

MINUTES OF THE HOUSE COMMERCE AND LABOR COMMITTEE.

The meeting was called to order by Chairman Donald Dahl at 9:00 a.m. on February 4, 2003 in Room 521-S of the Capitol.

All members were present except:

Committee staff present: Jerry Ann Donaldson, Kansas Legislative Research Department
Renaë Jefferies, Revisor of Statutes
June Evans, Secretary

Conferees appearing before the committee: Representative Dale Swenson
Mark Desetti, Kansas National Education Association
Zoe Thompson, Program Coordinator, Kansas Families and Schools Together
Wayne Maichel, Executive Vice President, Kansas AFL-CIO
Keaton Kelso, State Director, Communities in Schools of Kansas
Hal Hudson, State Director, National Federation of Independent Business
Terry Leatherman, Vice President, KS Chamber of Commerce

Others attending: See attached sheet

The Chairman called the meeting to order at 9:00 a.m. and asked if there were any bill introductions.

The Chairman opened the hearing on **HB 2022: Labor and employment, school conference and activity leave.**

Staff gave a briefing on **HB 2022**, stating the key to the enhancement of the Kansas public education system can come from active participation of a parent in the education of such parent's child by attending school conferences and related activities.

Representative Dale Swenson testified as a proponent to **HB 2022**. Under the provisions of this bill an employee would have the benefit of unpaid leave or the use of vacation time if available to the employee. The employee utilizing this benefit would not be subject to disciplinary action for the time missed from work provided that the employee make a reasonable effort to notify the employer so as not to unduly disrupt the employer's operation. Parents need to know they can take this responsibility for their children's education, without having a fear of retaliation from their employers for doing so (See Attachment 1).

Mark Desetti, Kansas National Education Association, testified in support of **HB 2022**. The bill requires employers to provide unpaid leave time for parents to participate in their child's education. It also requires that parents be allowed to substitute accrued paid leave time for this purpose. Mr. Desetti stated that there's no excuse for parents skipping that parent-teacher conference or missing that child's spring recital, etc. (See Attachment 2).

Zoe Thompson, Program Coordinator, Kansas Families and Schools Together, Inc. (KFAST), testified as a proponent to **HB 2022**. One of the goals of KFAST is to find out how businesses support parents and quality education practices. **HB 2022** strikes a balance in helping build a partnership between parents, schools and the community. In an effort to strengthen schools KFAST is working to develop better communication and collaboration between schools, parents, businesses and the community. She viewed parent involvement as one key element in helping to achieve those goals (See Attachment 3).

Wayne Maichel, Executive Vice-President of the Kansas AFL-CIO, testified he represented the active interest of their 95,000 members who were in support of **HB 2022**. This bill would require employers to allow every employee leave from work to participate in conferences or classroom activities related to the employee's

CONTINUATION SHEET

MINUTES OF THE HOUSE COMMERCE AND LABOR COMMITTEE at 9:00 a.m. on February 4, 2003 in Room 521-S of the Capitol.

dependent children.

Continuity is needed in employers allowing employees time off to attend children's school activities (See Attachment 4).

Keaton Kelso, State Director, Communities in Schools of Kansas, a proponent, testified in support of **HB 2022**. The simple idea of providing support for working families to become more involved in the lives of their children is essential for the development of successful young citizens. Partnership among all sectors of the community, including employers, parents and schools is required to ensure success of our children (See Attachment 5).

Hal Hudson, State Director, National Federation of Independent Business (NFIB), testified as an opponent to **HB 2022**. NFIB membership includes over 6,000 small and independent businesses across the state. The majority of our members have 15 or fewer employees, while collectively they employ over 57,000 Kansans, and have aggregate sales of over \$6 billion. Small business owners already are overburdened with regulations and red tape, and do not want anymore mandates from state or federal government. It is felt this is unnecessary and unwarranted legislation (See Attachment 6).

Terry Leatherman, Vice President, KCCI, Legislative Affairs, testified as an opponent to **HB 2022**. While opposed to this bill, KCCI strongly supports the intention of the legislation. The Kansas Chamber encourages its members to permit employees to participate in parent-teacher conferences and school activities that are enhanced by parental involvement. However, **HB 2022** establishes a government mandate requiring that businesses to provide this employee benefit of leave time to attend school activities.

The bill applies to all businesses, big and small, retail shops and manufacturing factories, and business in small towns and big cities. Applying the same blanket rule to all businesses fails to recognize particular problems this legislation might pose to a particular business. This bill shows a lack of faith toward Kansas employers; many employers work with their employees to let them off for school functions and government intervention is not needed (See Attachment 7).

The Chairman closed the hearing on **HB 2022**.

The meeting adjourned at 10:25. The Chairman announced the next meeting would be February 5 in Room 243-N.

COMMERCE AND LABOR

DATE February 4, 2003

NAME	REPRESENTING
Hal Hedson	NFIB/KS
Terry Leatherman	KCCI
Wayne Maichup	K. AFL-CIO
Bill Curtis	Ks Assoc of School Bds
Keaton Kelso	Communities In Schools of KS
Bue Jareee	BOEING
Mark Desetti	KNEA
Ashley Sherard	Lenexa Chamber
Zoe Thompson	KS Families + Schools Together

HOUSE OF
REPRESENTATIVES

REPRESENTATIVE, DISTRICT 97

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DALE A. SWENSON

COMMITTEE ASSIGNMENTS

COMMERCE & LABOR
CORRECTIONS & JUVENILE JUSTICE
JUDICIARY
JOINT COMMITTEE ON CORRECTIONS
& JUVENILE JUSTICE
SPECIAL CLAIMS AGAINST THE STATE

Testimony HB 2022

House Business and Commerce Committee

February 4, 2003

Thank you Mr. Chairman and Members of the committee for the privilege of testifying before you today.

HB 2022 is an educational leave act designed to enhance parent and guardians involvement in their dependent children's education. It allows these parents or guardians time off from work in order to attend educational related activities. Educational related activities would include such things as; field trips; conferences; physician, dentist, counselor visits; classroom holiday celebrations; the observation or monitoring of services or programs relating to the employee's child, or any other activity or appointment reasonably related to a child's education or rearing.

Under the provisions of this bill, an employee would have the benefit of unpaid leave or the use of vacation time if available to the employee. The employee utilizing this benefit would not be subject to disciplinary action for the time missed from work, provided that the employee make a reasonable effort to notify the employer so as not to unduly disrupt the employer's operations.

There are multiple reasons why a bill of this nature is necessary.

Often times, I've heard from my constituents that one of the biggest problems with education today is the lack of parental involvement. Children need to know that their parents are truly interested in their education.

Parents need to know that they can take this responsibility for their children's education, without having a fear of retaliation from their employers for doing so. Not every employed parent is awarded the luxury of vacation time. Some employers can dictate when an employee may use his vacation, or when they may not use it. And besides that, the purpose of having vacation time is to give employees and their families quality time together,

Commerce
Labor
2-4-03
Atch #1

Because the bill provides leave for medical and dental purposes, HB 2022 promotes better health care for school children.

Many times during the school year teachers must work very long hours after the school day has ended without any extra pay. HB 2022 would help teachers, as parents would be able to attend conferences during the daytime. Teachers are also often times short of drivers for field trips, and could use the assistance of parents during the school classroom functions.

Business education partnerships like this one, are so very important to our next generation of Kansas business owners and their employed workers. With these moderate changes, Kansas parents and guardians will be empowered to take a greater role in the advancement of our children's education.

With that, Mr. Chairman and members of the committee, I respectfully request favorable consideration of HB 2022.



Mark Desetti, testimony
House Commerce and Labor Committee
House Bill 2022
February 4, 2003

KANSAS NATIONAL EDUCATION ASSOCIATION / 715 SW 10TH AVENUE / TOPEKA, KANSAS 66612-1686

Mr. Chairman, members of the committee, thank you for allowing me the opportunity to come before you today and address **House Bill 2022**. My name is Mark Desetti and I represent Kansas NEA.

Much has been said about how important parental involvement is to a child's success in school. We all recognize the important link between home and school that emphasizes unity of purpose on the child's behalf and reinforces the positive benefits of a good education and learning in general.

We as a society demand that our teachers keep parents informed about their children and we chide the parent that fails to come to conferences or doesn't help with homework. Our school districts hold annual parent conferences and most of those districts direct their teachers to meet with parents by hook or by crook. Teachers and Principals work all day and then provide additional evening and night hours for working parents. And more and more parents are competing for those night meetings because they too work during the day. More working parents means more difficulty in finding chaperones for field trips; more school activities must be pushed into evening hours when parents are home. And even then, night jobs can keep some parents from experiencing the 3rd grade music program or the junior high band performance.

House Bill 2022 is the "no excuse" bill. It requires employers to provide unpaid leave time for parents to participate in their child's education. It also requires that parents be allowed to use accrued paid leave time for this purpose. There's no excuse for skipping that parent conference or missing that child's spring recital.

House Bill 2022 is limited in scope – no more than 24 hours in a given 12-month period. But with these 24 hours, a parent can participate in conferences, go along on a field trip, be a part of career day, see the choir perform, or attend an IEP meeting.

Simply put, this bill is a good idea. It supports children, it supports parents, it supports schools. I urge you to pass HB 2022 out of committee favorably.

Commerce
Labor
2-4-03
Atch # 2

**KANSAS HOUSE OF REPRESENTATIVES
COMMERCE AND LABOR COMMITTEE**

FEBRUARY 4, 2003

**TESTIMONY REGARDING HOUSE BILL No. 2022
SUBMITTED BY REPRESENTATIVE SWENSON**

KANSAS FAMILIES AND SCHOOLS TOGETHER, INC. (KFAST)

**Zoe Thompson
Program Coordinator
785/887-6711
zthompson@kfast.net**

*Commerce &
Labor
2-4-03
Atch # 3*

Representative Swenson & Committee Members:

Thank you for the opportunity to speak with you today.

My name is Zoe Thompson, and I am the program coordinator for Kansas Families & Schools Together, Inc. (KFAST) a recently formed non-profit corporation. KFAST's mission is to solicit, receive and provide resources for the benefit and support of public and community education throughout the State.

We recently received funding from the U.S. Department of Education to develop the KPIRC, Kansas Parent Information Resource Center. In addition to KFAST, our partners in the KPIRC include the Northeast Kansas Education Service Center (NEKESC), Kansas Parent Teacher Association (Kansas PTA), Kansas Parents as Teachers (KPAT), Kansas National Education Association (KNEA), the Children's Alliance of Kansas, Families Together, Inc. and Western Kansas Community Service Consortium. Through this statewide partnership, we are developing a network to provide services such as: consultation and workshops concerning Title I parent involvement policies and practices, assistance to schools in the development of parent/school compacts, technical assistance to schools, parent organizations and early childhood programs, professional development to enhance existing parents as teachers programs and develop pilot programs for age 3-5 year olds, and consultation with business and industries to develop family/school friendly policies.

One of the goals of KFAST is to find out how businesses can and are supporting parents and quality education practices. The KPIRC's goals include working with businesses to encourage the development of family/school friendly policies, as well as establishing a statewide network of parents, pre K-16 school personnel, and business and community leaders. The active participation of parents or parent figures in their child's education process is key to that child's success, both in school and in life. In our increasingly busy and demanding world, that requires more and more of our time on the job, parents are often not able to devote the time they would like to participate in their child's education process, often due to the necessity of the income they receive from that job, and their inability to take time off without repercussion, often in the form of losing hard-earned vacation or other leave time.

House Bill 2022 recognizes these issues, and strikes a balance in helping to build that all-important partnership between parents, schools and the community. Many of you are parents, and know the challenges facing parents in their ongoing efforts to support their children and be active participants in their education process. The more the business culture can be supportive of educational involvement for their employees, the more productive those employees can be.

We are working to develop better communication and collaboration to strengthen our schools, as well as the parents, business and community members that support them. Parent involvement is one key element in helping to achieve those goals.

Thank You

Kansas AFL-CIO

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Dave Peterson
Emil Ramirez
Bruce Reves
Steve Rooney
Debbie Snow
Betty Vines
Dan Woodard*

House Committee on Commerce & Labor
Representative Donald Dahl, Chairman
House Bill 2022
Room 521 S

Mr. Chairman & Committee Members:

I am Wayne Maichel, Executive Vice-President of the Kansas AFL-CIO. I appear before you today to represent the active interests of our 95,000 members in support of House Bill 2022. This bill, sponsored by Representative Swenson, would require employers to allow every employee leave from work to participate in conferences or classroom activities related to the employee's dependent children.

This legislature has determined that the education of our children is a very high priority. If it is a high priority for our lawmakers, then it needs to be an even higher priority for our parents. What parent doesn't want to be able to attend parent/teacher conferences to identify what problems their child may be having with school? What parent doesn't need to be aware of potential problems before they become serious.



Commerce & Labor
2-4-03
Attach # 4

With some employers allowing employees time off, others allowing no time, there needs to be some continuity. Employees need to know they will be allowed time for necessary conferences for their child. There would be no feeling worse than having to tell your child's teacher that you can't come to the conference because you have to work. Our jobs are important to all of us, but our families are most important.

We ask for your support on HB 2022. Let our families know there is nothing more important than our children's education.

Thank you.

HOUSE COMMERCE AND LABOR COMMITTEE

FEBRUARY 4TH, 2003

TESTIMONY IN FAVOR OF

**HOUSE BILL 2022
BY REPRESENTATIVE SWENSON**

PROPONENT

**COMMUNITIES IN SCHOOLS OF KANSAS
KEATON KELSO
STATE DIRECTOR
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cisofks@southwind.net**

Commerce &
Labor
2-4-03
Atch # 5

Dear Committee Members:

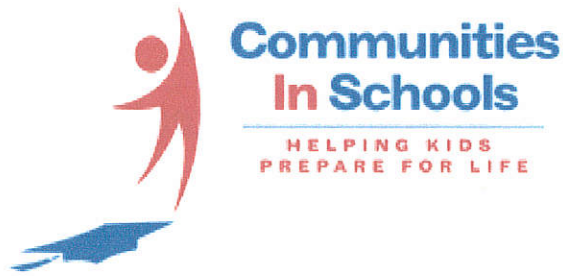
On behalf of the 34,000 children across Kansas with access to services through Communities In Schools, as well as on behalf of their parents, schools and communities, I ask this committee to support house bill 2022. Communities In Schools projects across the state of Kansas connect needed community resources with schools to help children and young people successfully learn, stay in school, and prepare for life.

The most important resource that any child has is their parents, and it is imperative that these individuals actively participate in their children's lives. Children are more successful in school and in life when their primary caregivers show interest and support. Schools and communities across the state are working together to offer opportunities for parents to do just that. However, it has become increasingly difficult for parents to support their children's academic and social needs without sacrificing their livelihoods.

Parent involvement is key to any child's success. Children whose parents or guardians are involved are more likely to stay in school, have higher academic achievement, and make better choices in their lives concerning drugs, alcohol and crime. The simple idea of providing support for working families to become more involved in the lives of their children is essential for the development of successful young citizens. House bill 2022 provides this for children.

We are living in a time where most parents must work in order to survive. Raising the children in our community to be the best they can be requires partnership among all sectors of the community, including employers, parents, and schools. Providing access for employees to attend parent teacher conferences, doctor's appointments, mental health counseling and many other educational or rearing needs is pivotal to our children's well being and future success. We as a state need to ensure that all children have their most precious resource of all – their parents.

Thank You,



- **The nation's leading community-based organization helping kids succeed in school and prepare for life** by connecting existing community resources with school buildings
- The CIS process **eliminates gaps** and establishes strong local collaborative efforts that are **less dependent on federal and state support** for sustainability. Support generated for local programs stays within its community and averages a **5:1 investment return**.
- CIS operates in approximately **2,300 education sites** in **32 states** across the nation and had more than **40,000 volunteers** donate their time for kids.
- Communities In Schools support is currently available in **112 Kansas school buildings** that serve over **34,000 Kansas children** in **27 Kansas school districts** for the 2003 school year. (Due to community interest across Kansas, the CIS network will grow in 2003 to serving **177 School Buildings, 46 Districts & over 50,000 children.**)
- For the second year in a row, Worth magazine named **Communities In Schools** one of the **100 best nonprofits in the U.S.**

Communities In Schools of Kansas State Office

- Provides technical support to develop strong local community collaboration by:
 - **Recruiting key leaders** for community-wide board (**60% from the private sector**)
 - Assisting with **Needs assessments** for each community
 - Promoting a **Planning process** for community programming and resource development
 - **Developing a strong local organizational structure** with bylaws, articles of incorporation, personnel policies, etc.
 - Encouraging **letters of agreement** between service providers and schools.
 - **Building local sustainability of programming** through the leveraging of local, state, and federal dollars.
- Leverages State dollars for local sites across Kansas:
 - **Provided over \$50,000 to local sites** for CIS development through national grants and foundation support in 2002.
 - Accessed an **additional \$50,000 dollars** from foundation grants to **pass through to local communities in 2003.**
 - Acquired over **\$45,000 in national grants** to provide local communities **technical support and training.**

COMMUNITIES IN SCHOOLS Local Sites:

So what are the results?

Harvey County Partnership/Communities In Schools, Inc

- **\$371,801** worth of collaborative services brokered to serve over **21,000 individuals** in 2001-02
- **29% reduction** in Juvenile Court filings
- **40% decrease** in expulsions and **3% decrease** in suspensions
- **45% increase** in English scores and **44% increase** in Math scores through 21st CCLC grant efforts
- **30% reduction** in negative behaviors through the Early Behavior Intervention Program

Communities In Schools of Wichita/Sedgwick County

- **100%** of Elementary and **99%** of Secondary students remained in school
- **98%** of Elementary and **93%** of Secondary parents attended parent-teacher conferences
- **97%** of Elementary and **99%** of Secondary students with identified needs were linked with agency resources

Communities In Schools of Marion County

- **\$390,000** worth of collaborative services brokered to serve students from 1999-2002
- **30 day usage report (2000 vs. 2002)**
 - Cigarettes— **(8.67% decrease)**
 - Alcohol— **(3.73% decrease)**
 - Marijuana— **(3.68% decrease)**
- **Perceived Parental Approval of: (2000 vs. 2002)**
 - Cigarette Use— **(2.78% decrease)**
 - Alcohol Use— **(1.54% decrease)**
 - Marijuana— **(.99% decrease)**
- Operates After School programming in all 5 USD's **(without state or federal funding)**
- **Diversified Funding streams** from local businesses, county, all cities, all USDs, and grants

Communities In Schools of Grant County

- **Diversified funding streams** from businesses, city, county, USD, State and Federal Grants
- Recruited, Coordinated and Trained **450+ Volunteers** in 2001-02
- Coordinate/Facilitate Programming Initiatives for **Literacy, Employment Preparation, Mentoring, After School, and Support Services** for children and families countywide

Communities In Schools of Geary County (New February 2003)

Communities In Schools of Cowley County (New February 2003)

- Structured, and organized community collaboration with **60% representation from private sector**
- Hired staff to spearhead **initiatives developed by the community-wide organization**
- **Communitywide strategic planning** to ensure children and families have **accessible, accountable and sustainable** services

KANSAS

**Statement by Hal Hudson, State Director
National Federation of Independent Business
Before the
House Committee on Commerce and Labor
On House Bill 2022
February 5, 2003**

Mr. Chairman and Members of the Committee:

Thank you for allowing me this opportunity to speak to you.

My name is Hal Hudson, and I am the State Director for the National Federation of Independent Business. I appear before you today to oppose enactment of HB 2022.

NFIB membership includes over 6,000 small and independent businesses across the state. The majority of our members have 15 or fewer employees, while collectively they employ over 57,000 Kansans, and have aggregate sales of over \$6 billion.

Small business owners already are overburdened with regulations and red tape, and they want no more mandates from state or federal government. HB 2022 would be just another mandate!

On Friday of last week, we polled the 12 members of our state Leadership Council on the subject of HB 2022, and we found the majority already grants the leave from work proposed by this bill. They said, given enough advance notice to adjust work schedules, and, depending upon the circumstances, they not only would grant the leave, but also may even grant it with pay.

As well intentioned as this bill may seem, it represents just another mandate by government, intruding into management of business. We believe it is unnecessary, and unwarranted.

We would ask you to oppose enactment of HB 2022.

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*The National Federation of Independent Business (NFIB) is the nation's largest small-business advocacy group. A nonprofit, nonpartisan organization founded in 1943, NFIB represents the consensus views of its 600,000 members in Washington and all 50 state capitals, including over 6,000 members in Kansas.
More information about NFIB is available at www.nfib.com.*

Commerce
Labor
2-4-03
Atch # 6

LEGISLATIVE TESTIMONY



The Unified Voice of Business

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HB 2022

February 4, 2003

KANSAS CHAMBER OF COMMERCE AND INDUSTRY

Testimony before the House Committee on Commerce and Labor

By Terry Leatherman, Vice President – Legislative Affairs

Mr. Chairman and members of the Committee:

My name is Terry Leatherman. I am the Vice President of Legislative Affairs for the Kansas Chamber of Commerce and Industry. Thank you for this opportunity to explain why the Kansas Chamber opposes passage of HB 2022.

While opposed to this bill, KCCI strongly supports the intention of the legislation. The Kansas Chamber encourages its members to permit employees to participate in parent-teacher conferences and school activities that are enhanced by parental involvement. However, HB 2022 establishes a mandate from government that businesses will provide this employee benefit of leave time to attend school activities. The bill also produces the following specific concerns.

First, the bill applies to all businesses, big and small, retail shops and manufacturing factories, and business in small towns and big cities. Applying the same blanket rule to all businesses fails to recognize particular problems this legislation might pose to a particular business. For instance, would a florist be violating the law if they refused to permit leave to a delivery driver on February 14, or if the Post Office or Income Tax Service said no to a leave request on April 15? Today, KCCI is holding a Board of Directors meeting, an afternoon seminar and an evening banquet for a thousand people. Would KCCI be in violation if they denied me the right to participate in an activity of my child today?

Second, HB 2022 requires each employer to grant 24 hours during a year to each employee to attend appropriate school activities. The bill is mute to the time allotment an employee might utilize, meaning an employee might attend 24 hour-long programs during a year, take three 8-hour days a year and spend the day at school functions, or some other combination that totals 24 hours. As a result, HB 2022 would create a new record keeping challenge for employers. This

Commerce &
Labor
2-4-03
Atch # 7

w be further compounded by permitting employees to use accrued vacation or paid leave time, rather than unpa.
leave.

Finally, and perhaps most importantly, HB 2022 shows a lack of faith toward Kansas employers. The idea of permitting employee involvement in the schools is a good business practice. Besides good social motives, it is the type of employee policy that helps a business attract and retain quality workers. Meshing employer/employee needs has led to a host of unique private sector solutions, such a flex time, work sharing, and remote work privileges. Government intervention in this area is not needed.

Thank you for the opportunity to comment on HB 2022. I would be happy to answer any questions.

About the Kansas Chamber of Commerce and Industry

The Kansas Chamber of Commerce and Industry (KCCI) is the leading broad-based business organization in Kansas. KCCI is dedicated to the promotion of economic growth and job creation and to the protection and support of the private competitive enterprise system.

KCCI is comprised of nearly 2,000 businesses, which includes 200 local and regional chambers of commerce and trade organizations that represent more than 161,000 business men and women. The organization represents both large and small employers in Kansas. KCCI receives no government funding.

The KCCI Board of Directors establishes policies through the work of hundreds of the organization's members who make up its various committees. These policies are the guiding principles of the organization and translate into views such as those expressed here.