

MINUTES OF THE HOUSE COMMITTEE ON EDUCATION

The meeting was called to order by Representative Don Crumbaker at
Chairperson

3:30 ~~xxx~~ p.m. on March 22, 1984 in room 313-S of the Capitol.

All members were present except: Representative Miller, who was excused.

Committee staff present:

Avis Swartzman, Revisor of Statutes' Office
Ben Barrett, Legislative Research
Dale Dennis, State Department of Education
Judy Crapser, Secretary to the Committee

Conferees appearing before the committee:

The minutes of March 19, 1984 were approved as written.

The Chairman opened the meeting to discussion and action on bills previously heard. He directed the attention of the committee to SB 391 which updates the code standards for school building construction.

Representative Apt made a motion to amend SB 391 by changing the date on line 62 from July 1, 1983 to July 1, 1984. Representative Murphy seconded the motion. The motion to amend carried.

Representative Apt moved to recommend SB 391 favorably as amended. Representative Kline seconded the motion. The motion carried.

SB 476, increasing the probationary period of teachers, was next discussed by the committee. The Chairman reminded the committee that the language of SB 476 has been amended into HB 2738 by the Senate, making this legislation unnecessary.

Representative Reardon made a motion to amend SB 476 by removing all of the existing language and inserting the language of HB 2647 as the committee amended, including community colleges in the due process rights for nonrenewal. (ATTACHMENT I) Representative Leach seconded the motion. The motion to amend carried.

Representative Reardon moved to report SB 476 favorable for passage as amended. Representative Branson seconded the motion. The motion carried.

Representative Leach moved to report SB 473 favorably for passage. SB 473 is renewing the testing program for minimum competency assessment of basic skills of students. Representative Apt seconded the motion.

Representative Smith made a substitute motion to amend SB 473 to make the testing optional for school boards who develop their own tests. (ATTACHMENT II) Representative Moomaw seconded the motion. The substitute motion to amend failed.

Representative Smith made a substitute motion to amend SB 473 to make testing optional to the school boards to administer the test or not. (ATTACHMENT III) Representative Moomaw seconded the motion. The substitute motion to amend failed.

Representative Smith made a substitute motion to amend SB 473 repealing the entire bill. (ATTACHMENT IV) Representative Polson seconded the motion. The substitute motion to amend failed.

The question reverted to the original motion to pass SB 473 favorably. The motion carried.

The committee turned its attention to HB 3091, requirements required for initial issuance of teaching certificates. Representative Leach made a motion to report HB 3091 favorably. Representative Hensley seconded the motion.

Representative Murphy made a substitute motion to amend HB 3091 to delete lines 67, 68 and 69, also to eliminate "(a)" from line 64. Representative Williams seconded the motion. The motion to amend carried.

CONTINUATION SHEET

MINUTES OF THE HOUSE COMMITTEE ON EDUCATION

room 313-S, Statehouse, at 3:30 ~~xxx~~/p.m. on March 22, 1984

Representative Hensley moved to recommend HB 3091 favorably as amended. Representative Lowther seconded the motion. The motion carried.

HB 3092 establishing inservice education opportunities was next brought to the committee's attention.

Representative Harder made a motion to recommend HB 3092 favorably for passage. Representative Hensley seconded the motion.

Representative Leach made a substitute motion to amend HB 3092 by inserting on line 39 after "agencies", the wording "institutes of post secondary education authorized to award academic degrees in this state". Representative Apt seconded the motion. The motion to amend carried.

Representative Murphy moved that HB 3092 be recommended favorably as amended. Representative Laird seconded the motion.

Representative Apt made a substitute motion to further amend HB 3092 by deleting on line 40 the word "officially". Representative Leach seconded the motion. The substitute motion to amend carried.

Representative Reardon moved that HB 3092 be recommended favorably as amended. Representative Hensley seconded the motion. The motion carried.

Representative Brady made a motion to recommend HCR 5073 favorable for passage. HCR 5073 requests Commissioner of Education to direct driver education teachers to inform students of legal consequences of driving under the influence. Representative Hassler seconded the motion. The motion carried.

Representative Williams made a motion to recommend SB 79 favorable for passage. Representative Apt seconded the motion. SB 79 is a bill which prohibits an employee of a school district from serving on a school board.

Representative Leach made a substitute motion to conceptually amend SB 79 by striking lines 27 through 36 beginning with "No person...." and ending with "...school district.", also to set the time for beginning of office as the first meeting of the board after election results. Representative Laird seconded the motion.

The Chair ruled the motion to be not germane.

Representative Brady made a substitute motion to conceptually amend SB 79 beginning on line 27 by striking "employed in any capacity" and inserting "a full time employee of". Representative Williams seconded the motion. The motion to amend failed.

The question reverted to the motion to recommend SB 79 favorably. The motion carried.

The meeting was adjourned by the Chairman at 5:43 p.m.

The next meeting of the committee will be March 27, 1984 at 3:30 p.m.

Proposed Amendment to Senate Bill No. 476

(As Amended by House Committee of the Whole)

On page 1, by striking all of lines 28 to 47, inclusive;

On page 2, by striking all of lines 48 to 84, inclusive;

On page 3, by striking all of lines 85 to 121, inclusive;

On page 4, by striking all of lines 122 to 143, inclusive;

following line 143, by inserting three new sections as follows:

"Section 1. K.S.A. 1983 Supp. 72-5451 is hereby amended to read as follows: 72-5451. As used in this act:

(a) "Board" means the board of trustees of any community college, the board of education of any school district, the board of directors of any interlocal cooperative composed of school districts, or the board of control of any area vocational-technical school.

(b) "Administrator" means any ~~employee of~~ person who is regularly employed by a board who is required to hold a school administrator's certificate, or who is designated in K.S.A. 72-8202b, or whose position the board determines to be in an administrative or, supervisory in nature with responsibilities and remuneration comparable to those of certified administrators, or directorial capacity and who (1) in the case of a school district or an interlocal cooperative, is required to hold a certificate issued by the state board of education or who was appointed by the board under authority of K.S.A. 72-8202b, and amendments thereto, or who is employed in a position which the board determines to be administrative, supervisory or directorial in nature with responsibilities and remuneration comparable to those of certified administrators; and (2) in the case of an area vocational-technical school or a community college, has authority, in the interest of the board, to hire, transfer, suspend, layoff, recall, promote, discharge, assign, reward or discipline other employees, or responsibly to direct them or to adjust their grievances, or effectively to recommend a

preponderance of such actions, if in connection with the foregoing, the exercise of such authority is not of a merely routine or clerical nature, but requires the use of independent judgment. Notwithstanding the foregoing, the term administrator shall not ~~mean or~~ include within its meaning any person who is the president of a community college or a superintendent of schools.

(c) "Not renew the contract" or "nonrenewal of the contract" means that an administrator remains on duty to complete the term of a current contract but is not offered a contract for the subsequent contract, calendar or fiscal year.

"Sec. 2. K.S.A. 1983 Supp. 72-5455 is hereby amended to read as follows: 72-5455. The provisions of this act shall apply only to those administrators who have at any time completed two consecutive years of employment as an administrator in the community college, the school district, area vocational-technical school, or for the interlocal cooperative then currently employing ~~such~~ the administrator, except where the administrator alleges the nonrenewal of the contract is the result of the administrator having exercised a constitutional right. Any board may waive the two year requirement for any administrator employed by it who, prior to such employment, was an administrator who had completed not less than two consecutive years of employment in any community college, school district, area vocational-technical school, or for ~~an~~ any interlocal cooperative in this state.

"Sec. 3. K.S.A. 1983 Supp. 72-5451 and 72-5455 are hereby repealed.";

By renumbering section 6 as section 4;

In the title, in line 23, after "schools", by inserting ", interlocal cooperatives"; also in line 23, by striking "termination or"; in line 25, by striking "72-5436, 72-5442, 72-5445 and 72-5446" and inserting in lieu thereof "1983 Supp. 72-5451 and 72-5455"

Proposed Amendment to Senate Bill No. 473
(As Amended by Senate Committee of the Whole)

On page 2, in line 76, after "board", by inserting ", upon its request,";

On page 3, after line 90, by inserting a new section as follows:

"New Sec. 4. In order to comply with the requirements of K.S.A. 72-9403, and amendments thereof, each board shall:
(a) (1) Prepare and administer an examination for assessing the attainment by pupils of the minimum competency objectives in basic skills which are identified, specified and distributed by the state board; or (2) request the examination prepared by the state board for assessing the attainment of minimum competency objectives in basic skills and administer the same to pupils; and
(b) Submit to the state board the examinations administered to pupils for evaluation, analysis and validation.";

By renumbering sections 4, 5 and 6 as sections 5, 6 and 7, respectively;

Proposed Amendment to Senate Bill No. 473
(As Amended by Senate Committee of the Whole)

On page 2, in line 52, by striking "in every"; also in line 52, by striking "in the"; in line 53, by striking "state" and inserting in lieu thereof "which files a request with the state board for participation in the program"; in line 66, by striking "in"; in line 67, by striking "the state" and inserting in lieu thereof ", upon its request,"; in line 71, by striking "each of the"; in line 74, by striking "each of the"; in line 76, after "board", by inserting ", upon its request,"; in line 79, after "by", by inserting "such"; also in line 79, by striking "each of the";

On page 3, following line 108, by inserting a new section as follows:

"New Sec. 5. The provisions of this act apply only to those school districts and accredited nonpublic schools which file a request with the state board for participation in the minimum competency assessment program. The request by a board for participation in the minimum competency assessment program shall be filed with the state board in the manner and at the time prescribed by the state board.";

By renumbering sections 5 and 6 as sections 6 and 7, respectively;

Proposed Amendment to Senate Bill No. 473
(As Amended by Senate Committee of the Whole)

On page 1, in line 24, by striking all after "Section 1."; by striking all of lines 25 to 45, inclusive;

On page 2, by striking all of lines 46 to 82, inclusive;

On page 3, by striking all of lines 83 to 108, inclusive; in line 109, by striking "Sec. 5."; also in line 109, after "Supp.", by inserting "72-9401,"; also in line 109, by striking "and" and inserting in lieu thereof a comma; in line 110, after "72-9406", by inserting "and 72-9407";

By renumbering section 6 as section 2;

In the title, in line 19, by striking "concerning schools" and inserting in lieu thereof "repealing K.S.A. 1983 Supp. 72-9401, 72-9402, 72-9403, 72-9404, 72-9406 and 72-9407"; in line 20, by striking all after "pupils"; in line 22, by striking all before the period