

Approved March 25, 1986
Date

MINUTES OF THE SENATE COMMITTEE ON EDUCATION

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

1:30 ~~xxx~~/p.m. on WEDNESDAY, MARCH 19, 1986 in room 254-E of the Capitol.

All members were present except:

Senator Anderson, 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:

HB 2091 - State board of education, certification fees, authorize increase. (Education)

Proponents:

Ms. Connie Hubbell, Legislative Chairman, State Board of Education

Mr. Craig Grant, Director of Political Action, Kansas-National Education Association

HB 2266 - Teachers, hearings upon contract termination or non-renewal, appointment of hearing committee members. (Education, by request)

Proponents:

Mr. Craig Grant, Director of Political Action, Kansas-National Education Association

Opponents:

Dr. Bill Curtis, Asst. Executive Director, Kansas Association of School Boards

After calling the meeting to order, the Chairman asked if there was a motion to approve the minutes. Senator Allen moved, and Senator Montgomery seconded the motion to approve minutes of the meetings of February 18, 19, and 25. The motion carried.

HB 2091 - The Chair then recognized Ms. Connie Hubbell, Legislative Chairmand for the State Board of Education, who testified for passage of HB 2091. Ms. Hubbell explained that HB 2091 was introduced at the request of the State Board and that the Board is recommending an increase in the teacher certification fee range of not less than \$18 nor more than \$24. (Attachment 1). In responding to questions, Ms. Hubbell replied that the revenue collected from certification fees is used entirely to pay for the costs of the certification process. She also replied that without an increase in revenue it might be necessary to reduce the staff, thus extending the time it would take to process the certificates.

Mr. Craig Grant of the Kansas-National Education Association affirmed the testimony given by Ms. Hubbell and stated that his concern was to avoid the circumstances of four years ago when there was a backlog of 5,000 teaching certificates to be issued. He noted that without certification a teacher cannot be paid.

Following testimony by Mr. Grant and hearing no response when he called for additional conferees on HB 2091, the Chair announced that the hearing on HB 2091 was concluded and that the bill will be taken under advisement.

HB 2266 - When Mr. Craig Grant of Kansas-National Education Association was called upon, Mr. Grant testified that his organization supports HB 2266, as amended, because of the trouble that judges have had in finding a third committee member for due process hearing panels. Mr. Grant said that

CONTINUATION SHEET

MINUTES OF THE SENATE COMMITTEE ON EDUCATION,
room 254-E, Statehouse, at 1:30 ~~xxx~~ p.m. on WEDNESDAY, MARCH 19, 1986

K-NEA believes that the change for which they are asking will guarantee a speedier and better run due process hearing. (Attachment 2)

The Kansas Association of School Boards believes the current system of selecting hearing committee members is working well and does not need amending, Dr. Bill Curtis stated in his testimony against HB 2266. (Attachment 3) Dr. Curtis also said that the KASB Delegate Assembly believes that the cost of transcription expenses, which, he said, might run between \$800 or \$900 or more, should be evenly divided between the two parties involved. He explained that now the board pays for the entire transcription cost.

Following testimony by Dr. Curtis, the Chair announced that the hearing on HB 2266 was concluded but that action on the bill would be withheld until tomorrow.

When the Chair called for action on HB 2091, Senator Salisbury moved, and Senator Karr seconded the motion to recommend HB 2091 favorably for passage. The motion carried.

The Chairman adjourned the meeting.

SENATE EDUCATION COMMITTEE

TIME: 1:30 p.m. PLACE: 254-E DATE: Wednesday, March 19, 1986

GUEST LIST

<u>NAME</u>	<u>ADDRESS</u>	<u>ORGANIZATION</u>
Jerald Hudman	Topeka	USA
Craig Grant	Lawrence	K-NEA
Bob McCollon	Emporia	Sen. Kan
Dale Stalla	Topeka	AP
Ken Cus	Topeka	RNEA
Bill Curtis	Topeka	KASB
Bill Curtis	Nichols	USA 259
Bob Wooten	Topeka	Gov. office
Merle Hree	"	KACC
Kristene Kinella	Emporia	Intern for Parrish
Richard Funk	Topeka	KASB

SENATE EDUCATION COMMITTEE

TIME: 1:30 p.m. PLACE: 254-E DATE: Wednesday, March 19, 1986

GUEST LIST

NAME

ADDRESS

ORGANIZATION

Ron Ryckman

Meade Ks

Teacher Cloac-uyk

Katherine Wydenhall

Meade Ks

Cloac-Up Ks.

Beila Highfill Scott

Lawrence

USA

Comie Huesel

Vienna

SB of Ed

Kara Buckler

Madata

7510 232

Penney Buckler

Madata

Sara S. Buckler

Madata

Judy Hamilton

Supaka

KSDE

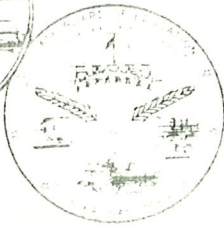
Don Rozy

Paula

L B E

Kansas State Board of Education

Kansas State Education Building ATTACHMENT 1
120 East 10th Street Topeka, Kansas 66612



Kay M. Groneman
District 1

Connie Hubbell
District 4

Bill Musick
District 6

Evelyn Whitcomb
District 8

Kathleen White
District 2

Ann L. Keener
District 5

Theodore R. Von Fange
District 7

Robert J. Clemons
District 9

Dale Louis Carey
District 3

March 19, 1986

Marion (Mick) Stevens
District 10

TO: Senate Education Committee
FROM: State Board of Education
SUBJECT: House Bill 2091--Certification Fees

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

The State Board requested that House Bill 2091 be introduced during the 1985 legislative session. After the introduction of the bill, but prior to the hearing, it was decided that by economizing we could get by one more year without an increase in certification fees. The Chairman of the House Education Committee was requested not to hold hearings on the bill.

The State Board has consulted with KNEA prior to reaching a recommendation for the 1986 session. It was decided that the law should be amended to authorize a fee range of not less than \$18 or more than \$24 per certificate.

The majority of Kansas teaching certificates are issued for three years or five years. The last time the Legislature authorized a certificate fee increase was 1982. Since that time, there has been a substantial increase in operating costs.

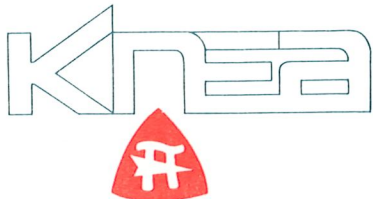
In summary, the State Board of Education recommends that House Bill 2091 be recommended for passage with a certification fee range of not less than \$18 and not more than \$24.

Senate Education
Attachment I 3/19/86

Craig Grant Testimony Before The

Senate Education Committee

March 19, 1986



Thank you, Mr. Chairman. Members of the Committee, my name is Craig Grant and I represent Kansas-NEA. I appreciate the chance to talk to you about HB 2266.

The main change of this bill as amended is on the second page, lines 55 through 59. Presently, if the two members of the due process hearing panel (one appointed by the board and one by the teacher) are unable to reach agreement on the third panel member, the district judge is asked to appoint the third member. The change we are seeking is that if a district judge has trouble finding an appropriate third member, the judge could use a list compiled and maintained by the commissioner of qualified and impartial persons who are representative of the public.

Kansas-NEA believes that this change is necessary because of the trouble that judges have had in finding third committee members. Our experience would show that there has been trouble finding these members which have caused delays in the hearings. The process seems to drag out too long presently without this problem adding to the length. With the commissioner maintaining a list of people who would serve, the third member can be appointed much more rapidly and the hearing can commence. Judges have told us of their problem and we believe that this would help the situation. Judge Renner of Pratt has expressed this frustration a number of times and is writing a letter to explain his position. We had hoped to have it here as of this time, but will try to get it to you later.

Another reason for the change is that we would like the third person to be both qualified and impartial. This person is the chairperson of the committee and, as such, runs the hearing. There could often be procedural questions that need to be decided and there needs to be someone in charge who knows about this administrative hearing process. The best initial source of names for this list would be from KASB and K-NEA. Pat Baker of KASB and David Schauner of K-NEA could indicate third member panelists who have run good hearings and whom they could recommend as a prospective hearing chair. Each time a hearing took place the attorney involved could fill out an evaluation--before the decision--as to how the hearing was run and submit it to the commissioner to use as a basis for his list. This list certainly could be of assistance to the judges, especially in the rural areas, in finding that third panelist.

Kansas-NEA believes that this refinement will guarantee a speedier and better run due process hearing. There have been problems in the past and we think that this revision can help the process. We ask that you report HB 2266 favorably for passage.

Thank you, Mr. Chairman and Members of the Committee, for listening to the concerns of teachers.



Testimony on H.B. 2266

before the

Senate Education Committee

by

Bill Curtis, Assistant Executive Director
Kansas Association of School Boards

March 19, 1986

Mr. Chairman and members of the Committee, we appreciate the opportunity to present the views of the 303 member boards of education of the Kansas Association of School Boards. HB 2266 amends K.S.A. 72-5438 by requiring the Commissioner of Education to maintain a list of qualified persons and to possibly assist the district judge in selecting the third member of the hearing committee. KASB opposed HB 2266 in its original form and still opposes the bill in its amended form.

KASB believes the current system of selecting hearing committee members is working well and does not need amending. Our association prefers that the Commissioner not be involved in hearing procedures. In our opinion, the judgment and selection of the third member of the hearing committee by the district judge has resulted in the selection of qualified people. There is some question regarding the criteria of screening those people whose names would appear on the list maintained by the Commissioner of Education.

However, while on the subject of hearings, KASB would once again propose a change in the payment of expenses. The KASB Delegate Assembly has adopted a policy which supports the position that each party should be responsible for the compensation and expenses of the person it selects and all other costs should be borne equally, particularly the cost of transcription.

Mr. Chairman and members of the committee, thank you for your attention. We would urge you not to consider HB 2266 favorably in its present form.