Regular Session, 2014

HOUSE BILL NO. 179

BY REPRESENTATIVE DIXON

SCHOOLS/EMPLOYEES: Provides relative to employment contracts for school employees being promoted or employed in a position of higher salary

1	AN ACT
2	To enact R.S. 17:444(B)(4)(d), relative to employment contracts for school employees who
3	are promoted or employed in a position of higher salary; to provide for the
4	superintendent to present such contracts and specified information about them to the
5	board; to provide relative to contract duration; to provide for the time period for
6	entering into certain such contracts; and to provide for related matters.
7	Be it enacted by the Legislature of Louisiana:
8	Section 1. R.S. 17:444(B)(4)(d) is hereby enacted to read as follows:
9	§444. Promotions to and employment into positions of higher salary and tenure
10	* * *
11	В.
12	* * *
13	(4)
14	* * *
15	(d)(i) A contract of employment under this Section, whether an initial
16	contract or a new contract of employment to be offered at the expiration of an
17	existing contract, shall be presented by the superintendent to the board for review
18	before the contract is entered into, together with the following information relative
19	to such contract:
20	(aa) The name of the person to whom the contract will be offered.

CODING: Words in struck through type are deletions from existing law; words <u>underscored</u> are additions.

1	(bb) The salary and any other compensation or benefit provided by the
2	contract.
3	(cc) The proposed term of the contract and the date the contract will take
4	effect.
5	(dd) If an initial contract with the person to whom the contract will be
6	offered, information about the professional preparation and background of such
7	person.
8	(ee) If a new contract to be offered at the expiration of an existing contract,
9	information about the employment history with the local school system of the person
10	to whom the contract will be offered.
11	(ff) Other information pertinent to the terms of the contract and the person
12	to whom it will be offered.
13	(ii) Unless the board, by specific motion, dictates a longer term as authorized
14	by Subparagraph (a) of this Paragraph for a specific contract presented as provided
15	in this Subparagraph, any such contract shall be for a term of two years.
16	(iii) No new contract shall be offered at the expiration of an existing contract
17	as provided in Item (c)(iv) of this Paragraph earlier than one hundred twenty days
18	prior to the expiration of the existing contract.
19	* * *
20	Section 2. This Act shall become effective upon signature by the governor or, if not
21	signed by the governor, upon expiration of the time for bills to become law without signature
22	by the governor, as provided by Article III, Section 18 of the Constitution of Louisiana. If
23	vetoed by the governor and subsequently approved by the legislature, this Act shall become
24	effective on the day following such approval.

DIGEST

The digest printed below was prepared by House Legislative Services. It constitutes no part of the legislative instrument. The keyword, one-liner, abstract, and digest do not constitute part of the law or proof or indicia of legislative intent. [R.S. 1:13(B) and 24:177(E)]

Dixon

HB No. 179

Abstract: Relative to employment contracts for school employees who are promoted or employed in a position of higher salary, provides for presentation of contracts and specified information for school board review, for contract duration, and for the time period for entering into contracts.

<u>Present law</u> provides relative to promotions to and employment of school employees into positions of higher salary. Provides in part that, except as authorized for the term of a superintendent of schools, employment of school employees being promoted or employed in a position of higher salary shall be for a term of at least two years and not more than four years, the term to be specified in a written performance contract. Excepts employment in a temporary position. Relative to subsequent contracts between an employee and the board upon expiration of a contract, requires the superintendent to notify the employee of termination of employment no less than 120 days prior to the contract's expiration, and alternatively authorizes the board and the employee to negotiate and enter into a contract for subsequent employment. Requires the superintendent recommends otherwise based upon the employee's evaluation or for other specified reasons. Also provides relative to removal during the term of a contract for specified causes.

<u>Proposed law</u> retains <u>present law</u> and additionally:

- (1) Requires that a contract, whether an initial contract or a contract offered at the expiration of an existing contract, be presented to the school board for review before the contract is entered into together with specified information including: name of the person to whom the contract will be offered, salary and other compensation and benefits provided, contract term and date it takes effect, information about the person to whom the contract will be offered.
- (2) Provides that contracts will be for two years, unless the board, by specific motion, requires a longer term for a specific contract as authorized by <u>present law</u>.
- (3) Prohibits offering a new contract at the expiration of an existing contract earlier than 120 days prior to the expiration of the existing contract.

Effective upon signature of governor or lapse of time for gubernatorial action.

(Adds R.S. 17:444(B)(4)(d))