

MINUTES OF THE SENATE COMMITTEE ON EDUCATION

The meeting was called to order by SENATOR JOSEPH C. HARDER at  
Chairperson

1 ~~xxx~~ p.m. on TUESDAY, FEBRUARY 28, 19<sup>84</sup> in room 254-E of the Capitol.

All members were present except:

Senator Angell, excused  
Senator McCray, excused

Committee staff present:

Mr. Ben Barrett, Legislative Research Department  
Ms. Avis Swartzman, Legislative Revisor's Office  
Mrs. Millie Randell, Secretary

Conferees appearing before the committee:

SB 740 - An act concerning school districts; relating to supplemental contracts authorized to be entered into by boards of education and employees thereof (Education)

Proponents:

Ms. Pat Baker, Legal Counsel, Kansas Association of School Boards  
Dr. Jerry Schreiner, Executive Director, United School Administrators of Kansas

Opponents:

Mr. Craig Grant, Director of Political Action, K-NEA

SB 476 - An act concerning school districts, area vocational-technical schools and community colleges; relating to the termination or nonrenewal of contracts of certain employees thereof (Special Committee on Education)

Proponents:

Ms. Pat Baker, Legal Counsel, Kansas Association of School Boards  
Dr. Jerry Schreiner, Executive Director, United School Administrators of Kansas  
Mr. Mike Culp, Principal, Elmont Elementary School, Topeka

Opponents:

Mr. Craig Grant, Director of Political Action, K-NEA

Following a call to order by Chairman Joseph C. Harder, Senator Warren moved, and Senator Allen seconded a motion to approve minutes of the Committee meeting of February 9. The motion carried.

Ms. Pat Baker, legal counsel for KASB, was recognized by the Chair to testify as a proponent in favor of SB 740. Ms. Baker explained that the bill allows a school district to condition its primary contract with a supplemental contract. Ms. Baker cited a Riley County court case which did not clearly address this issue and said the bill would clarify what school districts thought was the intent of the court's decision in that Riley County case. Ms. Baker said KASB endorses the concept, because it allows the boards to include extracurricular activities with the regular staff duties in teachers' contracts. She cited how activities must be dropped by USD's if they cannot find sufficient sponsors among the teaching staff for such activities. She said the supplemental contracts would be negotiable as far as pay but not relating to assignments.

Dr. Jerry Schreiner of USA testified as a proponent in favor of SB 740, because he said it would clarify the assignments and responsibilities of the teaching staff of a school.

Mr. Craig Grant opposed SB 740, and his reasons are found in his testimony in Attachment 1.

Following Mr. Grant's testimony, the Chairman said that the hearing on SB 740 was concluded.

CONTINUATION SHEET

MINUTES OF THE SENATE COMMITTEE ON EDUCATION,  
room 254-E, Statehouse, at 1:00 ~~a.m.~~/p.m. on TUESDAY, FEBRUARY 28, 1984

SB 476 - In testifying against SB 476, Ms. Baker said she will expand upon written testimony (Attachment 2) of Dr. William Curtis, which had been distributed to Committee members. Ms. Baker cited the high cost of court hearings that could ensue following the nonrenewal or termination of a teacher and felt that a longer probationary period would tend to lessen that possibility.

Dr. Jerry Schreiner of USA testified as a proponent of SB 476, and his testimony is found in Attachment 3.

Mr. Mike Culp, a Topeka principal, testified that two years probation is an insufficient period of time for the administration to adequately determine employee evaluation and for working with employees to improve their skills before tenure should be awarded. Mr. Culp urged the Committee to adopt a six-year probationary period and cited the west coast area's longer probationary period as having proven very successful as an aid to retaining good teachers. Mr. Culp stated that he has been utilizing a clinical teaching model from UCLA and explained how, for the last two years, he has been monitoring the classrooms of his school. Mr. Culp maintained that although most of the personnel know their teaching skills, they need more time to learn how to teach their skills.

The Chair then called upon Mr. Craig Grant of K-NEA who testified against SB 476, and Mr. Grant's testimony is found in Attachment 4.

Following Mr. Grant's testimony, the Chairman announced that the hearing on SB 476 was concluded.

The Chairman adjourned the meeting.

SENATE EDUCATION COMMITTEE

TIME: 1:00 p.m. PLACE: 254-E DATE: Tuesday, Feb. 28, 1984

GUEST LIST

<u>NAME</u>	<u>ADDRESS</u>	<u>ORGANIZATION</u>
Dick Funk	Topelka	KASB
Kat Baker	"	KASB
Emory Bond	"	KACS
Synda Cooy	WU intern for Sen Angell	
Jeanne Temple	KU intern Atty. General	
Jacque Oakes	Yates Center	KASB
Al Maucely	Acad PERRY	
Craig Grant	Lawrence	A-WFA
Bob Booth	Lyata	Gov off
Philis Owens	K.C.	Dynamic Research Corp.
Sarah Maly	Lawrence	UFA

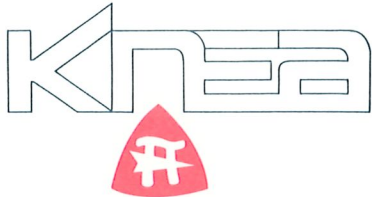
SENATE EDUCATION COMMITTEE

TIME: 1:00 p.m. PLACE: 254-E DATE: Tuesday, Feb. 28, 1984

GUEST LIST

<u>NAME</u>	<u>ADDRESS</u>	<u>ORGANIZATION</u>
Kay Fernandez	Topoka	V-NEA
Bill Dirks	Wichita	US H. 259
Jerry Chelmer	Topoka	USA
Harold Pitts	"	
Merle Hill	"	KACC
Ellen Gambrano	"	Ks Action for Children
Dennis Demay	Lawrence	Sen Kani's Office
Eel Walbaum	Topoka	Walbaum
Stan Lind	KCKs	KACC





Craig Grant Testimony Before  
Senate Education Committee  
February 27, 1984

Thank you, Mr. Chairman. Members of the Committee, my name is Craig Grant and I represent Kansas-NEA. I appreciate the opportunity to speak to you in opposition to SB 740.

Kansas-NEA opposes SB 740 because we believe that teachers are hired basically for those duties outlined in the primary contract of employment. This committee has talked time and time again over the last few weeks about the overemphasis on extracurricular activities and the secondary importance put on the instructional activities in our schools. SB 740 would do nothing but perpetuate that overemphasis.

Districts now have the ability to ask teachers to perform supplemental duties and pay extra for the extra time it takes. Districts have not had extreme difficulty filling duties if they are willing to pay for them. Just a few years ago, we loosened requirements for supplemental contracts in coaching which would allow members of the community to be assistant coaches when no teacher could be found. Paraprofessional aides and parents can perform lunch room and crowd control duties. Districts have the flexibility to hire any number of people to assist in the peripheral activities of the school. Teachers should be concentrating on their primary task--the task of providing quality education for the students in our schools.

Kansas-NEA opposes SB 740 as a measure which would once again send the public, including teachers, the wrong message as to our priorities. Teachers did not take a preparatory course in ticket taking to be certified to teach. Let us keep our professionals doing their professional duties.

Kansas-NEA asks that you report SB 740 unfavorably for passage. Thank you, Mr. Chairman and Members of the Committee, for listening to the concerns of teachers.

Attachment 1

KANSAS  
ASSOCIATION



OF  
SCHOOL  
BOARDS



5401 S. W. 7th Avenue Topeka, Kansas 66606  
913-273-3600

Testimony on S.B. 476

by

Bill Curtis, Assistant Executive Director  
Kansas Association of School Boards

February <sup>28</sup> 1, 1984

Senate Education Committee

Mr. Chairman and members of the Committee, we appreciate the opportunity to appear before you today on behalf of the 300 member boards of education of the Kansas Association of School Boards. We appear today in support of S.B. 476.

This measure is a recommendation of the Special Committee on Education which reviewed the tenure system in higher education and the statutory due process law affecting school districts, community colleges, and area vocational-technical schools.

For quite some time our members have maintained that two years is too short a time for an employer to determine whether they wish to grant tenure status to an employee. Longer probationary periods are the norm in other states and the most common period of probation in higher education is five to seven years. We believe that a longer probationary period would benefit both teachers and school districts. We urge your support of S.B. 476. Thank you for your attention.

Attachment 2





# UNITED SCHOOL ADMINISTRATORS OF KANSAS

1906 EAST 29TH

TOPEKA, KANSAS 66605

913-267-1471

**JERRY O. SCHREINER**  
EXECUTIVE DIRECTOR

**M.D. "MAC" MCKENNEY**  
ASSOCIATE EXECUTIVE DIRECTOR

TO: Senate Education Committee

FROM: Jerry O. Schreiner, Executive Director

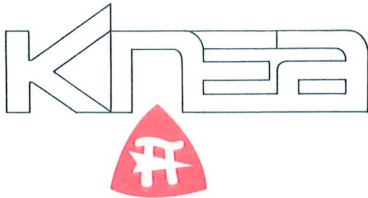
DATE: February <sup>28</sup><sub>1</sub>, 1984

SUBJECT: SB 476 - Teacher Due Process-Probationary Period

The United School Administrators of Kansas has always supported due process procedures for school employees. Administrators support the intent of SB 476 to extend the probationary period; however, we suggest that the probationary period be extended to four years rather than six. The additional two years would allow ample time for teachers to make improvements and for administrators to develop the support necessary for those improvements. We urge you to support SB 476 favorably for passage with a probationary period of four years.

dm

Attachment 3



Craig Grant Testimony Before  
Senate Education Committee  
February 28, 1984

Thank you, Mr. Chairman. Members of the committee, my name is Craig Grant and I represent Kansas-NEA. I appreciate the opportunity to talk in opposition to SB 476.

In effect, what SB 476 allows is for school boards to fire teachers for no reason during the first six years of employment rather than two years as is now in the law. The statute reads, in essence, that a district could use any reason to nonrenew a teacher as long as that reason was <sup>not</sup> because the teacher exercised a constitutional right. It is extremely difficult for a teacher to prove a constitutional question which gives districts almost unlimited latitude to nonrenew any and all teachers up to the seventh year of employment.

If we were asking for permanent employment or real tenure, instead of the pseudo-tenure now provided, the scenario would be different. All we ask is that a board of education have a reason for non-renewal and that reason not be an arbitrary one. Teachers do not need to be placed in an environment of fear--fear of loss of employment and fear of not knowing why they are treated the way they are. If a teacher is not doing a good job, a competent administrator can work to get improvement and, if such improvement is not made, can remove a teacher from a classroom. A competent administrator should not be worried about the reasons for nonrenewal standing before a due process hearing committee.

Kansas-NEA has proposed measures to help raise the quality of instruction in Kansas' schools. We have asked for tests of entrance to schools of education, we have asked for certification examinations for new teachers, we have asked for improved inservice and career development for teachers in the profession presently, and we have asked for an intern teaching year where a new teacher is closely watched and helped by a committee of professionals who may grant or deny a permanent certificate. These are all positive steps to improve quality rather than the negative step which is contained in SB 476. If SB 476 were passed, some districts in this state would use this latitude to nonrenew teachers after the sixth year in order to save money by hiring all new teachers.

continued

Attachment 4



Kansas-NEA believes that the concepts in SB 476 are bad policy decisions by the Kansas Legislature. In a time when we are trying to attract and retain quality teachers, SB 476 would discourage potentially good teachers from entering a profession which not only is low paying but also which has no protection against arbitrary and capricious action by boards of education.

Kansas-NEA would ask that the committee act unfavorably on SB 476. Thank you for listening to the concerns of teachers.