

Mandate Relief contained in Senate Bill 1124, Amendment #3

SB1124 provides mandate relief to school districts in the following areas:

Drivers Education: provides that school districts can contract out for Drivers Education without going through the mandate waiver process, if they hold a public hearing prior to entering a contract. All of the safety, background check, and licensing requirements still remain.

Physical Education: Removes the daily PE mandate and gives school districts the ability to determine the schedule or frequency of PE courses, provided a student takes PE a minimum of 3 days per week. Also allows student athletes in grades 9-12 to be excused from PE.

Third Party Contracting: Strikes the language in current law that requires third-party contractors to provide a benefits package to their employees that is comparable to that given to school district employees. Under current law school districts can contract with a third party for non-instructional services but the contractor must provide a benefits package for their employees that is comparable to the benefits package of what the school district employees. This component of the current law is what makes third party contracting so costly for school districts; so much so that they don't typically do it because they can't save money.

Provides that if a contract is entered into, the school board must file a copy of the cost projection submitted by the contractor to the State Board of Education. In five years (2022), requires the State Board of Education to review and analyze all of the cost projection data to determine the effects the contracts had on school districts and the State and submit a report to the Governor and the General Assembly.

During the time that report is being prepared, no school district can enter into a new third party contract. Third party contracting will resume after the report has been submitted.

Discharge of Unfunded Mandates: Allows a school district to lawfully discharge an unfunded mandate after a public hearing. The district is required to post information on the time, date, place, and general subject matter of the hearing on its website 14 days prior to the hearing. And the district is required to publish a notice of the hearing at least 7 days prior to the hearing in a newspaper of general circulation within the school district that details the same information.

The school district is also required to notify, in writing, the affected exclusive collective bargaining agent and State legislators representing the affected territory of its intent to discharge an unfunded mandate and of the hearing. The affected exclusive collective bargaining agent must be notified of the hearing at least 7 days prior to the date of the hearing and must be allowed to attend the hearing.

Mandates in the following areas can not be discharged:

1. Health, life, safety rules;
2. Federally required mandates, including compliance with ESSA; and,
3. Laws pertaining to civil rights protections.

School districts who discharge unfunded mandates under this section must report to the State Board and the State Board must compile a report for the General Assembly annually.

Referendum for lower property tax rates: Allows a citizen-initiated referendum to lower a district's education rate. If a school district is at or exceeds 110% adequacy, citizens can submit a petition signed by at least 5% of the voters in the school district to lower their education rate. The rate cannot be lowered by more than 20%.