

## HOUSE BILL No. 2097

By Committee on Education

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AN ACT concerning school districts; relating to teachers; establishing a grant program for development of peer assistance and peer assistance and review programs.

*Be it enacted by the Legislature of the State of Kansas:*

Section 1. (a) The state board of education shall develop, establish and monitor a peer assistance and peer assistance and review planning grant program to provide funding to qualifying school districts in Kansas.

(b) Two hundred and fifty thousand dollars shall be set aside to fund the planning grant program with no qualifying school district obtaining more than a \$50,000 planning grant.

Sec. 2. The purpose of the planning grant program is to improve the professional practice of teaching, retain promising teachers and build professional knowledge to improve pupil success.

Sec. 3. As used in this act:

(a) "Peer assistance" means the provision of confidential formative assistance and support by colleagues informally and in defined assistance structures.

(b) "Peer assistance and review" means a program that combines peer assistance with a peer review function for new teachers and veteran teachers experiencing substantial difficulties with their teaching. Peer assistance and review programs must be conducted in a manner that leads to improved practice and retention of teachers by the school district.

Sec. 4. Application for a planning grant shall include:

(a) A statement of joint commitment signed by official representatives of the local board of education and the professional employee's organization that is designated or selected for the purposes of professional negotiation.

(b) Evidence of a positive relationship between the school district and the professional employee's organization.

(c) An outline of proposed work tasks including: (1) Training for all participants; (2) selection criteria for assisting teachers; (3) a plan for interaction between the peer assistance and review program and the current teacher evaluation system; and (4) the target audience of any such system, i.e., new teachers, veteran teachers and teachers experiencing

1 substantial difficulties.

2 (d) A proposed budget.

3 Sec. 5. (a) The state board of education shall use representatives of  
4 school districts, statewide teachers' organizations and the legislature to  
5 evaluate and select grant proposals for funding. The state board shall  
6 determine the number of representatives to be selected from each school  
7 district and teacher organizations, except that the legislator representa-  
8 tives shall be limited to two persons, one appointed by the speaker of the  
9 house of representatives and one by the president of the senate. The  
10 legislator representatives shall be of different political parties.

11 (b) The members appointed by the state board shall serve a term of  
12 three years and at the pleasure of the state board.

13 (c) All members shall be residents of Kansas.

14 (d) The terms of the legislator members shall expire upon termina-  
15 tion of their terms of office as members of the legislature. However, such  
16 members shall serve until the member's successor is appointed and  
17 qualified.

18 Sec. 6. (a) No member or employee of a peer assistance group or  
19 peer review committee is liable to any person for any action taken or  
20 recommendation made within the scope of the functions of such group  
21 or committee if the group or committee member or employee acts with-  
22 out malice and in the reasonable belief that the action or recommendation  
23 is warranted by the facts known to such member after a reasonable effort  
24 to obtain the facts of the matter as to which the action is taken or rec-  
25 ommendation is made.

26 (b) No person who provides information to a peer assistance group  
27 or peer review committee, professional standards review committee, or  
28 counseling and assistance committee of a state or local professional or-  
29 ganization for teachers, or a member or employee of the peer assistance  
30 group or peer review committee, without malice and in good faith be-  
31 lieves that the information is warranted by the facts known to such person  
32 shall be liable for damages in a civil action as a result of providing that  
33 information.

34 (c) A group or committee member may report to and discuss its ac-  
35 tivities, information and findings with other group or committee members  
36 without waiver of the privilege provided under this section, and the re-  
37 cords of all such groups and committee members relating to such report  
38 shall be privileged as provided under this section.

39 (d) Reports and records made pursuant to this act shall not be subject  
40 to discovery, subpoena or other means of legal compulsion for their re-  
41 lease to any person or entity and shall not be admissible in any civil or  
42 administrative action other than a disciplinary proceeding.

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1     Sec. 7. This act shall take effect and be in force from and after its  
2 publication in the statute book.  
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