

Jimmy Stokes

From: Jimmy Stokes [stokes30650@bellsouth.net]
Sent: Friday, April 09, 2010 2:20 PM
To: Stokes30650@bellsouth.net
Subject: GASSP Legislative Update--April 9, 2010

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From: Jimmy Stokes [mailto:stokes30650@bellsouth.net]
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Georgia Association of Schools
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Legislative
April

The Legislature is on Spring Break this week and in the absence of significant legislative action, this week's Update will focus on some often asked about pieces of legislation.

FY2010 AND FY2011 BUDGET

Never in modern history has there been as much uncertainty regarding the State Budget. With only 7 days left in the session, there is little consensus on the FY2011 Budget and only slightly more on the Supplemental FY2010 Budget. Perhaps this explains it best—while the Legislature is on *Spring Break* this week there are no meetings of House Committees period, while on the Senate side, almost every appropriation committee is meeting, certainly indicating that the Senate is not close to a final budget. Once the two branches finalize their respective budgets, the haggling process in the

most powerful Budget Conference committee will begin. The issues relate directly to declining revenues, but more importantly, legislators in general cannot agree as to what needs to be cut, what needs to be given additional funds, and what special interest groups will be granted tax exemptions. Many observers feel that the future of the FY2011 Budget rides with the hospital bed tax legislation and should it fail, all manner of budgetary chaos will erupt. At this point no department or agency (with the possible exception of the Legislature) is immune from the budget ax. Departments have been ordered to prepare for 3% less than what the Governor proposed and that means some programs have to go. Stay tuned—much like the 2010 NCAA basketball tournament, so much will be decided in the last two minutes or even scarier, on the shot at the buzzer!

HB 908—Flexibility and Now More

HB 908 was originally designed to grant school systems relief from state spending rules during these difficult economic times. It has now progressed to granting financial spending rules relief, some class size relief, and even school year flexibility. The House and Senate agree on relaxing the spending rules through 2013, and they pretty much agree to some elevation of class size, particularly if the SBOE grants the waivers, but where they have not found agreement is the House's stand to reduce the school year by ten days, including five student days. That provision of the bill was stripped out on the Senate floor and now goes back to the House and the future of the entire bill can now be viewed as shaky. It would be most difficult for systems to operate under current spending rules and class sizes given the severe reduction in funds that will accompany FY2011.

HB 923—Extension of Deadlines for Educators in Education Leadership Graduate Programs

Legislation in 2009 declares that educators that hold leadership degrees and/or certification but who do not occupy leadership positions can no longer be paid on the basis of that certification. HB 923 seeks to grandfather in those educators that were in educational leadership programs on or before April 1, 2009, and extends the timeline for completion of the degrees. Students who were in the programs prior to April 1, 2009, will have until July 1, 2012, to complete a Masters; until July

1, 2013, to complete a Specialist; and July 1, 2014, to complete a doctorate. The bill is currently in the Senate and passage is expected as is House adoption of the Senate amendment. Teachers currently holding leadership certification and being paid for such are exempt from this legislation.

SB 84—Enlargement of Nepotism Rules

SB 84, the work of Sen. Tommie Williams, was revived from 2009 and has been passed both House and Senate and is at the Governor's desk. The bill does lots of things, all aimed at stinging BOEs with more qualification, training, and ethics rules, but it falls on administrators as well. The most impact on educators has to do with nepotism—being married to BOE member or being the child of a BOE member. Basically the rule forbids spouses and children of BOE members from serving as administrators in the school systems served by the BOE member. It applies only to administrators elected or appointed after January 1, 2010. Administrators and BOE members elected prior to July 1, 2009, are exempt from this legislation.

SB 515—Educators' Salary Protection Act

SB 515 wins the Arcane Bill of the Year Award. The bill *protects* teacher salaries by prohibiting a school system with a fund balance of 6% or greater on July 1 (was September 1 but was amended) from furloughing teachers during the year in which the fund balance meets or exceeds 6% on July 1. Few if any systems will have a fund balance of that magnitude—admittedly more if the July 1 date holds, but it does not protect teachers. If anything it endangers them. There is nothing in the law that prevents school systems from lowering teacher salaries *even after contracts go out* in times of financial exigency. With the austerity cut expected to be well in excess of \$500 million for FY2011, exigency is easily declared. As Herb Garrett, GSSA Executive Director, and Skip Yow, Metro RESA Legislative Liaison, have pointed out on numerous occasions to legislators, cutting teacher salaries takes forever to repair; putting in place furlough days is only a temporary imposition and requires definite action to continue into the following year. Once the salary schedule and/or supplement is cut, it pretty much stays cut. Beware of people from the government trying to help you!

Other Issues

While there are certainly other pieces of legislation that are important to educators, not all of them are discussed here. If you have a legislative issue that is of concern to you, please do not hesitate to email Jimmy Stokes at stokes30650@bellsouth.net or call me at 770-601-3798. I promise to get an answer for you.