



David M. Schauner, KNEA General Counsel Testimony  
Senate Standing Committee on Commerce  
March 12, 2015  
**Senate Bill 212**

Dear Madam Chairman and Members of the Committee,

My name is David Schauner, Kansas National Education Association General Counsel. On behalf of 20,000 KNEA members I offer this written testimony in opposition to **Senate Bill 212**.

Senate Bill 212 is the latest affront to all teacher educators who have chosen to voluntarily belong to their professional organization. Kansas has been a Right to Work State for decades and membership in KNEA is purely voluntary. Despite the long history of Right to Work in Kansas, tens of thousands of Kansas teacher educators choose to belong to their professional organization. It is their professional home and their advocate for improving their working conditions and the conditions in which their students attend school.

Many school districts in Kansas have made their payroll deduction process available for the collection of KNEA dues. This has been a common practice for over 35 years. This bill makes it a prohibited practice for a school district to use any school resources to assist in the collection of union dues. There is no expressed reason for the prohibition. Instead, SB 212 appears to single out the largest educator organization and its members for disparate treatment. The foundation of a vital democracy is the free expression of differing viewpoints.

Once the payroll system has entered the deduction it is without any cost whatsoever to the school district. School payroll deductions have also been made available to many other groups and/or companies. The list includes insurance companies, The United Way, credit unions, banks, and a host of others. None of these vendors are the target of SB 212. Recently, the legislature prohibited the use of school payroll deduction for the collection of union dues for political purposes and now comes the

rest of the story: Prohibit the use of school resources to collect ANY union dues regardless of their purpose. The fact of the matter is that the deduction is a mandatory topic for professional negotiation. Only when the school district has bargained the availability of the payroll deduction is it available under current law. If the employing school district does not want to make it available they are not required to do so.

In summary, teacher educators and other school employees are educated adults and are free to make decisions about how to spend their salaries. SB 212 not only discriminates based on viewpoint, it also interferes with contracts between schools and their employees. Under the guise of protecting paychecks it implies that the employees should not be allowed to make an independent-informed choice about how to spend their salary.

I ask that you review the language in SB 212 and be certain that your public policy position is to declare it a violation of the Professional Negotiations Act (PNA) for a school district to bargain with its employees about payroll deductions. The PNA has functioned well for over three decades about this and other topics of mutual interest. There does not appear to be any objective need for the changes embodied in SB 212.

I urge you to reject SB 212.