

NOTE: As provided in LFC policy, this report is intended for use by the standing finance committees of the legislature. The Legislative Finance Committee does not assume responsibility for the accuracy of the information in this report when used in any other situation.

Only the most recent FIR version, excluding attachments, is available on the Intranet. Previously issued FIRs and attachments may be obtained from the LFC office in Suite 101 of the State Capitol Building North.

FISCAL IMPACT REPORT

SPONSOR: Nava DATE TYPED: 03-08-01 HB _____
 SHORT TITLE: Report School Related Misconduct SB 650
 ANALYST: Segura

APPROPRIATION

Appropriation Contained		Estimated Additional Impact		Recurring or Non-Rec	Fund Affected
FY01	FY02	FY01	FY02		
	NFI				

(Parenthesis () Indicate Expenditure Decreases)

SOURCES OF INFORMATION

State Department of Education (SDE)

SUMMARY

Synopsis of Bill

Senate Bill 650 requires that local school district superintendents report to the Department of Education the identity of any licensed school employee who leaves district employment during or after allegations of school-related misconduct, regardless of the terms of any confidentiality agreement. It further provides that the State Board of Education may take licensure action against any school administrator who fails to abide by the reporting requirement. Further, the individual who makes such a report in good faith is protected from civil damages that could result from submitting the required report.

A second provision of the bill grants that State Board of Education the power to deny renewal of licenses in accordance with procedures already in place for suspension and revocation of licenses.

A third part of the bill provides that the State Board of Education or its designated hearing officer, may apply to district court for the issuance of investigative subpoenas prior to issuing charges for suspension, revocation, or denial of renewal of licenses.

Significant Issues

According to SDE, the provisions of this bill are important to preventing licensed educators who have left school employment amid allegations of professional misconduct from moving around the state from district to district without the issue of the misconduct being resolved or concluded. Districts may enter into secret agreements with licensed employees who may have committed serious misconduct in exchange for the employee simply agreeing to leave the district. This practice compromises school

safety since the next employing school district may not know anything about the allegations. The superintendents reporting requirement and the power to petition in district court for investigative subpoenas will prevent this practice.

ADMINISTRATIVE IMPLICATIONS

SDE indicates they have the resources to absorb the program.

RS/lrs