

Approved: 1/18/96
Date

MINUTES OF THE HOUSE COMMITTEE ON EDUCATION.

The meeting was called to order by Chairman Bill Mason at 3:30 p.m. on January 9, 1996 in Room 519-S of the Capitol.

All members were present except: John Ballou (excused)

Committee staff present: Ben Barrett, Legislative Research Department
Avis Swartzman, Revisor of Statutes
Dale Dennis, Department of Education
Beverly Renner, Committee Secretary

Conferees appearing before the committee: Ben Barrett, Associate Director, Legislative Research Dept.

Others attending: See attached list

Ben Barrett of Legislative Services reported on the main concepts and items covered by the Special Committee on Education during the 1995 interim.

Proposal No. 15 - Due Process to Teachers

Statutory procedures grant rights to teachers when they have completed a 3-year probation period in the school district if the school board decides to terminate or not renew the employee. There are certain things that have to happen: 1) a notice must be given of intent to terminate or nonrenew; 2) the board needs to provide a statement of the reasons for such an action; and, 3) the teacher needs to be notified that he is entitled to a hearing and to have it heard by a hearing officer. If a hearing is held, the recommendation of the hearing officer is binding on the local board of education.

The focus of the study was ways to expedite the due process procedure while ensuring fair treatment of employees and where authority resides for making decisions about contract termination and nonrenewal of teachers. The committee looked at the due process law in other states and conducted hearings. Testimony from various school districts indicated concerns about the use of a hearing officer and the fact that his decision is binding on the local board.

Discussion about proposed legislation targeted the determination of terminations being left to the local school board without hearing committee involvement and making meaningful reforms to the current law to enhance the ability of local school boards to discharge poorly performing teachers, while ensuring that good teachers are not treated in an arbitrary or discriminatory fashion.

Proposal No. 16 - School district administrative costs

The committee studied this topic because of concerns about the amount of public school resources that are devoted to administration. Hearings were held to discuss comparative data relating to personnel and financial resources allocated to administrative purposes and a model designed to provide information about public school expenditures.

It was concluded that the State Board of Education could implement a district-wide school expenditure reporting format if the committee wished. School districts could provide individual building reports by adding a few reporting codes. The recommendation was to encourage the Board to explore the concept and report early in the 1996 session to the Senate and House Education committees.

Proposal No. 17 - Reduce State Board of Education imposed paperwork requirements

The Board is working with a committee of school district personnel to determine ways to reduce and streamline data collection, not only for state purposes, but also those which must be collected to meet federal program and reporting requirements. As well as, to better systemize and reduce the paperwork associated with implementation of the QPA system. Staff emphasized that QPA is a data driven system, so that data

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essential to support the program will continue to be required.

The committee concluded that the State Board of Education has adopted an initiative directed toward the reduction of the paperwork required of school districts. The various parties involved were encouraged to be specific as to further changes that are needed or to express agreement with the changes made to produce a consensus of the various segments regarding the importance and relevance of surviving data and other reporting requirements.

Proposal No. 18 - Work force training legislation

The objective of the committee was to monitor activities at the federal level to rewrite federal work force legislation which was to be complete during the fall of 1995. The proposed legislation rewrite moves from identifying funding of a number of discreet programs to a block grant approach.

Legislation will continue to be based upon three basic premises: school-based learning activities, workplace learning activities and connecting activities that bring both concepts together. Also, career guidance has to be incorporated in the schools as an integrated part of the curriculum. No particular recommendations were made for the present but once the final language becomes available, it is expected that some conformance of Kansas statutory language will be needed.

Proposal No. 19 - Mission statement for Kansas Public Education

The committee viewed this topic as an opportunity to initiate a conversation within the legislative body on the issue of what ultimately should be the product of the Kansas system of public education. After deliberation of committee members proposed statements and staff memorandum outlining mission statements from other states a consensus was reached as follows:

“To provide an academically excellent and financially responsible education to every participating Kansan so that each is prepared to live and work productively and creatively in modern society.”

The result is SB 396 amending K.S.A.1995 Supp. 72-6349 to add the proposed public education mission statement and repealing seven sections of law pertaining to the now defunct basic skills minimum competency testing program.

Proposal No. 20 - Computer and communication technology implementation

A survey of representatives from the Regents universities, K-12 and community colleges to assess their current and projected telecommunications needs. Results disclosed that at the K-12 and post secondary levels, access to the Internet and other information networks was ranked as the highest near term need and remained at the highest for the forecast period of ten years. Distance learning, with full motion video, was ranked next in importance. Barriers cited specifically were costs and funding, particularly for distance learning. Recommendations from hearings held included the need for a State vision to support effective and appropriate state expenses in the classroom. It was concluded that no legislative action will be taken at this time.

Proposal No. 21 - Review of Housing and Urban Development Real Estate Settlement Procedures Act

Key requirements of the federal rule are: 1) defines “disbursement date” as the date on which the loan servicer pays an escrow item from the escrow account on or before the earlier of the deadline to take advantage of discounts, or avoid a penalty; 2) when a choice is available, escrow account servicers should make disbursements on an annual basis if a discount is available; and, 3) nothing prevents the servicer and borrower from mutually agreeing to a different payment basis or disbursement date.

The statute states that property taxes must be paid in full by no later than December 20 and the remainder by June 20. This will mean a change in the tax code to political sub divisions effective with payments due in 1995 and final implementation in 1996. A cash flow problem is immediate. For most political sub divisions, fiscal year is calendar year so all property taxes would be within their fiscal cycle. They would not be able to accrue interest as they had in the past. Community colleges and school districts operating on the fiscal year July 1 through June 30, in the first year and, to some extent in the second year, would experience less property taxes to fund their budgets. School district funding could come up short and it would fall then to the legislature to decide whether it wanted to fully fund the school district budgets in the current year. The committee was unable to quantify the impact.

Treasurers will begin distribution to school districts in January and that will be the determination of the actual

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impact. Based on revised estimates by the consensus group the projected shortfall will be \$14.4 million. This exceed currently available resources by \$3.4 million considering funds available from general funds budget to school districts and local option budgets. Statutorily this shortfall would be made up first in the correlation weighting.

Chairman Mason adjourned the Committee at 4:30 p.m.

The next meeting is scheduled for January 10, 1996.

