall continue to apply as long as the schools are part of the empowerment program. The State Board of Education must review schools' progress every three years.

The title is off the bill.

Fiscal Summary

Fiscal Analyst: Nicole Barnes

SB 2330 creates the Empowered Schools and School Districts Act, provisions of which include plan participation eligibility criteria, empowerment plan provisions, prohibition on employee

discrimination based on exercising or not exercising rights under the Act, permission for school districts to seek and accept grants or donations to offset plan costs, requirement to submit plans to the State Board of Education, conditions for plan rejection and re-submission, statutes to be excluded from plans, permission under certain circumstances to waive collective bargaining unit agreement provisions, plan review, and submission of a report on plans to the Governor and members of the Legislature.

Fiscal Analysis

Provisions of the measure do not impact the state. As participation in Empowerment plans is permissive, and plans themselves can vary greatly, it is currently unclear how many schools and/or districts may adopt such plans, or the level of cost efficiencies they will achieve.

Long Term Fiscal Considerations

None

Fiscal Analysis Reviewed By:

Janice Buchanan

House Fiscal Director