



ROSENSTEIN, FIST & RINGOLD

RED BANNER UPDATE

Date: June 9, 2017

Re: HB 2386

Signed: June 8, 2017

Effective: Immediately

Topic: Definition of Teacher

Summary: HB 2386 amends existing law. It began the 2017 legislative session as a shell bill related to public finance, but in the final days it became a bill which amended the definition of a teacher.

During the 2016 legislative session, HB 3218 (which primarily related to student assessment) redefined the definition of a teacher to exclude superintendents, principals, supervisors, and nurses. This had the “unintended” consequence of adversely impacting retirement benefits for many school employees.

The changes made this year in HB 2386 return the definition of a teacher to the definition which existed before HB 3218 took effect in 2016. It also adds to that definition by including those who hold valid certificates issued pursuant to Career Tech rules. The amended language is:

"Teacher" means any person who is employed to serve as district superintendent, principal, supervisor, a counselor, librarian, school nurse or classroom teacher or in any other instructional, supervisory or administrative capacity. The person shall not be deemed qualified unless the person holds a valid certificate issued by and in accordance with the rules of the State Board of Education or the rules of the State Board of Career and Technology Education, to perform the particular services for which the person is employed;

No changes are anticipated for any district policy or procedure.