

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 ~~xxx~~ a.m./p.m. on February 22, 1990 in room 519-S of the Capitol.

All members were present except:

Representatives Harder, D. Miller, R. D. Miller and Reardon, All excused.

Committee staff present:

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

Conferees appearing before the committee:

Representative Bowden
Ms. Pat Baker, Kansas Association of School Boards
Mr. Craig Grant, Kansas National Education Association
Mr. Chuck Stuart, United School Administrators
Mr. Jon Miller, Wichita-National Education Association
Representative Scott
Representative Gjerstad
Dr. Rosemary Kirby, Director, Wichita Area Vocational Technology Schools
Mr. Jim Swartzenberger, WI/SE Wichita - Sedgwick County Partnership for Growth

Chairman Crumbaker called the meeting to order and opened hearings on HB 2827, concerning appointment of superintendent and other administrative employees of school districts.

Representative Bowden explained HB 2827 as a permissive bill that would allow Boards of Education of two or more unified school districts to enter into an interlocal agreement to hire a superintendent to administer the schools in the interlocal. (Attachment 1)

Ms. Baker testified in favor of HB 2827 saying she supports the concept of the bill but would favor allowing school districts to contract jointly for services of a superintendent in place of the more complicated method of the interlocal agreement. (Attachment 2)

Mr. Grant spoke in support of HB 2827. Mr. Grant said school districts already share many items such as teachers, equipment and transportation and the provisions of HB 2827 would allow sharing the chief administrator. (Attachment 3)

Mr. Stuart spoke for HB 2827. Mr. Stuart is not certain separate legislation is needed but will be in strong support if after further study the committee feels this is appropriate action. (Attachment 4)

Mr. Ken Rogg rose in support of the testimony given by Ms. Baker. Mr. Rogg agreed that the interlocal agreement might be a very cumbersome way to get the results HB 2827 is attempting to obtain.

Hearings on HB 2827 were declared closed by Chairman Crumbaker.

The chairman opened hearings on HB 2883, concerning professional negotiation and privileges accorded professional employees' organizations.

Representative Lawrence explained HB 2883 and said it is addressing a situation in Wichita that would not, at this time, affect any other district in Kansas. (Attachment 5)

Mr. Miller testified in support of HB 2883. Mr. Miller said even though NEA-Wichita is the duly elected exclusive representative of the teachers of the Wichita schools

CONTINUATION SHEET

MINUTES OF THE HOUSE COMMITTEE ON EDUCATION,

room 519-S Statehouse, at 3:30 ~~xxx~~/p.m. on February 22, 1990.

they have to share some of the rights with the losing organization. Mr. Miller urges passage of HB 2883 to give recognition to the rights that should belong to the duly elected representative of teachers. (Attachment 6)

Mr. Grant spoke in support of HB 2883. Mr. Grant offered a friendly amendment to HB 2883 which states when privileges are granted through the negotiations process to the exclusive representative, those privileges would not be made available to any other employee organization. (Attachment 7)

Ms. Baker opposed HB 2883. Ms. Baker suggested an amendment to the bill, "...the parties may negotiate that the matters included in paragraph (2) above may be limited to the recognized professional employees organization". (Attachment 8)

Mr. Monty Bertelli spoke to HB 2883. Mr. Bertelli said PERB had nothing to do with elections held in the Wichita school district. Mr. Bertelli said an election could be held when thirty percent of members of an organization showed interest in an election. Mr. Bertelli said HB 2883 would seem to encourage frequent elections rather than discourage frequent elections.

The chairman closed the hearings on HB 2883.

Hearings on HB 2897 concerning the pupil educational progress act were opened by the chairman.

Representative Scott spoke in favor of HB 2897. Representative Scott believes that giving cash awards to school children would help to direct their energies from antisocial behavior to good habits of productive living. (Attachment 9)

Written testimony supporting HB 2897 was submitted by Mr. Celso L. Ramirez. (Attachment 10)

Representative Scott agreed to come back next week for questions from the committee regarding HB 2897.

The chairman opened hearings on HB 2795 concerning budget appeals for vocational education purposes in school districts.

Representative Gjerstad explained HB 2795 as allowing Area Vocational Technological School programs to meet emerging technology needs of Kansas businesses. (Attachment 11)

Chairman Crumbaker asked Representative Gjerstad and Ms. Pat Baker if they could return next week for further hearings on HB 2795 and then called on the out of town conferees to give their testimony on HB 2795.

Mr. Schwarzenberger testified in favor of HB 2795. Mr. Schwarzenberger pointed out business leaders will be looking for ways to partner with vocational technical education providers to be sure of a source of qualified employees. Mr. Schwarzenberger believes a quality, flexible vocational training system is of primary importance as a critical economic development tool to entice new companies to our state. (Attachment 12)

Ms. Kirby testified in support of HB 2795. Ms. Kirby said the local operating budget for the Wichita Area Vocational-Technical School has exceeded the state-approved operating budget for the past three years but the district has been able to generate funds locally to meet the demand for training. Ms. Kirby pointed out HB 2795 would allow the local budget authority to be increased after the budget is set for the fiscal year. (Attachment 13)

A period of questions and discussion followed the testimony given on HB 2795. The chairman announced further hearings and time for questions would be scheduled at one of the meetings next week for HB 2795.

The meeting was adjourned by the chair at 5:20 p.m.

The next meeting will be February 26, 1990 in Room 519-S at 3:30 p.m.

DATE

Feb. 22, 1980

GUEST REGISTER

HOUSE

EDUCATION COMMITTEE

NAME	ORGANIZATION	ADDRESS
Craig Grant	K-NEA	Topeka
CHUCK STWART	U. S. A.	Topeka
Mingiflan	U. S. A.	Topeka
Ken Rogg	L R E	Topeka
Larry Schaefer	Wichita ARTS	Wichita
Rosemary Kertz	Wichita ARTS	Wichita
Joni Schwarzenberger	WISE Partnership for Growth	Wichita
Kathryn Dwyer	USA 259	"
Kevin Roberts	As. Assn of Area 16 Tech. Sch.	Topeka
Marty Bertelli	KDHR - Labor Relations	Topeka
A. J. Kotch	KDHR - ADMINISTRATION	"
Pat Baker	KASB	Topeka
Robert B. Youngman	IEAK	Lawrence, KS
Connie Howard	8 Bd of Ed.	Topeka
Ray Allen	K-NEA	Topeka
Chuck Tilman	K-NEA	Topeka
Jon A. Miller	NEA - Wichita	Wichita, KS
Bella Highfill Scott	USA	Topeka
Barbara Lawrence	Rep.	Wichita
Alan Scott	Rep. 65 th Dist	Junction City
Shirley Lierstad	Rep - 98 th	Wichita
Berry Janssen	Intern - Elizabeth Baker	Lawrence
Elizabeth Baker	Legislator	
John Sini	TAPO	Lawrence

RICK BOWDEN
 REPRESENTATIVE, NINETY-THIRD DISTRICT
 433 WALNUT
 GODDARD, KANSAS 67052



TOPEKA

HOUSE OF
 REPRESENTATIVES

COMMITTEE ASSIGNMENTS
 RANKING MINORITY MEMBER: EDUCATION
 MEMBER: GOVERNMENTAL ORGANIZATION
 LOCAL GOVERNMENT
 RULES AND JOURNAL

H.B. #2827 - TESTIMONY

H.B. 2827 permits the Boards of Education of 2 or more unified school districts to enter into an interlocal agreement for the purpose of hiring/appointing a Superintendent to administer the schools in the interlocal. The Superintendent would be selected by a board of directors selected by the boards of education of the participating school district. The individual boards of education have approval of such appointment. Other administrative personnel (assistant superintendents, supervisors and principals) may also be selected by the board of directors subject to approval by the individual boards.

I want to emphasize that HB 2827 is a permissive bill. Present law requires each of the individual school districts in the State to have a superintendent. One of the biggest personnel costs for schools is administrative personnel. Let's examine one situation that I'm familiar with - Stafford County has 3 school districts in that county (Stafford - enrollment of 183, St. John - enrollment of 440 and Macksville - enrollment of 284.5). These schools are located 16 miles apart. Two years ago, both St. John and Stafford had long time superintendents retire. Members of the board of education in

*Attachment 1
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both districts considered hiring a single superintendent. The advantages seemed clear. Under existing law, they could not do this because each district now must have it's own Superintendent.

To me, there seems to be several advantages of the districts, if they wish to, to share administrative positions. These advantages are as follows:

- 1) Costs are held down
- 2) Coordination of purchasing & educational programs
- 3) Ability to attract candidates for position
- 4) Better utilization of financial resources
- 5) Better use of staff time

Again, I want to emphasize that this bill is permissive. As boards seek better ways to use their resources, I believe the use of fewer administrators might be one option to pursue.

Respectfully submitted,



Rep. Rick Bowden
93rd District



Testimony on H.B. 2827
before the
House Education Committee

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

February 21, 1990

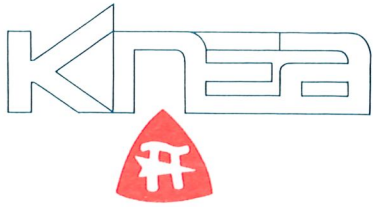
Thank you, Mr. Chairman. I appreciate the opportunity to appear before you in support of House Bill 2827. We agree that it may be advantageous for small, geographically close school districts to share the services of a superintendent of schools. In reviewing the provisions of the law and of the Administrative Regulations for the State Department of Education, we are not sure that a formal interlocal agreement would be required to achieve the results embodied in House Bill 2827. Under current regulations schools with an enrollment of under 300 students may employ a certificated individual to serve as superintendent and also as principal. This infers that a "part-time" superintendent is allowed.

I would recommend for your consideration, amendments to the statute or recommendations for changes in the regulations which would allow the contracting between districts for superintendent services without the cumbersome mechanism of a separate interlocal.

We do support the concept embodied in House Bill 2827.

Thank you.

*Attachment 2
House Education
2-22-90*



Craig Grant Testimony Before The
House Education Committee
Wednesday, February 21, 1990

Thank you, Mr. Chairman. I am Craig Grant and I represent Kansas-NEA. I appreciate this opportunity to visit with the committee in support of HB 2827.

Presently, school districts can share teachers, facilities, transportation, equipment, or a number of other items. The one thing not able to be shared is the chief administrative officer of the district. HB 2827 will allow this sharing in districts which enter into an agreement. I hope not only will this bill be enacted, but also that districts will seriously look into the possibilities of taking advantage of the bill. It will be a bold move by two or more districts if they can recover from their "provincialism" and look toward more efficient operations of the districts involved.

Kansas-NEA supports HB 2827 and hopes the committee passes it favorably. Thank you for listening to our concerns.

*Attachment 3
House Education
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HB 2827

Testimony presented before the House Committee on Education
by Charles L. "Chuck" Stuart, Legislative Liaison
United School Administrators of Kansas

Wednesday, February 21, 1990

Mister Chairman and members of the committee:

Although United School Administrators of Kansas is not certain separate legislation is needed, we support the concept included in HB 2827 which provides for one administrator to have administrative responsibilities in more than one unified school district.

The passage of legislation authorizing interlocal agreements has brought about a great many examples of cooperative actions of unified school districts which have been good for education. If after further review the committee feels this specific legislation is needed United School Administrators of Kansas will be in strong support.

CLS/ed

*Attachment 4
House Education
2-22-90*

STATE OF KANSAS

BARBARA LAWRENCE
REPRESENTATIVE, 84TH DISTRICT
SEDGWICK COUNTY
P.O. BOX 8582
WICHITA, KANSAS 67208



TOPEKA

HOUSE OF
REPRESENTATIVES

COMMITTEE ASSIGNMENTS
MEMBER: JUDICIARY
LABOR AND INDUSTRY
TRANSPORTATION

February 22, 1990

Mr. Chairman and Members of the Committee:

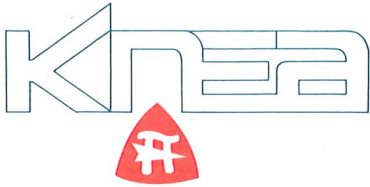
Thank you for the opportunity to appear before you today in support of H.B. 2883.

This bill addresses a situation we have in Wichita that is unique to USD 259, and would not, at this time affect any other district in Kansas.

Mr. Jon Miller, President of NEA-Wichita, is here to present testimony and answer any questions you have on this bill.

On behalf of the professional employees' organization, voted by teachers to be their exclusive representatives, I urge your support for H.B. 2883.

*Attachment 5.
House Education
2-22-90*



Testimony before the House Education Committee
Jon Miller
National Education Association-Wichita
HB 2883
February 22, 1990

Mr. Chairman, members of the committee, my name is Jon Miller and I am the president of the National Education Association-Wichita, the employee organization which was certified as the bargaining agent for USD 259's more than 3,000 teachers on January 31, 1990.

Our organization heartily and fully supports HB 2883 and we hope it will receive a favorable vote and recommendation from this Committee to the full House.

In the past eight years, the teachers of Wichita have faced six representation elections. NEA-Wichita has emerged as the winner each time and has remained as the exclusive bargaining agent for teachers in Wichita. We have undertaken all of the responsibilities which belong with that designation. However, we have found that we have not received all of the rights we believe should go with those responsibilities.

Our situation brings to mind this analogy: When I see President Bush on television, I do not see Mr. Dukakis pictured nearby waiting his turn to be recognized. As I address this committee, I do not see standing behind each of you the losing candidate waiting his or her turn to speak or vote. Nor do I receive franked communications from these losing candidates. When President Bush, and each of you, won your elections, there came with those victories certain privileges and rights due the victor.

Yet, NEA-Wichita does not have the rights which should go to an elected and exclusive representative. We share those rights with the losing organization. We believe HB 2883 would finally give recognition to the rights which should belong to the duly elected representative of teachers.

Two court cases lend credence to our call for exclusivity and overcome potential objections to the concept: Local 858 of the American Federation of Teachers v. School District No. 1 in the County of Denver, and Federation of Delaware Teachers v. De La Warr Board of Education. In both cases, prevailing state law provided that certain exclusive rights were due the winning organization (just like HB 2883).

In both cases the scenario ran something like this: There were two teacher organizations in the district which sought the loyalty of that district's teachers (just like Wichita). In order to determine which organization should serve as the exclusive representative for all, a representation election was held (just like Wichita's six elections). A winner was announced and certified as the sole and exclusive spokesman for all the certificated employees in that district (just like Wichita).

Here the similarity ends. In each of the above cases, prevailing state law provided that certain exclusive rights were due the winning organization (which is not the situation currently in Kansas). The losing organization sought redress through the courts.

In both cases, the Courts found that exclusive representation:

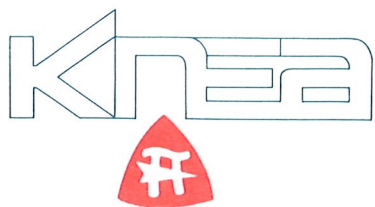
1. Allows all employees to exercise the right to form and join unions in the context of public employment;
2. Provides the duly elected representative a ready means of communicating with all employees, not just its membership, thus assuring a viable, effective employee organization;
3. Ensures labor peace in the public sector, enabling government bodies to effectively execute their assigned duties.

The courts explained that "orderly functioning of the schools as education institutions is insured through limiting of the span when they may become a labor battlefield," and that "the representation union is not subject to competition within the schools, and thus is better able to function as a representative, its efforts not spent in constant competition with the union that lost the representation election." The courts went on to summarize, "All the benefits from the grant of exclusive privileges to the elected representative serve the principal policy of insuring labor peace in public schools. Labor peace means a continuity of ordered collective bargaining between school officials and representatives of the teachers. It means a lower incidence of labor conflict and strife, thus insuring less interference with the functioning of the public schools as educational institutions." In essence, employers can expect that their employees will be focusing their full attention on being employees rather than constantly diverting their attention to employee union matters.

The courts also noted that the responsibilities of the winning organization were counterbalanced with certain exclusive rights. That is not the situation currently in Kansas. It is, however, the case in the other 32 states that have collective bargaining laws.

We urge you to lend credibility to the rights of the elected representative and recommend HB 2883 favorably for passage. Thank you for your time, and for your consideration.

*A-6-2
House Ed.
2-22-90*



Craig Grant Testimony Before The
House Education Committee

Thursday, February 22, 1990

Thank you, Mr. Chairman. I am Craig Grant and I represent Kansas-NEA. I appreciate this opportunity to visit with the committee in support of HB 2883.

Kansas-NEA certainly does believe in the concepts in HB 2883. Presently, under the negotiation statute, professional employees can designate if they wish to be represented by an organization for the purpose of negotiations. When an organization is selected, a number of responsibilities are thrust upon it. The organization must negotiate for all employees, must deal with contract problems for all employees no matter whether they are members of the organization or not. These are all responsibilities the organization accepts when it seeks to be the recognized organization. By stating in KSA 72-5415 that the group shall be the "exclusive representative of all the professional employees in the unit", we understand that such responsibilities exist.

When drafting the PN act, the legislature recognized that certain privileges possibly should be accorded the recognized professional employees organization. In passing the list of what was negotiable, the legislature established an entire section of things which were determined to be privileges which could be negotiated. In my attachment, you will find the list starting about halfway down the page.

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What we found was that in some locations, when privileges were negotiated, the same set of privileges were granted to another employees organization. This was not done through the negotiations process, but just done. Kansas-NEA believes that HB 2883 would clarify what we believe to be the essential element of being an exclusive representative--that certain privileges would be allowed only to that group.

In visiting with school board representatives, it was unclear to them what the actual meaning of HB 2883 would be as drafted. I have prepared a balloon draft which I believe presents a clear picture as to what our intent was. We hope you would consider that change as a friendly amendment. Representative Lawrence has seen the change and considers the amendment acceptable. The policy change would mean that when privileges are granted through the negotiations process to the exclusive representative, those privileges would not be made available to any other employee organization.

These changes will work against our organization in some local areas as we are not the recognized organization in all of the 270+ districts which recognize an employee organization. However, we believe that the principle is sound and that the exclusive representative should have certain privileges which are not given to other organizations.

Kansas-NEA asks that this committee make the friendly amendment and pass HB 2883 favorably. Thank you for listening to the concerns of our members.

*a-1-2
House Ed.
2-22-90*

72-5413. Definitions. When used in this act and in acts amendatory thereof or supplemental thereto:

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(1) "Terms and conditions of professional service" means (1) salaries and wages, including pay for duties under supplemental contracts; hours and amounts of work; vacation allowance, holiday, sick, extended, sabbatical, and other leave, and number of holidays; retirement; insurance benefits; wearing apparel; pay for overtime; jury duty; grievance procedure; including binding arbitration of grievances; disciplinary procedure; resignations; termination and nonrenewal of contracts; re-employment of professional employees; terms and form of the individual professional employee contract; probationary period; professional employee appraisal procedures; each of the foregoing is a term and condition of professional service, regardless of its impact on the employee or on the operation of the educational system; and (2) matters which relate to privileges to be accorded the recognized professional employees' organization, including but not limited to, voluntary payroll deductions, use of school or college facilities for meetings, the dissemination of information related to the professional negotiations process and related matters to members of the bargaining unit on school or college premises through direct contact with members of the bargaining unit, the use of bulletin boards on or about the facility, and the use of the school or college mail system to the extent permitted by law, reasonable leaves of absence for members of the bargaining unit for organizational purposes such as engaging in professional negotiating and partaking of instructional programs properly related to the representation of the bargaining unit; and (3) such other matters as the parties mutually agree upon as properly related to professional service. Nothing in this act, or acts amendatory thereof or supplemental thereto, shall authorize the diminution of any right, duty or obligation of either the professional employee or the board of education which have been fixed by statute or by the constitution of this state. Except as otherwise expressly provided in this subsection, the fact that any matter may be the subject of a statute or the constitution of this state does not preclude negotiation thereon so long as the negotiation proposal

Privileges listed above which are granted through the negotiations process shall not be granted to any other professional employees' organization.



Testimony on H.B. 2883
before the
House Education Committee

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

February 22, 1990

Mr. Chairman, members of the Committee, I appreciate the opportunity to appear before you in opposition to House Bill 2883.

While Kansas school boards would prefer to stay out of controversy between rival representatives of teachers' associations, we do feel an obligation to ensure that the collective bargaining process is fair and equitable to all involved and affected by it.

The Kansas Constitution, Article 15, Section 12--The Right to Work Amendment--requires that individuals are free to join or not join an employees organization or union. While H.B. 2883 does not require joining an organization, it does limit access to information; puts a restriction on dues deductions, and hampers access to prospective member of competing organizations.

The proposed new language in H.B. 2883 seems to contradict the language contained in section 1(b) which states that recognition of a representative organization will not work to the detriment of any employee.

If the committee feels that there is an urgent need to change the Professional Negotiations Act, we urge your adoption of the attached amendatory language. This language would amend the scope of negotiations rather than the recognition section and would ensure, at a minimum, that the question of exclusivity of rights would be bargained the open and subject to the vote of all professional employees.

Thank you and I would be happy to answer questions.

*A-8-2
House Ed.
2-22-90*

72-5413. Definitions. When used in this act and in acts amendatory thereof or supplemental thereto:

Suggested amendment to H.B. 2883

by

The Kansas Association of School Boards

(1) "Terms and conditions of professional service" means (1) salaries and wages, including pay for duties under supplemental contracts; hours and amounts of work; vacation allowance, holiday, sick, extended, sabbatical, and other leave, and number of holidays; retirement; insurance benefits; wearing apparel; pay for overtime; jury duty; grievance procedure; including binding arbitration of grievances; disciplinary procedure; resignations; termination and nonrenewal of contracts; re-employment of professional employees; terms and form of the individual professional employee contract; probationary period; professional employee appraisal procedures; each of the foregoing is a term and condition of professional service, regardless of its impact on the employee or on the operation of the educational system; and (2) matters which relate to privileges to be accorded the recognized professional employees' organization, including but not limited to, voluntary payroll deductions, use of school or college facilities for meetings, the dissemination of information related to the professional negotiations process and related matters to members of the bargaining unit on school or college premises through direct contact with members of the bargaining unit, the use of bulletin boards on or about the facility, and the use of the school or college mail system to the extent permitted by law, reasonable leaves of absence for members of the bargaining unit for organizational purposes such as engaging in professional negotiating and partaking of instructional programs properly related to the representation of the bargaining unit; and (3) such other matters as the parties mutually agree upon as properly related to professional service. Nothing in this act, or acts amendatory thereof or supplemental thereto, shall authorize the diminution of any right, duty or obligation of either the professional employee or the board of education which have been fixed by statute or by the constitution of this state. Except as otherwise expressly provided in this subsection, the fact that any matter may be the subject of a statute or the constitution of this state does not preclude negotiation thereon so long as the negotiation proposal

the parties may negotiate that the matters included in paragraph (2) above may be limited to the recognized professional employees organization;

2-8-3
Planner Ed.
2-22-90

TESTIMONY HB 2897

February 22, 1990

THANK YOU MR. CHAIRMAN:

I appear to speak in favor of HOUSE BILL 2897 and offer some positive effects possible for this bill, particularly as it commences cash rewards at about the beginning of adolescence -- a time when youth is rewarded with great energy. In a more primitive time in our natural history this had survival value to the race but in our more complicated world which requires more time in training this energy can be disruptive, counter productive or destructive. This bill is an attempt to gently direct this energy toward society valued objectives and goals. I would point out several benefits:

- (1) Parents would ordinarily encourage the children to attend school to receive the money into the family. This is the application of natural greed to a good purpose.
- (2) The effect on young siblings may well influence them to prepare themselves in lower grades so they can qualify for the high school reward.
- (3) Discipline may be easier for the teachers to maintain since certain standards of conduct and educational progress are necessary to qualify for the monetary benefit.
- (4) There is a possibility of diverting some youth from antisocial behavior which carries a harsh societal and economic impact often measured in thousands of dollars due to vandalism, adolescent pregnancies, and involvement with illicit drugs and alcohol.

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(5) Should lower future prison populations since possession of a high school diploma appears to immunize the graduate against subsequent incarceration to a percentage approaching eighty percent.

(6) By the time high school is completed lifetime habits may be established and if these habits include pursuit of education that would be considered positive.

(7) The conversion of these students into earners who will supply tax dollars rather than consumers of tax dollars over a lifetime is incalculable.

The negatives on this bill include an uncertain fiscal note because the total number of enrollees would be predictable only within fairly wide parameters, and could change with the state's economy. Unfortunately, a program such as this would have increased demands with economic recessions and would decrease with prosperity.

I appreciate this opportunity to present what I believe to be a new concept. College scholarships have been offered to disadvantaged high school students in Louisiana, the New York City Bronx area, and by Ewing Kaufmann in Kansas City. The response to these programs has been very positive, but I believe this program has even greater potential.

ALEX SCOTT, M.D.

Representative, 65th District

*A-9-2
Blouse Ed.
2-22-90*

TESTIMONY HB 2897

By

Celso L. Ramirez

Kansas Advisory Committee on Hispanic Affairs

February 22, 1990

MAY IT PLEASE THE COMMITTEE:

I write in support of House Bill 2897 on behalf of the Kansas Advisory Committee on Hispanic Affairs (KACHA). Education is one of the focuses of KACHA and it should be for all Kansans especially with the many difficulties students face today. A concern of the Hispanic community is a nationwide dropout rate approaching 50% in some cases it soars to 80%. In Kansas Hispanics currently have a dropout rate of 8.1% and growing. Kansas does not yet have the problem other large cities have but the symptoms and characteristics of a major problem are beginning to show; Approximately 89,000 students were identified as " at-risk"; for elementary and high school students identified at risk, almost 22% of public school students in Kansas are potentially at risk; the characteristic of poverty is perceived to be most prevalent for middle or junior high students; academic deficiencies are most prevalent; for all school levels, failure to demonstrate minimum competency on the Kansas Minimum Competency Test was the third most important factor in describing characteristics of at risk students. (Statistical information provided by Gary Watson, Research Analyst, Kansas State Department of Education.) KACHA believes the time is now to begin looking and researching new and effective strategies for reducing the number of at risk students. I believe House Bill 2897 needs to be seriously considered for approval. Thank you for your attention.

*Attachment 10
House Education
2-22-90*

DIANE A. GJERSTAD
 REPRESENTATIVE, NINETY-EIGHTH DISTRICT
 WICHITA
 2701 LULU
 WICHITA, KANSAS 67216-1237



TOPEKA

COMMITTEE ASSIGNMENTS
 MEMBER: ECONOMIC DEVELOPMENT
 FEDERAL AND STATE AFFAIRS
 LABOR AND INDUSTRY
 JOINT COMMITTEE ON ECONOMIC
 DEVELOPMENT

HOUSE OF
 REPRESENTATIVES

February 22, 1990

HOUSE EDUCATION COMMITTEE
 TESTIMONY ON H.B. 2795

Rep. Don Crumbaker, Chair

H.B. 2795 is a part of the package developed by Rep. Bowden, Rep. Grotewiel and myself. In the context of viewing education as a lifelong continuum, this bill deals with the actual skill training aspect of the continuum. Vocational education will have an increasingly important role as demonstrated by Dr. Charles Krider's report on business training. H.B. 2795 would create a budget appeal specifically for vocational education program expansion and purchasing equipment, subject to protest.

The role of community colleges and AVTS' will play an increasingly important role in many facets -- vocational training, retraining, skills development, and adult basic education. A school board, under H.B. 2795, would be able to petition the Board of Tax Appeals for the additional taxing authority to support or expand vocational programs. Expansion of the budget authority would permit school districts to meet their local needs.

The Krider report examined the training needs of Kansas in depth. The report has generated 54 policy options and much discussion. The demands on technical education will increase in the 1990's due to demographic changes in the labor force, composition of the labor supply, the rapidly changing skill requirements of business and the increasingly global environment in which our businesses compete.

*Attachment 11.
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TESTIMONY

Rep. Diane A. Gjerstad
Page 2

Human capital has been and continues to be a key asset for the state. But, the world Kansas businesses competes in is rapidly changing. Technology is altering the products and processes. Production is shifting from assembly line to customization. Growing international competition has created pressure for increased productivity.

Krider stated that businesses report that it is important for vocational education institutions to have the most technically advanced equipment for training. Acquiring and maintaining high-tech equipment is costly. Funds for equipment have been appropriated for three of the last eight years. H.B. 2795 would simply allow AVTS programs to meet emerging technology needs of Kansas businesses. The students will be trained on up-to-date equipment resulting in greater efficiency and productivity. That helps the student, the worker and business.

*A-11-2
House Ed.
2-22-90*

TESTIMONY: HOUSE BILL 1795

Presented to

House Committee on Education
(ref. H.B. 2795 Section 1 No. 9)

by

Jim Schwarzenberger
Wichita/Sedgwick County Partnership for Growth

Thursday, February 22, 1990

*Attachment 12
House Education
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There are several factors which clearly point to the need for more flexibility in the vocational technical system as it relates to funding new program development, enhancing existing programs and/or the purchase of equipment in support of training. The following considerations are not necessarily in order of importance:

1. As employers, and especially CEOs, take a more active role in designing public supported training programs, these business leaders will be looking for creative ways to partner with vocational technical education providers. Such opportunities for the pooling of public and private dollars call for a system which is more conducive to these partnerships.
2. Rapid technological change is requiring training systems which can react quickly to skill development needs. Kansas businesses must keep pace with technological change in order to remain competitive internationally. If they don't, it means lost contracts and lost jobs for Kansas. The solution is often training that must be developed on short notice. These training needs will have to be met, both at the work site and in the traditional classroom.
3. More employers are making decisions to keep employees and retrain or upgrade them, rather than trying to just replace them. Why? Primarily because of a lack of people with appropriate skills in the labor market. Moran, Stahl and Boyer Inc., a research firm out of New York, has determined that 46 percent of the metropolitan areas in the United States are suffering from labor market stress (defined

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as demand outstripping supply). And in many metropolitan areas where there is an adequate supply of people, technical and skilled talent is lacking. We are experiencing both of these phenomena in Kansas.

4. Our small to medium sized companies are beginning to see the challenge before them in training, retraining and upgrading. Most of these lack the expertise, time and money necessary to do their own programs. It is only logical that many of these will look to local training providers for assistance. The vocational technical system must be able to react to these needs efficiently, given that contracting often requires rapid development of a skilled work force.
5. Companies are now relocating or expanding across state borders to pursue qualified employees. We may soon see employers, including our own manufacturers, expand to overseas locations where labor is plentiful and inexpensive, and where it appears the political environment is becoming conducive to joint ventures or other cooperative business arrangements.
6. Local companies, including Wichita's aircraft companies, are becoming very frustrated with attempts at recruiting skilled workers. All indicators show our society is much less mobile than it has been because of a variety of factors, including the two-wage earner, relocation costs and other issues. Dollars formerly being targeted for recruitment and relocation costs are being redirected to retraining and upgrading, providing the need for better and more responsive technical training programs.

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7. In Wichita we have seen the need for rapid response in developing customized training for individual businesses and business collaboratives. These companies often cannot project out beyond six to nine months what their specific needs will be. And in some cases the response time is even shorter.
8. As far as equipment is concerned, the same need for flexibility applies. Our vocational technical schools need to be able to have funds available for use when opportunities arise to secure machinery and equipment from industry through partnership agreements. Even limited funds can be leveraged to secure applicable equipment through cooperative agreements with business. The availability of a funding resource could provide vocational technical schools the flexibility they need to react to opportunities that may arise with very short notice.

I would like to conclude now by saying that the two work areas I have spent the most of my time on over the last 10 years have been in economic development and human resources. To a large extent, we have been working these two issues separately. However, it is obvious that a quality, flexible vocational training system is becoming of primary importance as a critical economic development tool to entice new company prospects, not to mention its importance with our existing companies. In the 1980s economic developers preached things like IRB financing, tax credits, tax abatements, and other incentives. Although these are still important factors in the economic development process, I believe in the

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1990s the primary recruitment tool will be human resource centered relating to the availability of skilled and motivated people and/or the availability of high quality, rapid response training systems.

The recommended addition to House Bill 2795 would be a constructive step to making Kansas more competitive in the world of economic development.

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HOUSE BILL # 2795

The Wichita Area Vocational-Technical School supports House Bill No. 2795. The operational realities confronted by the school are explained in the following paragraphs.

For the last three years, the local operating budget for the Wichita Area Vocational-Technical School has exceeded the state-approved operating budget. The primary reason is the school's commitment to meet the economic development challenges of our community. This translates into customized training, which is tailored to the unique needs of business and industry. This commitment is illustrated in the following budget and expenditure figures:

Fiscal Year Audit	State Approved Expenditure Budget	Actual Local Expenditures	Difference in Expenditures	Post-Secondary Hours Delivered
1988-89	\$7,960,050	\$9,499,299	+ \$1,539,249	1,394,750
1987-88	\$7,581,800	\$8,733,715	+ \$1,151,915	1,261,453
1986-87	\$7,506,741	\$9,937,739	+ \$2,430,998	1,317,401

Exceeding the state-approved budget, but adhering to the local budgetary authority, has been possible due to the ability of the Wichita Area Vocational-Technical School to generate funds locally (i.e., student tuition, U.S.D. #259 transfers). However, the local ability to fund is diminishing, while, at the same time, the demands of business and industry for customized training are increasing. The latter is due to changing technologies, as well as new and/or expanding businesses and industries. Furthermore, the area school has a proven "track record" of quality customized training which tends to generate more and more requests from business and industry. The same is true for training which helps individuals enter, re-enter, or re-train for a diversity of occupations.

In an attempt to provide a solution for this dilemma between budgetary constraints and the training needs of business and industry, two actions are needed. The first need is the ability to increase the local budget authority after the budget is set for the fiscal year. This is addressed in House Bill No. 2795. The second need pertains to additional revenue (i.e., post-secondary aid) from the state to fund budget increases.

Rosemary A. Kirby, Director
Division of Vocational & Continuing Education
Wichita Public Schools
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