



TO: The Honorable Members of the Pennsylvania Senate

FROM: Pennsylvania State Education Association, Pennsylvania Association of Rural and Small Schools, Pennsylvania Principals Association, and the Pennsylvania Association of School Administrators

DATE: June 9, 2017

RE: SB 168 (PN 140) and SB 592 (PN 670)

On behalf of school leaders and educators across the state, we request your opposition to Senate Bill 592 and Senate Bill 168. While these proposals were drafted in the spirit of openness and transparency, the impact of these bills will be inefficiency and difficulties in resolving important employment agreements.

We are opposed to Senate Bill 592 as it will complicate the hiring process and serve as an impediment to the professional search process for school districts, intermediate units (IUs), and school administrators that may ultimately result in reduced pools of candidates for these critical leadership positions. The bill requires that a school district and an IU post the terms of employment on the entity's public website when it extends an offer of employment to a district superintendent, assistant district superintendent, associate superintendent, or any principal. The posting must include the details of the final offer, including salary and the length of the employment contract. The information must be posted after the offer of employment is made, and at least two weeks prior to the school board formally approving the accepted offer.

Many administrative professionals are reluctant to participate in a search process that is highly publicized as it can be unsettling to their current school district of employment and jeopardize their standing in the school community. Public employees deserve the same expectation of privacy when seeking other employment as people in other professions. Placing an individual's name on a public website for two weeks prior to a school board vote puts the individual in a very awkward situation, especially if the board would decide not to hire that individual. This has the potential to exacerbate the dwindling pool of applicants for administrative positions. This past year alone, more than 125 of the 500 Pennsylvania school districts experienced a superintendent opening, and many struggled to secure quality applicants. A report from the U.S. Department of Education indicated that approximately 20 percent of principal positions are opened each year, and 70 percent of active principals have been in their positions for less than five years.

Complicating the hiring process for school administrators will only increase these numbers and create more instability in school leadership.

In addition, we oppose Senate Bill 168 as it would create more cost, inefficiency, and the potential for unnecessary gridlock in the collective bargaining process. This bill requires certain public employers, including school employers, to provide notice before signing a collective bargaining agreement (CBA). Tentative agreements must be posted online within 48 hours of creation. The notice must contain the terms of the CBA and an estimate of the costs to the public employer. Further, the notice must be posted online for the public two weeks prior to and 30 days after signing. Agreements signed without proper notice would be void and unenforceable and all documents exchanged during collective bargaining would be made public under the Right-to-Know Law.

Rooted in the principle of local control, the public elects school directors to bargain on behalf of the district and the taxpayers who elected them to serve. Our organizations believe that these agreements should be bargained in good faith, and the negotiation process requires all parties to seek and offer concessions. Parties can find solutions and common ground when they have the freedom to talk openly. As it currently exists, the bargaining process is not intended to hide information from the public but rather to protect the integrity of these negotiations and to reach agreements that are fair to all parties.

While we fully understand the importance of transparency to the public in all matters of school finance, we believe these proposals are counterproductive to the public interest and respectfully request that you oppose Senate Bill 592 and Senate Bill 168. Thank you for your consideration of our comments.