

MINUTES OF THE SENATE COMMITTEE ON EDUCATION

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

1:30 ~~am~~/p.m. on TUESDAY, MARCH 5, 1985 in room 254-E of the Capitol.

All members were present except:

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 196 - An act relating to school districts; relating to adoption and effectuation by boards of education of performance-based salary plans for professional employees; making school districts ineligible for state financial aid under certain conditions.  
(Senator Gaines)

Opponents:

Dr. Bill Curtis, Asst. Executive Director, Kansas Association of School Boards  
Mr. Craig Grant, Director of Political Action, Kansas-National Education Association  
Mr. Dale Louis Carey, Overbrook,

SB 214 - Haskell Indian junior college, vocational education capital outlay aid, outreach state aid, credit hour state aid  
(Senators Winter, Allen, Gordon)

Proponents:

Senator Wint Winter, Jr.  
Dr. Gerald Gipp, President, Haskell Indian Junior College  
Ms. Sandra Praeger, Lawrence Chamber of Commerce  
Mr. Howard Hill, Lawrence City Commission

Opponents:

Mr. Jim Sanderville, former Haskell Student Senate president

After calling the meeting to order, the Chairman announced that the hearing on SB 196 would continue, and he called upon the first opponent, Dr. Bill Curtis, Asst. Executive Director, Kansas Association of School Boards, whose testimony is found in Attachment 1.

When the Chairman called upon Mr. Craig Grant, Director of Political Action, Kansas-National Education Association, also an opponent of SB 196, Mr. Grant testified that merit pay is not a new idea and that it first started in Massachusetts in 1908. He stated that it lost popularity, because it was difficult to implement. Mr. Grant's reasons for opposing SB 196 include: 1. It is too costly, 2. It is very difficult to administer because of lack of training by administrators, 3. It contributes to unhealthy competition and causes morale problems, and 4. It does not solve the major problems of education but could cause some. Mr. Grant emphasized the importance of a suitable base salary to attract good students into the field of education. He stated that because K-NEA recognizes the need for a method to reward good teachers for their excellence, a task force has been formed to research this problem.

When Mr. Dale Louis Carey of Overbrook was recognized, Mr. Carey explained that although he is a member of the State Board of Education, he is speaking on behalf of himself. Mr. Carey testified that he does not believe that performance-based pay for teachers should be mandated and read excerpts from "Merit Pay for Teachers - An Analysis of State Policy Options", a booklet published by the School of Education at Indiana State University, to reenforce his testimony. Mr. Carey said that he does encourage and support evaluation plans, including funding, but he reiterated that they should not be mandated.

CONTINUATION SHEET

MINUTES OF THE SENATE COMMITTEE ON EDUCATION,  
room 254-E, Statehouse, at 1:30 ~~XX~~ p.m. on TUESDAY, MARCH 5, 1985

Following testimony by Mr. Carey, the Chairman announced that the hearing on SB 196 was concluded.

SB 214 - Senator Wint Winter, Jr. explained that his reason for introducing SB 214 was to get support for Haskell Indian Junior College students. He urged the Committee to study the bill to see if some state assistance can be provided. He explained that the bill provides for credit hour state aid for Kansas students only attending Haskell, and this would be similar to the state aid provided Kansas students attending Kansas community colleges. The bill, he continued, would also allow Haskell Indian Junior College to have outreach programs in local communities and would allow for a combination of state, private, and local financial assistance appropriations to be used for on-site vocational educational training.

Dr. Gerald Gipp, president of Haskell Indian Junior College, also testified in support of SB 214, and his testimony is found in Attachment 2.

The Chair recognized Ms. Nancy Praeger who spoke on behalf of the Lawrence Chamber of Commerce. Ms. Praeger read letters from Lawrence Mayor Ernest E. Angino (Attachment 3) and the Board of County Commissioners of Douglas County (Attachment 4), both of which expressed support for SB 214. Ms. Praeger related that Haskell Indian Junior College, which recently celebrated its centennial and which brings national recognition to the community, is facing fiscal constraints. She urged the Committee to consider providing financial aid to the college for its present programs as well as for commencement of a new outreach program. She stated that private support is also being sought.

When Mr. Howard Hill, a member of the Lawrence City Commission, testified for SB 214, he told of the past and present support the city has given Haskell and described an on-going relationship that had developed between the College and the University of Kansas. He said that Haskell students are becoming better motivated and more students are graduating from the college.

When Mr. Jim Sanderville was recognized to testify, he stated that he was opposed to SB 214 because of mismanagement at the College. He felt that management of the College should be transferred from the Bureau of Indian Affairs to the Haskell Board of Regents. The 1982 president of the Haskell Student Senate urged the Committee not to give state aid to Haskell until this change is promulgated. He further stated that he has obtained the support of U.S. Representative Jim Slattery to investigate mismanagement practices at the College.

When Dr. Gerald Gipp responded to Committee questions, he replied that the Haskell Board of Regents consists of fifteen members which represent geographical regions throughout the country and which serve in an advisory capacity at the College. Dr. Gipp said there is no tuition or cost to the students except for minor exceptions, which he explained. Because it is federally funded, he continued, declining funds have put a major fiscal strain on the budget of the College.

The Chairman announced that the hearing on SB 214 was concluded, and he adjourned the meeting.

SENATE EDUCATION COMMITTEE

TIME: 1:30 p.m. PLACE: 254-E DATE: Tuesday, March 5, 1985

GUEST LIST

<u>NAME</u>	<u>ADDRESS</u>	<u>ORGANIZATION</u>
Bobby Johnson	Topeka	United School Administrators
Mike Stechta	Elsworth	KASB
M. D. McKENNEY	Topeka	USA
Bill Strick	Nichols	USA 259
Ken Rogg	Paola	SBE
Sam Sanderville	Lawrence	USA
Mary E. Falk	Topeka	ASK
Chris Graves	Topeka	ASK
St. Paul	Topeka	Eagle-Beacon
Sandra Ginyon	Lawrence	ASK-KU
Bob Kelly	Topeka	KICA
Clantha McCurdy	Topeka	Board of Regents
Charles L. Stewart	Clay Center	USD 379
Jacque Dakes	Topeka	KASB

SENATE EDUCATION COMMITTEE

TIME: 1:30 p.m. PLACE: 254-E DATE: March 5, 1985, Tuesday

GUEST LIST

NAME

ADDRESS

ORGANIZATION

NAME	ADDRESS	ORGANIZATION
Bill Curtis	Topeka	KASB
Craig Grant	Lawrence	H-NEA
Ray Coles	Topeka	K-NEA
Margaret Kelly	Lawrence	KANU
Gerald Stepp	Lawrence	Haskell JUCO
Sandra K. Bragg	Lawrence	Haskell JUCO
Howard Hill	Lawrence	Lawrence City Commission
Dave Fyfe	Lawrence	Lawrence Journal - World
Hale Louis Carey	501 Locust Overbrook, Kas.	State Board of Education
Ruth Walker	Topeka	AAEP





TESTIMONY ON S.B. 196

by

Bill Curtis, Assistant Executive Director  
Kansas Association of School Boards

February 21, 1985

Mr. Chairman and members of the committee, we appreciate the opportunity to testify on behalf of the 300 member boards of the Kansas Association of School Boards. S.B. 196 mandates a performance-based salary plan for the certificated employees in all school districts, excluding administrators. If a district does not adopt a performance-based salary plan, they would be ineligible for SDEA funding, transportation aid and income tax rebates.

It is this penalty clause, found in lines 97 - 101, that forces KASB to be an opponent of the bill. KASB has a policy which supports performance-based or merit salary plans which are outside the negotiations process. S.B. 196 does that. KASB supports performance-based or merit salary plans which are not mandated by the state. S.B. 196 does that by allowing local districts to formulate their own plans. It should also be noted that the performance-based plan in S.B. 196 is in addition to the regular salary plan of the district.

Finally, S.B. 196 does not speak to the funding source for the plan. It is assumed that districts would have to implement the plan within allowable budget limits and the state would provide commensurate funds through SDEA. We would

support some type of incentive such as increased budget authority in order to implement this pay plan. However, it is at this point that we once again become concerned about the allocation of limited state resources and must reiterate the priorities of our association. First, a maximum effort must be made to place sufficient monies in the school district equalization formula and second, mandated special education programs should be funded at the 95% level of excess costs.

Thank you for listening to our concerns.

MR. CHAIRMAN:

My name is Gerald E. Gipp, I serve as President of the Haskell Indian Junior College, I would like to introduce my colleagues, Mrs. Sandy Praeger from the Chamber of Commerce and Mr. Howard Hill representing the City of Lawrence. I appreciate the opportunity to comment on Senate Bill No. 214 introduced by Senators Winter, Allen and Gordon.

Haskell Indian Junior College celebrating its Centennial year, has a rich and proud history. Named for the Kansas Congressman who was responsible for locating the school in the City of Lawrence, the institution has evolved from one offering elementary education in the beginning to its present status in 1970 as a comprehensive junior college. The college occupies a 320 acre site and consists of 40 buildings. It enrolls approximately 800 students representing some 100 tribal groups from over 30 states.

Haskell is accredited by the North Central Association of Colleges and Schools until 1989. The college holds membership with the Kansas Association of Community Colleges, the Kansas City Regional Council for Higher Education and the American Indian Higher Education Consortium.

The Haskell Indian Junior College, a federally funded institution granting the associate degree, is dedicated to providing American Indian and Alaska native people the opportunity to acquire a post secondary education in the liberal arts and the applied arts.

Haskell attempts to foster learning which will encourage the best use of students' inherent abilities and potential and to exercise the privileges and responsibilities in a democratic society. Our college encourages students to examine and understand their culture, past and present, to express their personal and cultural identity, and to comprehend the needs and problems of Indian communities. And of equal importance, to promote respect for cultural diversity by serving as a window of understanding for the non-Indian world.

Given our unique experience and abilities in educating Native people, I am convinced that our college has a special role to play in educating Kansas residents eligible to enroll at Haskell. I would endorse and encourage the passage of Senate Bill No. 214 for several reasons. First, while Haskell has historically served a national constituency with a small population of Kansas residents enrolled each term, (approximately 60 Kansans are presently enrolled), it is clear that there is an unmet need among tribal people in Kansas. Under the credit hour state aid portion of the proposed legislation, Haskell would realize a relatively low level of funding, however, these funds would provide some needed resources and also serve as an incentive to improved services for the Kansas tribal people. These Kansas residents are afforded state aid benefits if they attend any other state supported school, because these residents might choose Haskell for its unique and specialized offerings they should not be denied the same benefits offered to other Kansans.

Second, the proposed legislation provides eligibility for the college to participate in two important programs, which would better serve the Kansas



Indian population, state aid for vocational education capital outlay and outreach state aid. As a comprehensive junior college with offerings in business and vocational-technical programs, participation in these programs would address the state-of-the-art issue, as well as provide outreach services to address local tribal needs for industrial/business development and management training. It would be our hope that this enabling legislation, Senate Bill No. 214, would help to promote self-sufficiency, relieve unemployment, and increase the educational levels of tribal people to better manage their programs and resources. If any outreach programs were to be provided to tribal people located outside of Douglas County we believe we would not be duplicating efforts of other higher educational institutions because of our unique and special offerings. However, we would seek to communicate carefully with any colleges adjacent to tribal reservations regarding this issue, such as Highland Community College.

Finally, let me emphasize that we, the Haskell Indian Junior College and Board of Regents do not seek to alter our relationship with the federal government, nor to change our goal of service to a national constituency. But rather to develop partnerships among interested parties to serve our common constituency.



# City of Lawrence KANSAS

BUFORD M. WATSON, JR., CITY MANAGER

CITY OFFICES 6 EAST 6th  
BOX 708 66044 913-841-7722

CITY COMMISSION

**MAYOR**

ERNEST E. ANGINO

**COMMISSIONERS**

MIKE AMYX

HOWARD HILL

DAVID P.J. LONGHURST

NANCY SHONTZ

March 5, 1985

The Honorable Joseph Harder  
Chairman, Senate Education Committee  
State Capitol Building  
Topeka, Kansas 66612

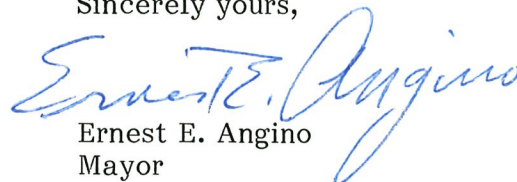
Dear Senator Harder:

You will shortly be considering a bill providing for state support of Kansas Native Americans attending Haskell Indian Junior College. Lack of such support to a Kansas citizen is not only unfair, it is discriminatory.

Speaking for the City Commission of Lawrence, I urge that you and the Senate Education Committee take whatever action is appropriate to correct the present, unfair and existing situation.

It is only appropriate that the legislature act now to correct this injustice. Thank you for giving consideration to this concern.

Sincerely yours,

  
Ernest E. Angino  
Mayor

EEA/ed

# Douglas County

March 4, 1985

Senator Joe Harder  
Chairman, Senate Education Committee  
Statehouse  
Topeka, Kansas 66612

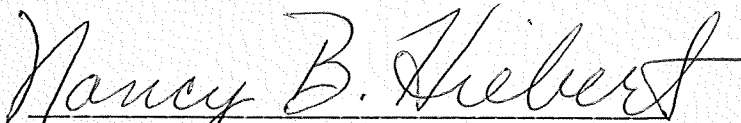
Dear Senator Harder:

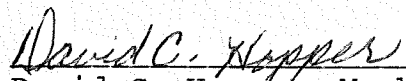
The Board of County Commissioners of Douglas County supports the efforts of Haskell Indian Junior College in providing educational and training opportunities for Native American Youths from Kansas.

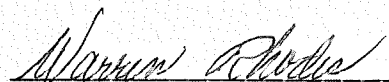
In addition, we wish to use this letter to voice our support for SB #214. We regret that prior commitments make it impossible for us to present this testimony in person.

Sincerely,

THE BOARD OF COUNTY COMMISSIONERS  
OF DOUGLAS COUNTY, KANSAS

  
\_\_\_\_\_  
Nancy B. Hiebert, Chairman

  
\_\_\_\_\_  
David C. Hopper, Member

  
\_\_\_\_\_  
Warren Rhodes, Member

NBH/DCH/WR:rw

ATTACHMENT 4 (3/5)

**Courthouse**

Eleventh & Massachusetts / Lawrence, Kansas 66044 / (913) 841-7700