

**JBC STAFF FISCAL ANALYSIS  
HOUSE APPROPRIATIONS COMMITTEE**

CONCERNING ENSURING QUALITY INSTRUCTION THROUGH EDUCATOR EFFECTIVENESS (EQUITEE).

Prime Sponsors: Sens. Johnston and Spence  
Reps. Scanlan and Murray

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**Summary of Amendments Made to the Bill After the 05/04/10 Legislative Council Staff Revised Fiscal Note Was Prepared (Amended by the House Education Committee 05/06/10)**

The House Education Committee made the following changes to the bill:

- Required that if any rules promulgated by the State Board of Education (SBE) are not approved by the General Assembly, the SBE shall resubmit revised rules to the General Assembly by May 1, 2012;
- Required that the State Council for Educator Effectiveness (Council) consult with the Department regarding the costs to implement the Council's recommendations;
- Eliminated the Department's authority to receive public or private gifts, grants, and donations to fund the Department's expenditures and instead requires that the provisions of the bill be funded with federal grants. If less than \$250,000 in federal grants are credited to the Great Teachers and Leaders Fund by September 30, 2010, the difference is to be funded first with a transfer of moneys from the Contingency Reserve Fund (CRF). However, if there are insufficient moneys within the CRF, the remaining difference is to be transferred from the State Education Fund;
- Included that for nonprobationary teacher appeals, where there is no collective bargaining agreement in place, the appealing teacher may request a review of the superintendent's ruling of effectiveness by a mutually agreed-upon third party;
- Required that the reassignment of teachers include the input of two practicing teachers and other changes to contractual procedures;
- Stipulated that the number of years a teacher has been teaching be considered when district layoffs are necessary;
- Included that probationary teachers who have been deemed to be performing satisfactorily in fiscal years 2010-11, 2011-12, and 2012-13 be able to maintain this status when the new system is fully implemented; and
- Made technical clarifying and conforming changes to the bill.

JBC staff estimates that the changes did change the fiscal impact of the bill as delineated in the Legislative Council Staff Revised Fiscal Note dated May 4, 2010. Legislative Council staff agrees with this assessment. The estimated change to the fiscal impact of the bill is described in more detail below.

**JBC Staff Concurrence with Legislative Council Staff Fiscal Note**

Concurs

Does Not Concur

Updated Analysis

**Reason for the Update**

The House Education Committee report required that if less than \$250,000 in federal grants are received and deposited into the Great Teachers and Leaders Fund by September 30, 2012, then the difference will first be backfilled by a transfer from the Contingency Reserve Fund to the Great Teachers and Leaders Fund (GTLF) and if necessary the remaining balance shall be transferred from the State Education Fund to the GTLF. **This action changed the source of funds for the bill, but did not impact the costs identified in the Legislative Council Staff Revised Fiscal Note dated May 4, 2010.** Funding for the provisions of the bill are guaranteed by either the Contingency Reserve Fund or, if necessary, the State Education Fund.

**Amendments/Appropriation Status**

The bill neither requires nor contains an appropriation clause for FY 2010-11.

**Bill Sponsor Amendments**

Staff is not aware of any sponsor amendments to be offered.

**Points to Consider**

None.