

**LEGISLATIVE SERVICES AGENCY
OFFICE OF FISCAL AND MANAGEMENT ANALYSIS**

301 State House
(317) 232-9855

FISCAL IMPACT STATEMENT

LS 6677

BILL NUMBER: SB 197

DATE PREPARED: Dec 14, 2000

BILL AMENDED:

SUBJECT: Dismissal of Teachers from Extracurricular Duties.

FISCAL ANALYST: David Hoppmann

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FUNDS AFFECTED: **GENERAL**
 DEDICATED
 FEDERAL

IMPACT: Local

Summary of Legislation: This bill provides procedures, including a hearing, that the governing body of a school corporation must follow to dismiss a teacher from an extracurricular assignment, including coaching duties.

Effective Date: July 1, 2001.

Explanation of State Expenditures:

Explanation of State Revenues:

Explanation of Local Expenditures: School corporations would experience minimal administrative time and cost regarding the adoption of dismissal guidelines. However, the overall effects pertaining to hearing costs and potential actions would vary by school corporation.

Dismissal Guidelines- Under current Indiana law, school corporations are not required to adopt dismissal guidelines for semi-permanent or permanent teachers involved in extracurricular assignments. In accordance with this bill, school corporations would be required to adopt dismissal guidelines including, but not limited to, the following: 1) immorality; 2) insubordination; 3) neglect of duty; 4) incompetency; 5) conviction of certain crimes such as rape, criminal deviate conduct, and child molestation; and 6) other good and just cause including the best interest of the school corporation.

Salary and Employment Benefits- In addition, school corporations would be allowed to suspend teachers from extracurricular activities pending a decision on the dismissal. However, school corporations would be prohibited from withholding salary payments or other employment related benefits from the suspended teacher.

Dismissal Procedures- School corporations would be required to follow certain procedures in order to dismiss a teacher from extracurricular assignments. The procedures are as follows: 1) teacher notification of dismissal action and written statement of reasons for dismissal; 2) ability of teacher to request a hearing; 3) teacher notification of hearing location; 4) teacher entitlement to certain opportunities at the hearing; 5) the possible subpoena of witnesses at the hearing; 6) recommendation for dismissal by superintendent; and 7) vote by the governing body on teacher dismissal (the decision of the governing body would be final).

This bill would allow a teacher, who was dismissed in violation of the adopted guidelines, to bring legal action against the school corporation. This provision could potentially increase legal expenses of a school corporation.

Explanation of Local Revenues:

State Agencies Affected:

Local Agencies Affected: School Corporations.

Information Sources: Kevin McDowell, Department of Education, (317) 232-6647.