

Approved February 12, 1986
Date

MINUTES OF THE HOUSE COMMITTEE ON EDUCATION

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

3:37 ~~3:37~~ p.m. on February 5, 1986 in room 519-S of the Capitol.

All members were present except: Rep. Kline, Branson, Hensley. All were excused.

Committee staff present:

Avis Swartzman, Revisor of Statute's Office
Ben Barrett, Legislative Research
Lynda Cory, Secretary to the Committee

Conferees appearing before the committee:

Representative Elizabeth Baker
Representative Ron Fox
Craig Grant, Kansas-National Education Association
Tom Scates, Chairman, Kansas Professional Practices Commission
Connie Hubbell, State Board of Education
Bill Curtis, Kansas Association of School Boards
Gerald Henderson, United School Administrators of Kansas
Mark Tallman, Kansas Independent College Association

The Chairman asked for a motion to adopt the minutes of January 28 and 29. Rep. Apt moved and Rep. Miller seconded; motion carried.

Rep. Baker handed out to the committee her brief explanation of why she introduced HB 2692. (Attachment 1)

Rep. Fox's statements supported HB 2692. He felt that the board should be made up of professionals from the teaching profession who could govern themselves and determine their own destinies.

Craig Grant felt that the professional standards and practices of the teaching and administration profession should be established by the professionals of that field which HB 2692 allows to happen. (Attachment 2)

Tom Scates stated that the Practices Commission only have regulatory power on contract jumping for right now and would like to see HB 2692 change the board from a political body to a professional body. (Attachment 3)

Connie Hubbell spoke against HB 2692. The State Board of Education felt that having two separate boards would take away talking things out, as it is done now, and would also be a duplication of staff, service, time, and other things. (Attachment 4)

Bill Curtis speaking for KASB stated that there is no real objection to the bill except for the line that reads the new standard boards would have veto power over the State Board. He did not see that HB 2692 would help in terminating incompetent teachers and also stated that the position of the Practices Commission should determine a teacher's qualifications in the profession and not in the local district. (Attachment 5)

Gerald Henderson stated that the USA did not favor HB 2692. They felt having one standards board helps create both balance and harmony between teachers and administrators. (Att. 6)

Mark Tallman, substituting for Dr. Robert Kelly, stated that KICA was opposed to HB 2692 because, as it reads now, it eliminates independent college positions on the newly organized standards board. (Attachment 7)

The Chairman concluded the hearings for HB 2692. He announced that the committee could have action on any of the bills we have had up to this time, and he will accept motions on Wednesday (2-12-86) and Thursday (2-13-86) of next week if there is time to discuss it. The Chairman also called the committee's attention to the room change for 2-13-86 meeting.

Meeting adjourned at 4:56 p.m.

Unless specifically noted, the individual remarks recorded herein have not been transcribed verbatim. Individual remarks as reported herein have not been submitted to the individuals appearing before the committee for editing or corrections.

ELIZABETH BAKER
REPRESENTATIVE, EIGHTY-SECOND DISTRICT
SEDGWICK COUNTY
1025 REDWOOD RD.
DERBY, KANSAS 67037-2428



TOPEKA

HOUSE OF
REPRESENTATIVES

COMMITTEE ASSIGNMENTS
MEMBER: EDUCATION
WAYS AND MEANS COMMITTEE
INTERNSHIP
LOCAL GOVERNMENT
ELECTIONS

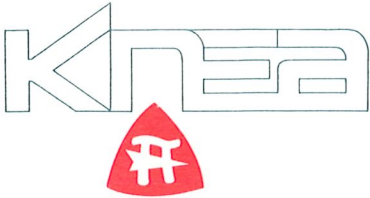
TO: House Education Committee
FROM: Representative Elizabeth Baker
DATE: February 5, 1986
RE: House Bill 2692

House Bill 2692 abolishes the teaching and school administration professional standards advisory board and the professional practices commission and establishes a professional teaching standards and practices board and a professional school administration standards and practices board each of which work independently. In addition, the criteria for serving on these newly created boards is altered substantially, requiring additional professional educational experience and practice.

The fundamental purpose of this bill is to vest authority for evaluating issues of professional competence and imposing discipline upon teachers and administrators in the most appropriate agency, namely their professional peers.

I encourage your thoughtful deliberation of this issue and urge you to recommend House Bill 2692 favorably for passage.

EB/bs



Craig Grant Testimony Before The
House Education Committee
February 5, 1986

Thank you, Mr. Chairman. Members of the Committee, my name is Craig Grant and I represent Kansas-NEA. I appreciate this chance to speak to you in regard to HB 2692.

HB 2692 is part of a series of bills and resolutions designed to clarify the duties and powers of the State Board of Education. HB 2692 would allow the professional standards and practices of the teaching and administration profession to be established by the professionals in the field. This proposal is patterned after a plan instituted in Oregon a few years ago.

The teaching profession seems often to be under attack. So many times we have been admonished to "take control of our own profession" or "police our own profession." However, teachers have never really had the ability to do so. We do not set the admission standards, we do not teach the preparation classes, we do not hire the teachers, and we do not evaluate their performance. Even when teachers violate our code of ethics, we do not have the authority to remove that teacher's license. HB 2692 would allow the profession to take charge in some of these areas.

It would be a large responsibility for the profession to undertake; however, we are willing to take it on. Although the composition of the board in HB 2692 changes from the present system, we are willing to look at the inclusion of other participants as long as teachers would have a majority on their professional board. We also notice that the provisions of the bill

Craig Grant Testimony Before House Education Committee, February 5, 1986

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would expire if the amendment to revise Article 6 of the Constitution was not approved by the voters. We believe that this provision would be valid if the amendment did not pass.

I had asked Barry Schartz, the chair of the Standards Board, to present his thoughts to you today. However, Barry was one of the finalists in the teacher in space program, was present when the shuttle disaster occurred, and felt he had missed too much school. He asked me to relay his support of HB 2692 to the committee. I was able to get the chair of the present Practices Committee, Tom Scates of Winfield, to appear here today. I would introduce Tom at this time to the committee and thank you for listening to our concerns.

Tom Scates testimony before the
House Education Committee
February 5, 1986

I am a high school social science teacher from Winfield. I am also chairperson of the Kansas Professional Practices Commission. The Commission exercises disciplinary and advisory functions for the education profession and its decisions are recommendations subject to the determinations of the State Board of Education. Our disciplinary actions range from private censure to revocation of a certificate.

The Commission is composed of seasoned professionals, both administrators and teachers, who take their responsibility seriously. I have found the Commission provides careful and prudent counsel in making difficult decisions about the career and livelihood of a few of our colleagues. In these cases both the defendant and the plaintiff may be represented by counsel, testify and present evidence to the Commission. Difficult though the decisions have been, I believe that examination of testimony and evidence by professional colleagues is the correct arena for these cases. I believe HB 2692 provides that arena.

However, the Commission's decisions are only recommendations and are submitted to a politically constituted body-- the State Board of Education.

In my tenure on the Commission, since 1977, the Board has approved the Commission's recommendation in every instance except one. In that one instance, several years ago, the Board chose to make a different determination than that recommended by the Commission. They did so without the opportunity to question the plaintiff or defendant and without returning the case to the Commission to examine their concerns. In this instance, the Board, a political body, changed the reasoned decision of the Commission, a professional body. Thus a case was removed from a professional arena to a political arena.

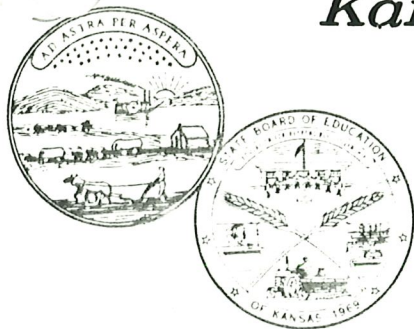
In all other cases, during my tenure, the Board has given its stamp of approval to the Commission's decisions. The Board's vote, however, is not necessary and the final determination should be made by a professional body.

The educational profession should, as do other professions, determine its own standards of licensure and be held accountable for disciplining its own members. HB 2692 provides this responsibility and accountability to the educational profession and, therefore, I urge you to give it your support.

Kansas State Board of Education

Kansas State Education Building

120 East 10th Street Topeka, Kansas 66612-1103



Kay M. Groneman
District 1

Connie Hubbell
District 4

Bill Musick
District 6

Evelyn Whitcomb
District 8

Kathleen White
District 2

Sheila Frahm
District 5

Theodore R. Von Fange
District 7

Robert J. Clemons
District 9

Dale Louis Carey
District 3

February 5, 1986

Marion (Mick) Stevens
District 10

TO: House Education Committee

FROM: State Board of Education

SUBJECT: 1986 House Bill 2692

My name is Connie Hubbell, Legislative Chairman of the State Board of Education. I appreciate the opportunity to appear before the Committee on behalf of the State Board of Education.

House Bill 2692 eliminates the Teaching and School Administration Professional Standards Advisory Board and the Professional Practices Commission and creates two new boards--Professional Teaching Standards and Practices Board and the Professional School Administration Standards and Practices Board.

Each new board would consist of 17 members with representatives appointed in the following manner for each respective teacher/administrator board:

- (1) five elementary school teachers/administrators--two appointed by the State Board of Education, one appointed by the Governor, one appointed by the President of the Senate, and one appointed by the Speaker of the House;
- (2) five junior high or middle school teachers/administrators--two appointed by the State Board of Education, one appointed by the Governor, one appointed by the President of the Senate, and one appointed by the Speaker of the House;
- (3) five high school teachers/administrators--two appointed by the State Board, one appointed by the Governor, one appointed by the President of the Senate, and one appointed by the Speaker of the House; and
- (4) two representatives of faculty/administration of the Regents' schools of education to be appointed by the State Board.

The current Teaching and School Administration Professional Standards Advisory Board consists of 19 members and the Professional Practices Commission has nine members for a total of 28. These two boards would be repealed and replaced by the two new boards consisting of 34 members.

ATTACHMENT 4 February 5, 1986
HOUSE EDUCATION COMMITTEE

The State Board of Education opposes House Bill 2692 for the following reasons.

1. The State Board of Education could not adopt any teacher education or certification regulation without approval of the teacher board or administrator board.
2. The State Board of Education would have no authority over the determination of "practices cases."
3. The teacher and administrator boards would be granted statutory authority to make recommendations annually to the Legislature.
4. The cost of operating the two boards would increase considerably over the current costs for operating the Standards Board and Practices Commission. (Members of the boards would be reimbursed salary and per diem comparable to legislators. Current members receive mileage and per diem.)
5. The composition of the teacher and administrator boards does not include representatives from the accredited nonpublic schools.
6. The composition of the teacher and administrator boards does not include representatives from the independent teacher education institutions.
7. Fewer than one-half of the appointments are made by the State Board of Education.
8. The establishment of an administrator board and a teacher board could create a split in the education profession and does not acknowledge the education profession as integrated. This could foster groups working at cross purposes and a breakdown of communication among the various segments of the profession.
9. The administrator and teacher boards would be granted authority to develop regulations governing "professional advancement." This is currently a local board of education prerogative.
10. The teacher and administrator boards are not directly "accountable" to any established entity because of the method of appointment of the two boards (by four separate entities) and the limitation imposed on the State Board of Education disallowing adoption of regulations which have not been approved by the two boards.

In summary, the State Board of Education believes that the current system is more efficient, more representative of the profession, and promotes a more cohesive, unified profession.



TESTIMONY ON H.B. 2692

before the
House Education Committee

by

Bill Curtis, Assistant Executive Director
Kansas Association of School Boards

February 5, 1986

Mr. Chairman and members of the committee, we appreciate the opportunity to express the views of the 303 member boards of education of the Kansas Association of School Boards. H.B. 2692 creates two standards boards for teachers and administrators. The bill would abolish the current board and practices commission. The current board is a single board for both teachers and administrators created by legislative action two years ago. KASB has no position on the number of boards, the membership of the boards, or the method of selection.

The opposition to H.B. 2692 occurs on page 5, lines 172 and 173, and on page 8, lines 272 and 273. KASB does have a formal policy which supports the position that any standards board or practices board remains advisory to the State Board of Education. The previously cited lines in H.B. 2692 give the new standards boards veto power over the State Board. The association does not believe it is good public policy to give these boards such authority.

As the bill now stands we urge you not to report it favorably. Should the bill be amended and the objectionable language removed, KASB would not oppose H.B. 2692. Thank you for the time to voice our concerns.



Testimony Presented to the House Education Committee

by Gerald W. Henderson, Executive Director

United School Administrators of Kansas

Concerning: HB 2692

Thank you, Mr. Chairman and members of the committee.

The United School Administrators (USA) is somewhat at a loss to determine what prompted the need for the changes outlined in HB 2692. We are not aware of any huge problems being either caused or neglected by the current system.

In fact, it seems to us that the circumstances surrounding a single standards board dealing with the needs of both teachers and administrators provides a balance that would be destroyed by the creation of two boards. The current single board system allows for interaction between all parties concerned with any issue involving certification standards. Isn't it more likely that standards agreeable to teachers, building administrators, central office administrators, and teacher/administrator preparation institutions will be proposed if representatives of all are present during deliberation.

Secondly, we are concerned that under HB 2692 the group proposing regulations would be the group policing those same regulations. This is we believe not the usual way of doing business. In addition, it was my experience while serving on the Professional Practices Commission that issues involving violation of regulations were dealt with in a very cooperative manner and did not become teacher vs. administrator issues. In my judgment we need to facilitate such cooperation rather than build more walls.

Finally, we believe that any recommendations for changes in educational standards ought to be subject to the approval of the body granted constitutional supervision of public education in Kansas.

2-5-86



Memorandum

KANSAS INDEPENDENT COLLEGE ASSOCIATION

Capitol Federal Building, Room 515, Topeka, Kansas 66603 Telephone (913) 235-9877

ROBERT N. KELLY, *Executive Director*

Mr. Chairman and members of the Committee:

I am Mark Tallman representing the Kansas Independent College Association and substituting for Bob Kelly, who is in Washington, D.C. The issue in HB2692 that concerns our colleges is the elimination of the independent college position on the Standards Board. This issue was addressed just two years ago by this very committee, when the original draft of the bill that formed the present Standards Board also proposed to eliminate us. We believe this committee demonstrated good judgment and a sense of fair play when it voted to continue our representation at that time. We ask that you again maintain our representation.

Our major points are:

1. We are not opposed to HB2692 if our representation is restored. In fact, the elimination of the non-voting second class membership is supported by our colleges.
2. We educate 25% of the undergraduate teacher education students in the state.
3. The teaching standards adopted by the State Board of Education have a direct impact upon our education programs.
4. Our teacher education programs are different from those at the Regent's universities. They are smaller, more closely tied to an institutional curriculum and generally involve more practice teaching.
5. We need representation on the Standards Board in order to protect our interests in providing teachers for schools in the state.