

Approved 3-13-90
Date

MINUTES OF THE HOUSE COMMITTEE ON EDUCATION

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

3:30 ~~am~~/p.m. on February 20, 1990 in room 519-G of the Capitol.

All members were present except:
Representative Wiard, Excused

Committee staff present:

Avis Swartzman, Revisor of Statutes Office
Ben Barrett, Legislative Research
Thelma Canaday, Secretary to the Committee

Conferees appearing before the committee:

Ms. Kathryn Dysart, Wichita Public Schools, USD #259
Ms. Pat Baker, Kansas Association of School Boards
Ms. Brilla Highfill Scott, United School Administrators
Mr. Craig Grant, Kansas National Education Association
Mr. Onan Burnett, USD #501
Mr. Art Griggs, Department of Administration
Representative Webb

The meeting was called to order by Chairman Crumbaker.

The chair opened hearings on HB 2961 concerning evaluation policies for employees of school districts, accredited nonpublic schools, area vocational-technical schools and community colleges.

Ms. Kathryn Dysart testified in favor of HB 2961. Ms. Dysart asked for the inclusion of the language "After the fourth year of employment, every employee who is evaluated more often than once in every three years may be evaluated at any time during the school year or school years in which the employee is evaluated." Ms. Dysart pointed out because of the size of the Wichita school district the 15th of February deadline for evaluations results in a logistic problem for many principals. (Attachment 1)

Ms. Baker spoke in favor of HB 2961. Ms. Baker said allowing flexibility in the timelines of evaluation would improve the process. (Attachment 2)

Ms. Scott gave testimony in favor of HB 2961. Ms. Scott said the flexibility provided by HB 2961 should improve the evaluation process. (Attachment 3)

Mr. Grant spoke in opposition to HB 2961. Mr. Grant considers HB 2961 would allow administrators to procrastinate one of their most important tasks and even allow districts to violate some basic due process rights of the professional employee. (Attachment 4)

Following a period of discussion the chairman closed hearings on HB 2961.

Vice Chairman Empson asked for the privilege of speaking and drew the committee's attention to a brochure telling of a recent honor given to Chairman Crumbaker and Senator Harder by the Southeast Kansas Service Center. Chairman Crumbaker was commissioned a Greenbush Colonel along with Senator Harder for the contribution they have made to education. The committee members responded with a round of applause.

The chairman opened hearings on HB 2963, concerning school districts, school term for kindergarten pupils, definition of pupil for purposes of school district equalization act.

Ms. Dysart spoke in support of HB 2963. Ms. Dysart said Wichita schools have

CONTINUATION SHEET

MINUTES OF THE HOUSE COMMITTEE ON EDUCATION,

room 519-S, Statehouse, at 3:30 ~~xxm~~/p.m. on February 20, 1990.

provided all-day kindergarten in classrooms with high percentages of at-risk students and upon evaluation of this program find it to be a most effective intervention strategy. (Attachment 5) Ms. Dysart provided the committee members with an evaluation update of the All Day Kindergarten program in the Wichita Public Schools.

Ms. Baker testified favoring HB 2963. Ms. Baker said HB 2963 does not mandate the all day kindergarten program but would allow districts to make a determination of which kindergarten program is appropriate for their communities without a financial penalty. (Attachment 6)

Mr. Grant spoke in support of HB 2963. Mr. Grant said Kansas - NEA supports counting full-time kindergarten students as one pupil. (Attachment 7)

Ms. Scott said United School Administrators encourages districts to continue the transition towards full-time kindergarten programs. Ms. Scott encouraged favorable passage of HB 2963. (Attachment 8)

Mr. Burnett rose in support of HB 2963 and asked the committee's wholehearted endorsement of HB 2963.

The chairman closed hearings on HB 2963.

Representative David Miller asked if there was a fiscal note on HB 2963.

Mr. Ben Barrett responded that the amount quoted by Ms. Dysart of \$70 million was correct and no adjustment had been made for transportation.

Hearings on HB 2960, concerning competitive bid requirements in school districts, were opened by the chairman.

Mr. Griggs said HB 2960 is a clean-up amendment on a bill passed last year which has proved to be of good benefit for school districts and has potential to be of good benefit for the state. Mr. Griggs specified lines 21-24 are stricken from HB 2960 and lines 34-40 are inserted.

Ms. Scott spoke on behalf of eight organizations (Attachment 9) in support of HB 2960. Ms. Scott said HB 2960 will allow school districts to exceed the compulsory bid limit of \$10,000 if purchases are made from the State Purchasing List.

The chairman closed hearings on HB 2960.

Hearings on HB 2909, concerning capital outlay tax levies in school districts, were opened by the chairman.

Representative Webb testified in support of HB 2909. Representative Webb said the school buildings which were built after the war during the baby boom are now disintegrating. Construction costs have gone up 394% since 1961. Representative Webb said HB 2909 will give the school board an opportunity to raise 2 more mills. Even though he realizes this is not a popular idea Representative Webb wants to do what's right for children. (Attachment 10)

Ms. Dysart spoke in support of HB 2909. Ms. Dysart said because of the rising costs of construction and materials it is impossible for the Wichita schools to meet their building needs with the funds produced by four mills. (Attachment 11)

Ms. Scott asked the committee to report HB 2909 favorably for passage. Ms. Scott said taxpayers in each district will still have the right to protest if 10% of the qualified voters petition. (Attachment 12)

Hearings on HB 2909 were declared closed by the chairman.

Chairman Crumbaker drew the committee's attention to HB 2640, concerning

CONTINUATION SHEET

MINUTES OF THE HOUSE COMMITTEE ON EDUCATION,

room 519-S, Statehouse, at 3:30 ~~xxx~~/p.m. on February 20, 1990.

determination of general state aid entitlements for community colleges, which had been amended at the February 12 meeting.

Representative Bowden moved to pass HB 2640 as amended. Representative Ramirez seconded the motion. Motion carried.

The chairman drew attention to HB 2751 concerning providing for payment of expenses of members of governing boards of community colleges and area vocational-technical schools.

Representative Harder moved HB 2751 be placed on the Consent Calendar. Seconded by Representative Reardon. Motion carried.

The minutes for February 12, 13, and 14th were approved after a motion by Representative Bowden and second by Representative Jones.

The meeting was adjourned by the chair at 5:08 p.m.

The next meeting will be February 21, 1990 in Room 519-S at 3:30 p.m.

WICHITA PUBLIC SCHOOLS
Unified School District No. 259
ADMINISTRATION CENTER
217 N. WATER
WICHITA, KANSAS 67202

*Kathryn Dysart, Supervisor
Intergovernmental Affairs
316-833-4135*

February 20, 1990
Testimony on HB 2961

Under existing law, a teacher who has been employed by the Wichita Public Schools for five or more years, must be evaluated once every three years. This represents a substantial decrease in the number and frequency of evaluations required for newer employees. In the first two years, evaluations must be done each semester, and in the third and fourth years, the evaluations must be annual. The statute further provides that the evaluations must be completed by the 15th of February. This deadline obviously offers some protection for employees and may, in some cases, impose a needed deadline for district administrators to prevent procrastination. Under most circumstances we have no problem meeting that deadline and believe it provides a good schedule for administrative evaluations.

However, the sheer size of our district and the high teacher/administrator ratio in the Wichita Public Schools require that a high school principal may be responsible for supervision of as many as 129 certificated employees. While the statute provides for a decreasing term of evaluation, local administrative directives in Wichita require that every certificated employee be evaluated annually. Our board and administration believe that frequent evaluations increase accountability. Our board and administration believe that annual evaluations forestall a tendency for some tenured employees to "rest on their laurels" in those year's for which no evaluation is required. Our board and administration believe that an employer has both the right and the responsibility to evaluate any employee at any time if that employee's performance indicates the necessity for additional supervision and/or instruction.

*Attachment 1.
House Education
2-20-90*

The combination of our high teacher/administrator ratio and our policy of frequent evaluations has led to a logistics problem for our principals. They tell us they simply cannot do as many evaluations as need to be done by February 15th unless they do a more cursory job. That option is not acceptable to the board and administration of the Wichita Public Schools. We believe that an employee deserves to be observed multiple times under varied circumstances before an evaluation is written.

Our principals tell us that they could meet the requirements of the evaluation statute if they could do those evaluations which exceed statutory mandates in the month or two following February 15th. Although some have suggested that your intent was not to restrict those evaluations that went beyond the minimum requirements, our attorney tells us that the current language is restrictive. Consequently, we ask that you insert the suggested language in House Bill 2961. *After the fourth year of employment, every employee who is evaluated more often than once in every three years may be evaluated at any time during the school year or school years in which the employee is evaluated.*

*A-1-2
House Ed
2-20-90*



Testimony on H.B. 2961
before the
House Education Committee

February 20, 1990

by
Patricia E. Baker, Associate Executive Director
Kansas Association of School Boards

Thank you Mr. Chairman and committee members. I appear before you in support of House Bill 2961 which amends the Professional Evaluation act.

The proposed amended language would allow flexibility in the timelines of evaluating tenured teachers while protecting those teachers rights. As school districts seek to improve evaluation processes and to utilize evaluation as a means to improve education we ask your favorable consideration of H.B. 2961.

Thank you.

*Attachment 2.
House Education
2-20-90*



House Bill 2961

**EVALUATION POLICIES FOR SCHOOL DISTRICTS, NON-PUBLIC SCHOOLS,
VO-TECH, AND COMMUNITY COLLEGES**

Testimony presented before the House Education Committee

by

Brilla Highfill Scott, Associate Executive Director
United School Administrators of Kansas

February 20, 1990

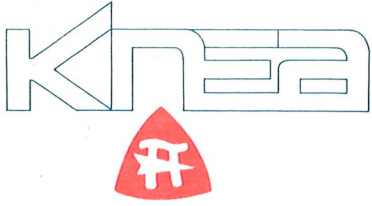
Mr. Chairman and Members of the House Education Committee:

United School Administrators of Kansas supports **HB2961**. This bill states that following the fourth year of employment, an employee evaluated more often than every three years may be evaluated at any time during the school year.

Our association appreciates the flexibility provided by this bill in allowing formal evaluations after February 15.

Thank you for the opportunity to speak to your committee.

*Attachment 3
House Education
2-20-90*



Craig Grant Testimony Before The
House Education Committee
Tuesday, February 20, 1990

Thank you, Mr. Chairman. My name is Craig Grant and I represent Kansas-NEA. I appreciate this opportunity to visit with the committee about HB 2961.

Kansas-NEA opposes HB 2961. The bill, at best, is a measure which would further confuse the Kansas Professional Employee Evaluation Act. At worst, this bill provides carte blanche authority for administrators to ignore one of their basic duties-that of evaluating the staff-and step all over the rights of the professional employees.

Presently, an administrator can evaluate a professional employee after February 15. However, that evaluation cannot be the basis of a nonrenewal for that contract year. If we add this language, we will revert to the days prior to the time the act was passed when administrators waited until the day before the firing deadline--then April 15--to do the evaluation. The employee had no time to either react to or make improvements.

The basic idea when the act was passed was that professional employees needed time to improve their work once an evaluation was presented. HB 2961 would take away this opportunity for the convenience of a few administrators. The most number of staff, with all the assistant principals which abound, I have seen under one administrator is 30 with many

*Attachment 4.
House Education
2-20-90*

administrators having no more than 20. I would think that an astute administrator would recognize a possible problematic employee and would make sure the evaluation was completed by February 15. Especially an employee in the district more than four years would be "known" to the administrator and if a borderline employee exists, that employee's evaluation will need to be completed on time.

Kansas-NEA opposes HB 2961 as an unnecessary measure which would allow administrators to procrastinate one of their most important tasks and, even more importantly, a measure which would allow districts to violate some basic due process rights of the professional employee. Thank you for listening to the concerns of our members.

*A-4-2
House Ed.
2-20-90*

WICHITA PUBLIC SCHOOLS
Unified School District No. 259
ADMINISTRATIVE CENTER
217 N. WATER
WICHITA, KANSAS 67202

*Kathryn Dysart, Supervisor
Intergovernmental Affairs
316-833-4135*

February 20, 1990
Testimony on HB 2963

Wichita began operation of all-day kindergarten programs two years ago in twenty-three classrooms in five schools identified as having disproportionately high percentages of at-risk pupils. We decided to move to all-day kindergarten as a response to increasingly obvious needs of a growing population of students in our district. These students are coming to our schools lacking basic experiential background and social skills which put them at serious risk from the very beginnings of their formal education experience. Clearly the overwhelming incidence of this lack of basic learning experience falls to youngsters whose families are on the lowest rung of the socio-economic ladder.

USD 259 has evaluated its experiment with all-day kindergarten. I have provided copies of that evaluation report for you. Our findings reaffirmed a growing body of research across this nation. The all-day kindergarten program for high need youngsters is one of the most effective intervention strategies.

What is the value of such a program? It is very simple. The all-day kindergarten allows a teacher to provide his/her most precious resource -- time. When this time is used to provide an expanded range of personal and group experiences from which youngsters develop their learning base; when this time is used to work with individual youngsters on the most basic foundations of formal learning, then these children have a chance to grow and prosper in the learning environment.

Repeatedly this legislature has spoken to the need to concentrate scarce resources on programs which produce measurable results designed to meet educational goals. We have done

*Attachment 5
House Education
2-20-90*

that. We have funded all-day kindergarten at our own local expense, we have set control groups, tested, measured, correlated, and analyzed. We know what happened to the children for whom this program was provided and, sadly, we know what happened to those for whom it was withheld. All-day kindergarten works.

The decision to fund this program was made, in part, because we believe early childhood services offer a cost effective approach to serving children who, without intervention, are likely to require far costlier remediation programs later on or will fail or drop out. However, since we were not allowed to count kindergartners as full-time students - even when they were in programs all day - we were required to rob resources from other student's programming to pay for all-day kindergarten. As important as the money transfer, at least in Wichita, was the portion of budget authority which was used for kids we could not count.

The fiscal note for this program, depending upon whether or not you allow it for all kindergarten students or only for disadvantaged students and depending upon how many districts decide to avail themselves of the opportunity, could be as high as \$70 million. Obviously, that could be \$70 million new dollars or a \$70 million shift in existing dollars. However, at least in Wichita, there is a funding trade off. The difference between half-time and full-time kindergarten reimbursement in state equalization aid for Wichita is \$161.15 per pupil. Because of the half-day kindergarten programs, we run extra buses to move 276 kindergarten students at noon. Our state transportation reimbursement is \$235.92 per pupil. We believe the money could be far better spent funding all-day programs for children.

*a-5-2
House Ed.
2-20-90*



Testimony on H.B. 2963
before the
House Education Committee

by
Patricia E. Baker, Associate Executive Director
Kansas Association of School Boards

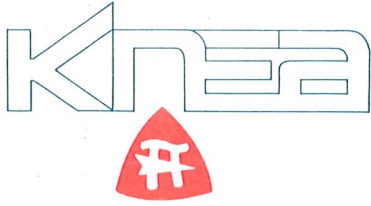
Mr. Chairman, members of the committee, I appreciate the opportunity to speak in favor of House Bill 2963.

A number of Kansas school districts are presently offering full-day kindergarten. Others are contemplating such a program and still others have tried and discontinued the program. House Bill 2963 would allow districts to make a determination of which kindergarten program is appropriate for their communities without a financial penalty.

As we look at ways to improve our public schools, giving local districts the flexibility to address student needs and to provide the programs needed by students can only be beneficial.

We ask your support for H.B. 2963.

*Attachment 6
House Education
2-20-90*



Craig Grant Testimony Before The
House Education Committee
Tuesday, February 20, 1990

Thank you, Mr. Chairman. I am Craig Grant and I represent Kansas-NEA. I appreciate this opportunity to speak in favor of HB 2963.

Kansas-NEA supports the concept of providing full-time kindergarten in the districts (as many are now) and, if provided, counting the student as a full-time student. We've heard about the need of starting earlier and having full-time instruction for those who need it in kindergarten. I hope that there still will be part-time classes for those children who would be best served by that type of program.

Kansas-NEA supports counting full-time kindergarten students as one pupil and thus supports HB 2963. Thank you for listening to our concerns.

*Attachment 7
House Education
2-20-90*



House Bill 2963

SCHOOL TERM FOR KINDERGARTEN PUPILS

Testimony presented before the House Education Committee

by

Brilla Highfill Scott, Associate Executive Director
United School Administrators of Kansas

February 20, 1990

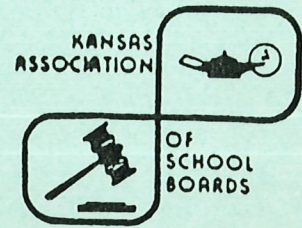
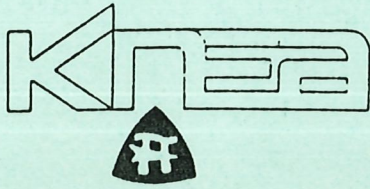
Mr. Chairman and Members of the Committee:

United School Administrators of Kansas supports **HB 2963** which allows kindergarten pupils enrolled in full-time programs to be counted as full-time students.

Our membership feels this bill encourages districts to continue their full-time kindergarten classes. The bill also provides incentives for school districts to begin the transition towards full-time kindergarten programs.

I appreciate the opportunity to support **HB 2963**.

*Attachment 8
House Education
2-20-90*



House Bill 2960

SCHOOL DISTRICT STATE BID LIST EXPENDITURES

Testimony presented before the House Education Committee

by

Brilla Highfill Scott, Associate Executive Director
United School Administrators of Kansas

February 20, 1990

Kansas Association of School Boards
Kansas-National Education Association
Schools for Quality Education
United School Administrators of Kansas
Blue Valley, USD 229
Shawnee Mission, USD 512
Topeka, USD 501
Wichita, USD 259

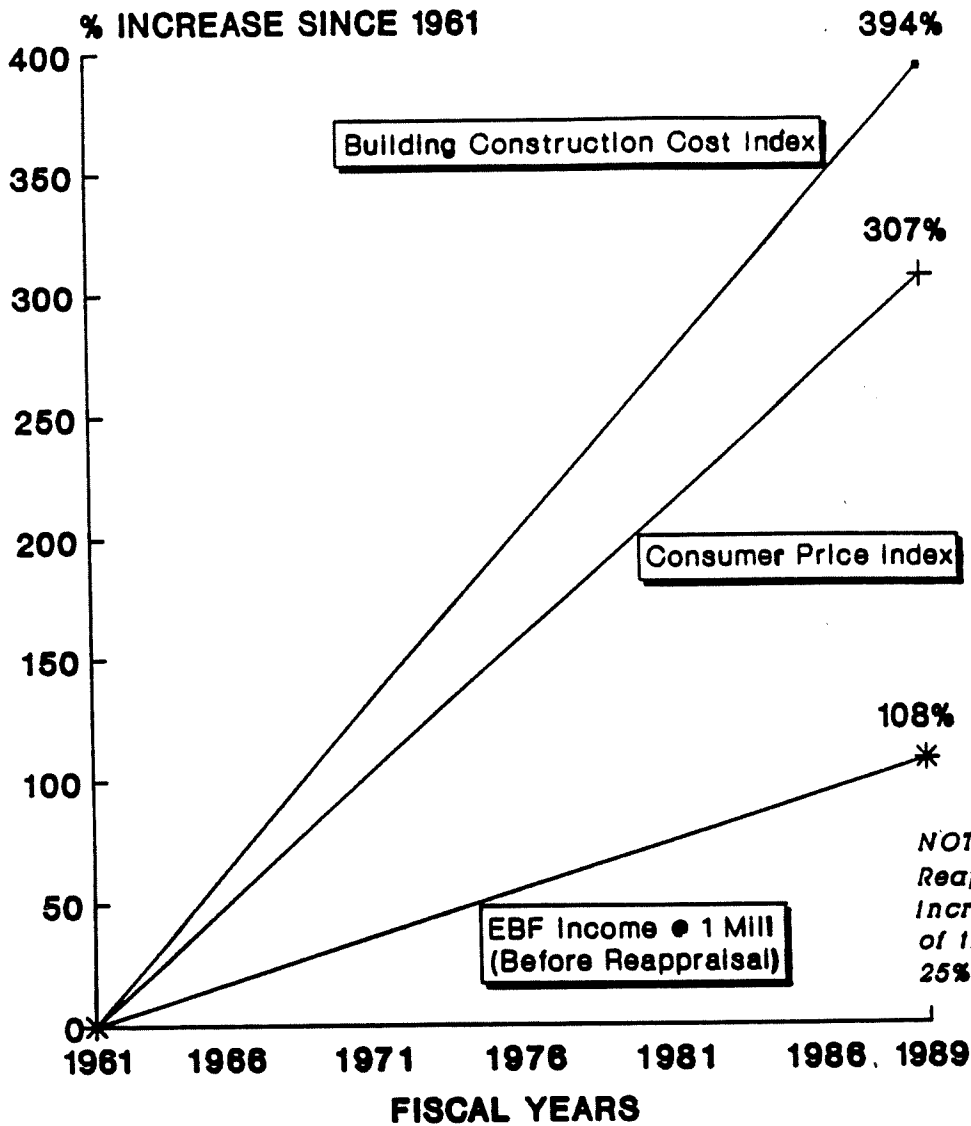
Mr. Chairman and Members of the Committee:

My testimony today represents the collective views of the organizations and school districts listed above. The education community supports this bill as a means of modifying statutes to reflect state bid options offered to school districts during the last legislative session.

This bill will allow school districts to exceed the compulsory bid limit of \$10,000 if purchases are made from the State Purchasing List. Since this list is established through a state bidding process, the local school districts will benefit in both time and monies saved.

Thank you for your consideration of our request.

*Attachment 9
House Education
2-20-90*



NOTE -
 Reappraisal can
 increase the income
 of the EBF about
 25%.

NOTE -
 The Regents building inventory
 of space has increased about 45%
 during the 28 years since 1961 so
 the net effect of the EBF Income is
 much less than shown above.

E B F

Jan. 6,
 1990

Source: Kansas Board of Regents

*Attachment 10
 House Education
 2-20-90*

WICHITA PUBLIC SCHOOLS
Unified School District No. 259
ADMINISTRATION CENTER
217 N. WATER
WICHITA, KANSAS 67202

*Kathryn Dysart, Supervisor
Intergovernmental Affairs
316-833-4135*

February 20, 1990
Testimony on HB 2909

The four mills levied for capital outlay by the Wichita Public Schools is being overwhelmed by staggering repair and remodeling costs. Our buildings are old and have reached the condition where we must spend substantial sums of money to prevent wholesale deterioration. This is certainly not peculiar to Wichita. You spent an entire committee meeting hearing from an expert about the frightening state of Kansas school buildings. To preserve our existing facilities we are forced to spend millions of dollars each year putting on new roofs, replacing unsafe flooring, bringing kitchens up to code, and replacing outdated mechanical systems that have finally given up. Sadly, these costs are exacerbated annually by hundreds of thousands of dollars in vandalism to our buildings. Building new facilities with this fund is out of the question. The four mill capital outlay levy simply will not stretch.

I am not sure how or when it was decided that four mills represented a reasonable cap on capital expenditures. I suspect an assumption was made that as a tax base grew that the funds produced by four mills would keep up with inflation and rising costs. That, however, is not true in Wichita. Inflation, rising costs of construction and materials, and advanced deterioration of buildings have made it impossible for us to meet our building needs with the funds produced by four mills. We earnestly request that you raise the cap on the capital outlay levy to six mills. Our school board believes it can meet its responsibilities with that allowance.

*Attachment 11
House Education
2-20-90*



House Bill 2909

CAPITAL OUTLAY TAX LEVIES

Testimony presented before the House Education Committee

by

Brilla Highfill Scott, Associate Executive Director
United School Administrators of Kansas

February 20, 1990

Mr. Chairman and Members of the Committee:

United School Administrators of Kansas rises in support of **HB 2909**. This bill allows Special Capital Outlay Levies to be increased to six (6) mills.

Numerous Kansas school districts are facing major capital outlay projects, significant remodeling and maintenance programs, and extensive asbestos removal. **HB 2909** will allow more "pay as you go" for these districts; thus eliminating or reducing interest payments on bonds.

The taxpayers in each district will continue to have the right to protest if 10% of the qualified voters petition.

United School Administrators of Kansas asks that you report **HB 2909** favorably for passage.

*Attachment 12.
House Education
2-20-90*