

MINUTES OF THE SENATE EDUCATION COMMITTEE

The meeting was called to order by Chairperson Steve Abrams at 1:30 pm on Tuesday, February 10, 2015, 144-S of the Capitol.

All members were present

Committee staff present:

Lauren Douglass, Legislative Research Department
Erna Fabert, Kansas Legislative Committee Assistant
Jason Long, Office of Revisor of Statutes

Conferees appearing before the Committee:

Cheryl L. Semmel, Executive Director, USA/Kansas
Patrick Woods, Board Member, Topeka Public School Board

Others in attendance:

[See Attached List](#)

Chairperson Abrams reminded committee members of the dinner sponsored by Microsoft and Federico Consulting. He then gave a brief explanation of documents that were provided by the Kansas State Department of Education in response to questions from a February 4 presentation by Sharon Wenger on **SB71**.

[\(Attachment 1\)](#) [\(Attachment 2\)](#) [\(Attachment 3\)](#) [\(Attachment 4\)](#) [\(Attachment 5\)](#) [\(Attachment 6\)](#)

The chairperson then asked for a motion to approve the minutes previously sent to committee members for review. *Senator Fitzgerald moved, Senator Baumgardner seconded, to approve the minutes of the January 20 and January 28, 2015 Senate Education Committee meetings. Motion carried.*

Hearing on: SB136 — Amending the professional negotiations act.

Chairperson Abrams then opened the hearing on **SB136**. Jason Long, staff revisor, briefly reviewed the bill, stating that it amends the Professional Negotiations Act, which is a bargaining agreement applicable to K-12 schools, as well as technical schools and 2 year community colleges. Questions followed.

Chairperson Abrams then introduced Cheryl L. Semmel, who testified in support of the bill, explaining that this bill is a compromise among 4 organizations - USA/Kansas, Kansas School Superintendents Association, Kansas National Education Association and Kansas Association of School Boards. Ms. Semmel highlighted the three main areas of change this bill would provide: the number of negotiable items that can be reviewed by each side has been limited to five; there would be a change in timelines; and it would include mandatory training for negotiations team members. She further testified that if **SB136** is adopted, the agreement would be effective July 1, 2015 and the focus will be placed back on students, rather than negotiation agreements. [\(Attachment 7\)](#)

Patrick Woods was then introduced, and testified in support, confirming that this bill reflects a good

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compromise of collaboration and shared goals for the students and helps maintain a positive work environment that supports teachers so students will continue to be afforded a quality educational opportunity. ([Attachment 8](#))

Questions followed concerning several aspects of the training process, what effect the new dates will have on the contract process, first agreement issues, and other related contract issues. Chairperson Abrams asked for input from several members of the joint task force who were in the audience.

John Rasmussen, KASB attorney, spoke to the issue of the effect of contract dates being changed and what procedures are followed when a contract agreement cannot be negotiated.

Mark Desetti of KNEA and Dr. John Heim from KASB emphasized that even though positions were firmly entrenched on both sides, this compromise legislation was drafted by executive directors and presidents rather than lobbyists. It was further noted that reducing items for negotiations would provide more local control and changing dates takes pressure off of contract negotiations.

The Chairperson then asked if there were additional proponents, opponents or persons who wished to present neutral testimony. There being no further conferees, the hearing on **SB136** was closed.

Possible action on bills previously heard SB32 — Requiring school district and state department of education audits; creating the efficient operation of schools task force.

Chairperson Abrams then called for discussion and possible final action on **SB32**.

Discussion concerning the over \$700,000 fiscal note for **SB32** brought forward a recommendation to audit just six schools and then return with cost figures and a re-evaluation next year, based on accurate statistics. Additional discussion followed concerning whether such a proposal would require a new amendment, whether a sunset law would be required, and since these audits are not the same as those previously performed by Legislative Post Audit, whether any cost savings would even be realized.

Senator Baumgardner expressed concern that bringing together a task force for an audit of only six districts would not be a very efficient use of funds. Chairperson Abrams responded that he looks at it as moving forward and a pilot program might be a good idea. Senator Schmidt questioned whether there might be a different method besides legislation to use for a pilot program, such as each district doing this themselves. Chairperson Abrams responded that this is the only mechanism available to the Commission for moving their recommendation forward.

Senator Tyson again expressed concern over the fiscal note, where an estimation of \$10,000 per school was budgeted, but there are several unknown factors in that cost, such as what kinds of auditing firms would be used or total cost.

*Senator Schmidt moved, Senator Pettey seconded, to table **SB32**. Motion defeated.*

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Chairperson Abrams adjourned the meeting at 2:20 pm.

The next meeting of the Senate Education Committee will be Wednesday, February 11, 2015 at 1:30 pm in Room 144-S of the Capitol.