COMMITTEE REPORT

March 29, 2011

**H. 3643**

Introduced by Reps. Cooper, Bingham, Allison, Anthony, Harrell, Owens, Hiott and Bikas

S. Printed 3/29/11--H. [SEC 3/30/11 12:09 PM]

Read the first time February 9, 2011.

**THE COMMITTEE ON WAYS AND MEANS**

To whom was referred a Joint Resolution (H. 3643) to require local school districts to decide and notify teachers of their employment for the 2011-2012 school year by May 15, 2011; to require teachers who are reemployed, etc., respectfully

**REPORT:**

That they have duly and carefully considered the same and recommend that the same do pass with amendment:

Amend the joint resolution, as and if amended, by deleting all after the enacting words and inserting:

/ SECTION 1. Notwithstanding Section 59‑25‑410, the boards of trustees of the several school districts shall decide and notify, in writing, the teachers, as defined in Section 59‑1‑130, in their employ concerning their employment for the 2011‑2012 school year by May 15, 2011.

SECTION 2. Notwithstanding Regulation 43‑205.1, a continuing‑contract teacher who is being recommended for formal evaluation the following school year must be notified in writing on or before the date the school district issues the written offer of employment or reemployment.

SECTION 3. Notwithstanding Section 59‑25‑420, any teacher who is reemployed by written notification pursuant to Section 59‑25‑410 shall notify the board of trustees in writing of his acceptance of the contract for the 2011‑2012 school year no later than ten days following receipt of written notification. Failure on the part of the teacher to notify the board of acceptance within the specified time limit is conclusive evidence of the teacher’s rejection of the contract.

SECTION 4. Notwithstanding another provision of law, school districts uniformly may negotiate salaries below the school district salary schedule for the 2011‑2012 school year for retired teachers who are not participants in the Teacher and Employee Retention Incentive program.

SECTION 5. This joint resolution takes effect upon approval by the Governor. /

Renumber sections to conform.

Amend title to conform.

DANIEL T. COOPER for Committee.

**STATEMENT OF ESTIMATED FISCAL IMPACT**

ESTIMATED FISCAL IMPACT ON GENERAL FUND EXPENDITURES:

$0 (No additional expenditures or savings are expected)

ESTIMATED FISCAL IMPACT ON FEDERAL & OTHER FUND EXPENDITURES:

$0 (No additional expenditures or savings are expected)

**EXPLANATION OF IMPACT:**

The State Department of Education (SDE) indicates that enactment of this bill will have no fiscal impact on the General Fund of the State or on federal and/or other funds.

**LOCAL GOVERNMENT IMPACT:**

SDE projects an undeterminable amount of cost avoidance for local school districts if districts’ board of trustees exercises the provisions of this bill.

*Approved By:*

Harry Bell

Office of State Budget

**A** **JOINT RESOLUTION**

TO REQUIRE LOCAL SCHOOL DISTRICTS TO DECIDE AND NOTIFY TEACHERS OF THEIR EMPLOYMENT FOR THE 2011-2012 SCHOOL YEAR BY MAY 15, 2011; TO REQUIRE TEACHERS WHO ARE REEMPLOYED BY WRITTEN NOTIFICATION TO NOTIFY THE DISTRICT BOARD OF THEIR ACCEPTANCE WITHIN TEN DAYS OF RECEIPT OF WRITTEN NOTIFICATION OF EMPLOYMENT; AND TO ALLOW DISTRICTS TO UNIFORMLY NEGOTIATE SALARIES OF CERTAIN RETIRED TEACHERS BELOW THE DISTRICT SALARY SCHEDULE.

Be it enacted by the General Assembly of the State of South Carolina:

SECTION 1. Notwithstanding Section 59‑25‑410, the boards of trustees of the several school districts shall decide and notify, in writing, the teachers, as defined in Section 59‑1‑130, in their employ concerning their employment for the 2011‑2012 school year by May 15, 2011.

SECTION 2. Notwithstanding Section 59‑25‑420, any teacher who is reemployed by written notification pursuant to Section 59‑25‑410 shall notify the board of trustees in writing of his acceptance of the contract for the 2011‑2012 school year no later than ten days following receipt of written notification. Failure on the part of the teacher to notify the board of acceptance within the specified time limit is conclusive evidence of the teacher’s rejection of the contract.

SECTION 3. Notwithstanding another provision of law, school districts uniformly may negotiate salaries below the school district salary schedule for the 2011‑2012 school year for retired teachers who are not participants in the Teacher and Employee Retention Incentive Program.

SECTION 4. This joint resolution takes effect upon approval by the Governor.

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