

REPORT HIGHLIGHTS

A Study Pursuant to Act 55 of 2017: School District Furlough Procedures

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Act 55 of 2017 (Act) required the Legislative Budget and Finance Committee (LBFC) to conduct a study following the 2021-2022 school year of the effectiveness of newly added provision to the Public School Code (Code) pertaining to school district furloughs. Key highlights include the following:

❖ **The term “suspension” is used in the Act but refers to the process of furloughing professional staff.** A key amendment to the Code was to include “economic reasons” as a basis for “suspending” professional staff. Although the term suspension is used, the language of the Act refers to the process of furloughing or laying off teachers/administrators when a school district can no longer support paying the staff. Our report focus is solely on these operational-based furloughs, not suspensions for disciplinary reasons. Throughout the report, we use the term “furlough” instead of suspension.

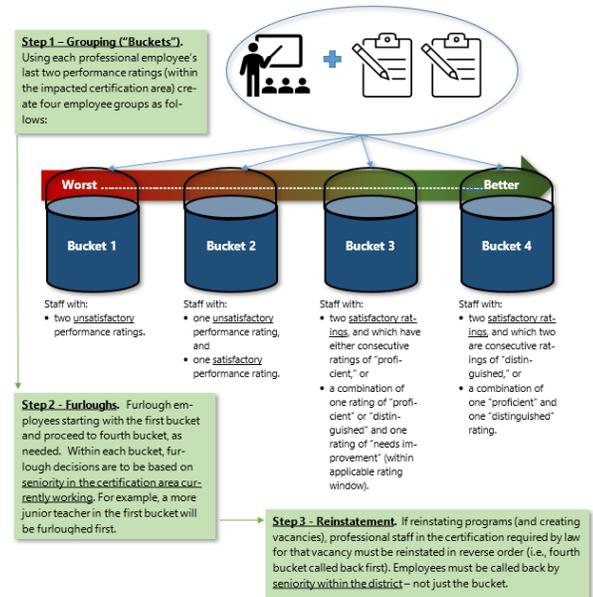
❖ **The Act included “economic reasons” as a reason for furloughing professional staff.** Prior to the Act, there were four primary means to furlough professional staff. These reasons included conditions such as pupil enrollment decreases, mergers, program curtailment, or new districts through reorganization. The Act added a fifth basis – “economic reasons,” but pursuing this option also requires that the board take a series of additional steps, including voting on a resolution of intent.

❖ **Data limitations created obstacles in completing the study.** The timeframe under review was November 6, 2017, through June 30, 2022. The Act calls for a study of the “effectiveness” of the provisions of the Act, and the extent to which the provisions are used “effectively” to increase “efficiency,” if data is available. We consulted with legal experts at the Department of Education (PDE), the School Boards Association (PSBA), and the State Education Association (PSEA) to gather information on district furloughs. None of these organizations had information on district furloughs.

❖ **Furloughs have occurred, but are relatively uncommon.** All of the stakeholders we interviewed indicated that furloughs are an uncommon occurrence. We learned that while school boards may anticipate furloughs, in the end, alternative actions are ultimately pursued to prevent furloughs, especially involving professional staff.

❖ **If furloughing professional staff, Act 55 required a new process which includes certain performance metrics to be considered.** The process is complex, but it involves basing the decision beyond seniority and include how staff were rated on their performance ratings

(known as Act 82/Act 13 ratings). A similar process is used if staff are reinstated – or recalled to the district.



❖ **We surveyed all Pennsylvania school districts about furloughs.** Because data was not available, with the assistance of PDE, we surveyed all 500 school district superintendents about professional staff furloughs. Approximately 300 replied, but only 42 indicated they had furloughed staff. Most (49.2%) indicated a reduction in pupil enrollment as the basis. Only 14 indicated “economic reasons.” We surveyed a random selection of the 42 respondents; however, we received too few responses to make meaningful conclusions.

❖ **Final conclusions.** We are unable to conclude whether the addition of Act 55’s provisions have been efficient or effective pursuant to the statutory duty placed upon us. There are five interconnected reasons that brought us to this conclusion: (1) Furlough data is not tracked; (2) lack of tracking data is not a significant issue because few furloughs have occurred; (3) more focus is rightly on teacher recruitment, not furloughs; (4) Act 13 of 2020 revised the rating system for professional staff; (5) COVID-19 has impacted school operations, the effects of which are still being evaluated.

For a full copy of the report, email us at lbfcinfo@palbfc.us or download a copy at <http://lbfc.legis.state.pa.us/>.