

MINUTES OF THE SENATE COMMITTEE ON EDUCATION

The meeting was called to order by Chairperson Dave Kerr at 1:30 p.m. on March 9, 1995 in Room 123-S of the Capitol.

All members were present.

Committee staff present: Ben Barrett, Legislative Research Department
Avis Swartzman, Revisor of Statutes
Brenda Dunlap, Committee Secretary

Conferees appearing before the committee: Craig Grant, KNEA
Christy Levings, Olathe NEA
Gerry Henderson, USA

Others attending: See attached list

HB 2487 - School district records held by register of deeds

A motion was made by Senator Oleen to pass the bill favorably, and because the committee is of the opinion that the bill is of a noncontroversial nature, be placed directly on the consent calendar. Senator Lawrence seconded the motion, and the motion carried.

SB 291 - School district and community college employees ,deductions from compensation

Ben Barrett gave a brief explanation of the bill. Current statutes allow governing boards of schools and colleges to allow deduction from employees paychecks for various purposes. These deductions remain in effect until or unless they are revoked. If dues increase one time per year, the employee does not have to authorize the change of deduction in writing. If the dues go up more than once, the employee does have to authorize the change in writing. **SB 291** would require employees to enter the amount of deduction with a written authorization every year. In addition, dues cannot be increased without written authorization.

Craig Grant, Kansas National Education Association, testified against the bill. He stated the bill takes an item which has been negotiated between local teachers and boards of education either formally or informally, and changes a practice which has been in effect for at least twenty-eight years. This bill would cause additional burdens on the boards of education accounting offices, as well as the local teachers' associations. All employees names would have to be taken off the payroll list at the end of the school year, and put back on at the commencement of the following school year. It was a convenience both to the board, the association, and the teacher to put into policy a non-confusing way for payroll deductions to occur. He has never heard any complaints from teachers or board business managers about the way payroll deductions are handled. (See Attachment 1)

Senator Downey asked why there is a bill if there have been no complaints. Mr. Grant did not know.

Senator Lawrence stated she had heard complaints from her district about opting out versus writing in the amount of the State and Local PAC contribution. In order for those not interested in contributing to PAC to get their money back, they must fill out a form, and wait for the money to be returned.

Mr. Grant stated the Representative Assembly sets the PAC contribution amount, and the actual dues are set by the Board of Directors. The PAC amount seldom changes, and as a matter of convenience, was pre-printed on the form. Mr. Grant was asked why the National PAC contribution was not pre-printed on the form, and he replied that the National PAC requires a personal check.

Christy Levings, Olathe National Education Association, testified in opposition to the bill. Olathe-NEA works with the Olathe District Schools to provide ongoing support for their professional employees. The restrictions and guidelines imposed in **SB 291** do nothing to promote excellent education and impose an additional diversion from their most important goal: students. Olathe-NEA has nearly a thousand members. They have very little turnover in membership, and have, in fact, grown in membership every year for over five years. It would be an undue hardship on the school district and the Association to implement the provisions of this bill.

CONTINUATION SHEET

MINUTES OF THE SENATE COMMITTEE ON EDUCATION Room 123-S-Statehouse, at 1:30 p.m. on March 9, 1995.

She cannot be convinced that they should expend funds to hire staff in order to maintain the paperwork this would require. She would rather hire an additional teacher to be with kids than two secretaries to monitor paperwork. This is not something that will help their schools. (See Attachment 2)

Gerry Henderson, United School Administrators of Kansas, offered comments on the bill. He has discussed the bill with several school business officials and board clerks. None indicated that having school employees sign up every year for items to be deducted from salaries would create a burden for the district. Some were already requiring annual authorization of payroll deductions. (See Attachment 3)

There was spirited discussion, but no motions were made.

The meeting was adjourned at 2:30 p.m.

The next meeting is scheduled for March 13, 1995.



KANSAS NATIONAL EDUCATION ASSOCIATION / 715 W. 10TH STREET / TOPEKA, KANSAS 66612-1686

Craig Grant Testimony Before
Senate Education Committee
Thursday, March 9, 1995

Thank you, Mr. Chairman. I am Craig Grant and I represent Kansas NEA. I appreciate this chance to speak in opposition to SB 291.

I took time to reflect on the first half of the 1995 session late last week after the turnaround day. It seemed to me that many important issues were discussed and debated during the initial half of the session.

As examples of issues, either in committee or on the floor, I thought about the following:

- SB 240, sales tax versus property tax - how we fund our schools is very important;
- HB 2258, a Kansas Mastery of Basic Skills Examination - to test students' progress;
- SB 317, how to deal with pupils who might bring a firearm to school - a fairly important topic for school safety;
- HB 2173, how to handle the QPA process - an ongoing debate;
- SB 257 & SB 258, establishing Technical Colleges, which, as a member of the Governor's School to Work Transition Committee, I believe is important;
- HB 2217, a school voucher bill which, even though we oppose, certainly would affect pupils; and
- HB 2152 & SB 189, school finance bills which have been thoroughly discussed and debated.

These were bills I thought about last week. All of these bills have some bearing on pupil outcomes, school funding, or school safety. These are fairly important issues.

Senate Education
3-9-95
Attachment 1

That brings us to SB 291. This bill does not deal with pupil outcomes, school funding, school safety, or instructor performance. What this bill seeks to do is to take an item which has been negotiated between local teachers and boards of education either formally or informally, and change the practice which has been in effect for at least the twenty-eight years I have been involved with the teaching profession in Kansas.

This bill would cause additional burden on a board of education accounting office, as well as the local teachers' association. It was a convenience both to the board, the association, and the teacher to put into policy a nonconfusing way for payroll deductions to occur. Boards and teachers have done so through discussions. I have never, as a local association president or as a staff member, heard a complaint from a teacher or a board business manager about the way payroll deductions are handled.

Now to sit on high from Topeka and claim to have a better way to deal with local problems is poor public policy. We therefore oppose SB 291.

Thank you for listening to our concerns.



11015 W. 75th Terrace
Shawnee, KS 66214

Senator Kerr and members of the Senate Education Committee,

I thank you for the opportunity to speak to you today about Senate Bill No. 291. I would like to share my deep concerns about the ramifications of this Bill. Olathe-NEA works with the Olathe District Schools to provide ongoing support for our professional employees. Our cooperative work includes our own process at the negotiating table. Our system, which evolved many years ago from a meet and confer process, has now become an interest based process in which we meet monthly on a year-round basis. This allows us to deal with problems as they occur and to deal with a large number of issues yearly. We share a common goal to provide quality education in Olathe and to move our system continuously in the quest of excellence.

The restrictions and guidelines imposed in S.B. 291 does nothing to promote excellent education and imposes an additional diversion from our most important goal: students. Olathe-NEA has nearly a thousand members. We have very little turnover in membership and have in fact grown in membership every year for over five years. We are not experiencing a problem that needs any fixing. Any teacher who wishes to discontinue their membership simply notifies me upon their return to school in the fall and we have a process for any changes needed during the year. It would be

Senate Education
3-9-95
Attachment 2

an undue hardship on the school district and the Association to implement the provisions of this Bill. I cannot be convinced that we should expend funds to hire staff in order to maintain the paperwork this would require. I would rather hire an additional teacher to be with kids than two secretaries to monitor paperwork. This is not something that will help our schools! Thank you for your consideration.



Christy C. Levings

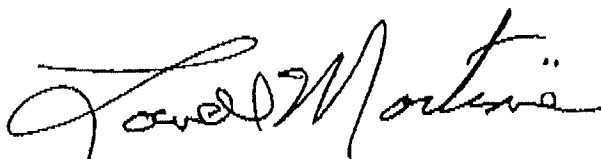
We have concerns with SB No. 291 in the Olathe District Schools.

These concerns are as follows:

- A form, to be provided by the school district, which would require written authorization from the employee each year.
- The language which would require the amount of deductions from compensation for payments of professional association dues or **for any other purpose** requiring written authorization for an employee be increased in any school year without written authorization from the employee for the amount of the increase.

It would appear that the above requirements would cause an additional burden, and responsibility, for Olathe USD #233 that has a large number of employees to process on payroll matters. These requirements would cause us to spend additional time and effort to manage and be accountable to accomplish these requirements. We would prefer that the responsibility for managing the deduction process related to professional association dues be between the member and the association.

The Olathe District Schools has a positive working relationship with Olathe-NEA and does not view the additional requirements in this bill beneficial to that relationship.



Dr. Lowell Martinie
Executive Director of Staff Services



SB 291

Testimony presented before the Senate Committee on Education
by Gerald W. Henderson, Executive Director
United School Administrators of Kansas
March 9, 1995

Mister Chairman and Members of the Committee:

I have discussed the provisions of **SB 291** with several school business officials and board clerks. None indicated that having school employees sign up every year for items to be deducted from salaries would create a burden for the district. Some were already requiring annual authorization of payroll reduction.

LEG/SB291

*Senate Education
3-9-95
Attachment 3*