

MINUTES OF THE SENATE EDUCATION COMMITTEE

The meeting was called to order by Chairman Dwayne Umbarger at 1:41 p.m. on February 18, 2004 in Room 123-S of the Capitol.

All members were present except:

Senator Anthony Hensley (excused)
Senator Christine Downey (excused)
Senator Janis Lee (excused)

Committee staff present:

Carolyn Rampey, Legislative Research
Kathie Sparks, Legislative Research
Theresa Kiernan, Office of the Revisor of Statutes
Judy Steinlicht, Committee Secretary

Conferees appearing before the committee:

Theresa Kiernan, Revisor of Statutes
Dave Kerr, President of the Senate
Jerry Burch USD #309 Nickerson
Jerri Corkin, Secretary, Buhler High School
Diane Gjerstad, Wichita Public Schools
Senator Bob Lyon
Peg Dunlap, Kansas National Education Association
Mark Tallman, Kansas Association of School Boards
Susan Hilbert, Kansas State Board of Education

Others attending: See Attached List

SB314 --Technical colleges; powers and duties of governing body

Theresa Kiernan, Revisor of Statutes, explained amendments to **SB314** which resulted from discussion in the committee meeting yesterday. The amendments expand and clarify the powers and duties of the technical colleges. (Attachment 1)

Senator Vratil made a motion to adopt the amendments in the balloon described by Theresa and to recommend **SB314** favorably as amended for passage. Seconded by Senator Corbin. Motion carried.

SB344--Sales tax; exempting certain sales by schools and school-sponsored groups and organizations

President Kerr introduced Jerry Burch, Superintendent USD 309 Nickerson and explained that **SB344** was introduced to eliminate the hassle factor of paperwork involved with collecting sales tax on miscellaneous types of sales in the school districts. The bill was drafted to include universities and other entities. The fiscal note which came out today was 12.4 million dollars. President Kerr believes that the fiscal note would be a fraction of that amount if it included only the sales of school districts.

Mr. Burch supported **SB344**, but was also surprised at the fiscal note of 12.4 million dollars. When he asked for the bill to be introduced, he expected the fiscal note to be approximately 2.5 million dollars. His school pays just under \$6000 a year in sales tax on the sales that this bill would include, such as gate receipts, annual sales, cookies sales, etc. Sales tax is paid to the state on these sales, the state then sends money back in the form of state aid and their general fund has to support their activities. If the schools did not pay sales tax on these items, it would help to fund their activities and they would not have to take as much from their general fund. (Attachment 2)

Jerri Corkins, Bookkeeper, Buhler High School USD 313, also supports **SB344**. Jerri told the committee that last year their school paid just over eight thousand dollars in sales tax from money collected from gate receipts, club fundraisers, yearbooks, student activity tickets, marching band shoes, uniforms, etc. Jerri believes that being able to keep the money paid in sales taxes would allow more students to be involved in

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MINUTES OF THE SENATE EDUCATION COMMITTEE at 1:41 p.m. on February 18, 2004 in Room 123-S of the Capitol.

more activities that are beneficial to them. It would also save hours that it takes to do all the paperwork. ([Attachment 3](#))

Diane Gjerstad, Wichita Public Schools supports **SB344**. Diane reminded the committee that in 1998, PTA's/PTO's were given tax exemption and asks that schools be given tax exempt status as provided for in **SB344**. Diane added that the paperwork was very time consuming. Last year Wichita School District paid approximately \$251,000 sales tax on these items and fund raiser's were the biggest portion. ([Attachment 4](#))

The committee requested a new fiscal note including pre-K thru 12 only.

Written testimony in support of **SB344** was provided by the principals of the Mid-Central Activities Association. This includes Ellinwood, Halstead, Haven, Hesston, Hillsboro, Hoisington, Lindsborg, Lyons, Marion, Nickerson, Sterling and Wichita Collegiate. ([Attachment 5](#))

SB157--Alternative teacher preparation programs

Senator Bob Lyon requested **SB157** and supports it. Currently, individuals with bachelors, masters, or doctoral degrees from an accredited university, regardless of their experience, cannot obtain a teaching license unless they re-enroll in an accredited university and obtain their teaching degree. This would discourage many, simply because they do not have the money or time to leave their present positions to seek a career in teaching. With teacher shortages and difficulty in filling teaching positions, it is important that qualified individuals be allowed to pursue this career path. **SB157** includes many prerequisites, training and high levels of supervision to ensure that those pursuing their teaching licenses through this process are qualified to teach. Senator Lyon feels that career-changers, recent retirees and individuals with degrees in fields outside education are important resources for school districts to fill vacancies. He feels that Kansas is discouraging many outstanding candidates from pursuing teaching as a career and would like to see **SB157** recommended favorably for passage. ([Attachment 6](#))

Mark Tallman, Kansas Association of School Boards testified in favor of **SB157**. KASB supports giving boards more flexibility to hire employees who have not achieved traditional certification requirements, with accountability based on performance. KASB does not believe that completion of traditional programs guarantee that the individual will be a successful teacher. They believe the real test of teacher quality is performance, which can only be measured on the job. KASB believes this bill will give local school boards more options in finding competent, caring and qualified teachers for every classroom. ([Attachment 7](#))

Peg Dunlap, Kansas National Education Association, spoke in strong opposition of **SB157** because it significantly lowers the standards for entry into the teaching profession. Under requirements required by **SB157**, the person would get no training, no study of pedagogy, no study of child development, and this bill would allow that person to practice on the children of Kansas. KNEA believes this bill is in clear violation of the federal No Child Left Behind Act. Federal law requires that every core subject teacher in a Title 1 school be "highly qualified". "Highly qualified" is defined as being fully licensed in the state in which the teacher is employed. Kansas already has between 94 and 97 percent of teachers that meet the highly qualified status. KNEA believes **SB157** lowers the standards for the teaching profession and demeans the thousands of well-trained, skilled teachers in our schools today and that this bill would set Kansas back and take us further away from federal requirements. ([Attachment 8](#))

Susan Hilbert, Kansas State Board of Education explained the current law concerning teacher requirements in the state of Kansas. ([Attachment 9](#))

SB403--Schools; school finance; education first plan

Written testimony on **SB403** was distributed from Schools for Quality Education endorsing Governor Sebelius' school funding plan. ([Attachment 10](#))

A motion was made by Senator Teichman to approved the minutes for February 9 and February 10. Seconded by Senator Emler. Motion carried.

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MINUTES OF THE SENATE EDUCATION COMMITTEE at 1:41 p.m. on February 18, 2004 in Room 123-S of the Capitol.

Meeting was adjourned at 2:30 p.m. The next meeting is scheduled for February 19, 2004.

SENATE EDUCATION COMMITTEE GUEST LIST

DATE - 2/18/04

<u>NAME</u>	<u>REPRESENTING</u>
Jim Edwards	KASB
Mark Tallman	KASSB
Denise Axt	U.S.D. 500
Sue Gombel	KSBOE
Susan Helbert	KSBE
Reg Dunlap	KNEA
TERRY FOXSYTH	KNEA
Kent Hurst	KSA
Christina Peter	Social Work School @ KU
Amanda Price	Social Work School @ KU
Bill Bol	SFFF
Val deFeau	SQE
Stuart Little	Shannon Mission 512

SENATE BILL No. 314

By Committee on Education

1-20

AN ACT concerning technical colleges; relating to the powers and duties of the governing bodies thereof; amending K.S.A. 2003 Supp. 72-4470a and repealing the existing section.

Be it enacted by the Legislature of the State of Kansas:

Section 1. K.S.A. 2003 Supp. 72-4470a is hereby amended to read as follows: 72-4470a. (a) On or before July 1, 2005, all technical college boards shall develop and present to the state board of regents a plan to replace the governing body described in K.S.A. 72-4470, and amendments thereto, with a new governing board, which shall be separate and independent of any board of education of any school district, to operate, control and manage the technical college. The plan shall include, but not be limited to, provisions relating to:

- (1) The composition of the independent governing board;
- (2) the territory of the technical college. If the territory of the technical college includes more than one county, the plan shall designate a home county;
- (3) the method of election or appointment and the terms of service of the members of the independent governing board;
- (4) the date upon which the independent governing board shall assume management and control of the technical college;
- (5) the manner, terms upon which and extent to which the facilities, will be transferred to the independent governing board and the division of other assets and indebtedness and other liabilities; and
- (6) the manner and terms upon which faculty, employees and students will be transferred to the independent governing board. Subject to the provisions of K.S.A. 2003 Supp. 72-4478, and amendments thereto, such provisions shall specify terms of employment and address other personnel matters.

(b) (1) Upon approval of the plan by the state board of regents and the governing body of the technical college which submitted the plan, and on the date determined in the approved plan, the independent governing board established under subsection (a) of this section shall operate subject to the rules, regulations and supervision of the state board of regents in the same manner as other technical colleges, technical schools

*Theresa Kiernan
Remson of Statutes*

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1 and area vocational technical schools.

2 (2) After June 30, 2007, if the governing body of the technical college
3 and the state board of regents have not approved a plan submitted pur-
4 suant to subsection (a), the state board of regents shall have the power
5 to approve the plan and upon such approval and on the date determined
6 in the approved plan, the independent governing board established pur-
7 suant to subsection (a) shall operate subject to the rules, regulations and
8 supervision of the state board of regents in the same manner as other
9 technical colleges, technical schools and area vocational technical schools.

10 (c) In addition to such other powers expressly granted by law and
11 subject to the provisions of subsection (b), the governing board shall have
12 the power to:

13 (1) Determine the vocational, technology and general education
14 courses of instruction that will comprise the associate of applied science
15 degree programs of the college;

16 (2) establish the requirements for satisfactory completion of the as-
17 sociate of applied science degree programs of the college;

18 (3) confer the associate of applied science degree upon students who
19 successfully complete an associate of applied science degree program of
20 the college and to award a certificate or diploma to students who suc-
21 cessfully complete a vocational education program of the college; and

22 (4) appoint teaching staff and ~~to~~ fix and determine teacher quali-
23 fications, duties and compensation. No teacher appointed to teach courses
24 comprising the associate of applied science degree programs of the col-
25 lege shall be required to meet certification requirements greater than
26 those required in the state educational institutions;

27 (5) ~~have custody of, and be responsible for, the property of the college~~
28 ~~and shall be responsible for the operation, management and control of the~~
29 ~~college;~~

30 (6) ~~select a chairperson and such other officers as it deems desirable,~~
31 ~~from its membership;~~

32 (7) ~~sue and be sued;~~

33 (8) ~~appoint and fix the compensation and term of office of a president~~
34 ~~or chief administrative officer of the college;~~

35 (9) ~~fix and determine within state adopted standards for employee~~
36 ~~qualifications, duties, compensation, terms of office and all other items~~
37 ~~and conditions of employment;~~

38 (10) ~~enter into contracts;~~

39 ~~accept grants or contributions of money or property which the~~
40 ~~governing board may use for or in aid of any of its purposes;~~

41 (12) ~~acquire by gift, purchase, lease-purchase or otherwise, and to~~
42 ~~own, lease, use and operate property, whether real, personal, or mixed,~~
~~necessary or desirable for college purposes;~~

(11) accept any gifts, grants or donations;

(12) acquire and dispose of real or personal property;

1 (13) enter into lease agreements as lessor of any property, ~~whether~~
 2 ~~real, personal or mixed, which is~~ owned or controlled by the college. ~~Any~~
 3 ~~such agreement may specify the purposes for which the property may be~~
 4 ~~used, require that the property be maintained and operated by the lessee,~~
 5 ~~and may contain such restrictions or limitations on the use of the property,~~
 6 ~~be entered into for such period of time and include such other terms and~~
 7 ~~conditions which the governing board determines to be necessary and~~
 8 ~~proper.~~

9 ~~(14) determine whether any property owned by the college is no~~
 10 ~~longer necessary for college purposes and to dispose of the same in such~~
 11 ~~manner and upon such terms and conditions as determined by the gov-~~
 12 ~~erning board.~~

13 ~~(15) adopt any rules and regulations, not inconsistent with the pro-~~
 14 ~~visions of law or with rules and regulations of the state board of regents,~~
 15 ~~that are necessary and proper for the administration and operation of a~~
 16 ~~college and for the conduct of business of the governing board.]~~

17 (5) (16) exercise all powers not inconsistent with the provisions of law or
 18 with the rules and regulations of the state board of regents which may be
 19 necessary or incidental to the establishment, maintenance and operation
 20 of a college;

21 (6) (17) contract with one or more agencies, either public or private,
 22 whether located within or outside the territory of the college or whether
 23 located within or outside the state of Kansas for the conduct by any such
 24 agency of academic or vocational education for students of the college and
 25 to provide for the payment to any such agency for the contracted edu-
 26 cational services from any funds or moneys of the college, including funds
 27 or moneys received from student tuition and fees;

28 ~~(16) hold title to property and contract in the name of the governing~~
 29 ~~board of the college, and~~

30 (17) (18) appoint as its resident agent for the purpose of service of process,
 31 either the president of the technical college or the chairperson of the gov-
 32 erning board, or both;

33 Sec. 2. K.S.A. 2003 Supp. 72-4470a is hereby repealed.
 34 Sec. 3. This act shall take effect and be in force from and after its
 35 publication in the statute book.

(14) adopt any rules and regulations, not inconsistent with any law or any rules and regulations of the state board of regents, which are necessary for the administration and operation of the college or for the conduct of business of the governing board;

; and

(18) take any other action, not inconsistent with any law or any rules and regulations of the state board of regents, which is necessary or incidental to the establishment, operation and maintenance of the college;

Y.

USD 309 Nickerson – South Hutchinson
4501 W Fourth, Hutchinson, KS 67501
Tel: 620-663-7141

DATE: February 18, 2004
TO: The Honorable Chairman Senator Dwayne Umbarger
Honorable Senate Education Committee Members
FROM: Jerry Burch, Superintendent USD 309 Nickerson – South Hutchinson
RE: SB 344

I am here today in support of Senate Bill 344 and to ask the committee to examine the benefits of this exemption for the children of the great State of Kansas. For the past ten years, I have repeatedly asked why our high school and middle school activity funds must pay sales tax on various items such as gate receipts, concession sales, yearbook sales, suckers sales and the numerous other fund raising activities that support our student clubs, organizations, and activities. Building Principals are responsible for the custodianship of the building activity funds within their buildings. These funds are also part of each school district where the local board of education maintains accountability, annual audits, and proper use of these funds through monthly and/or yearly reports to the local board.

This is why Senate Bill 344 is being presented to this committee for your consideration. All 303 school districts in the State of Kansas are exempt from paying taxes on sales and purchases of tangible goods and services that are used in the day to day operation of our schools. Our school activity funds, on the other hand are required to pay sales taxes on the sale and purchases of tangible goods and services in their day to day operation. Many times these same activity fund accounts cannot meet their obligations because the gate receipts were not enough or the sale of the yearbooks did not cover all of the expense for production of the book, it is then left up to the school district's general fund to help pay the bills. Therefore, we pay taxes into the state via sales tax from our activity funds to be sent back to the local school districts in the form of state aide to be used to help our activity fund pay its bills.

The funds that are collected through our activity accounts go directly to help our kids. Gate receipts are used to pay for officiating at our activity events. What funds are left, if anything, go to help support all of the activity events that are sponsored by the school. The concession sales support many of the other clubs and organization that work the concession stand to raise money for their group, such as drama club, science club, etc... The Junior Class raises money to put on the annual prom and banquet and pay taxes on the sale of goods and then again when they purchase the goods for the prom and/or banquet. These clubs or organizations spend their money on various activities, for instance, to pay for an educational trip or special project and even scholarships for students. As you can tell the money that is collected through our activity fund is normally spent within the year in which it is collected and put back into the local economy. In our small way, we continue to help keep the economy going and students learn values of working toward goals which they have set.

I understand that this year we are asking for more resources to fund our basic education and I am respectfully requesting for a tax exemption status for our activity funds. I feel that with the passage of SB 344 we will be leaving more resources, in each local economy, in support of our students and would reduce the amount of money used from the general fund to support extra-curricular activities. With the passage of this bill, I believe our activity funds shall become more aggressive at raising funds to support these activities, thus further reducing the support from the district's general fund.

Therefore, I humbly ask you to consider this bill in support of all children in our State.

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Attachment 2

Date: February 18, 2004

To: The Honorable Chairman, Senator Dwayne Umbarger

From: Jerri Corkins, Bookkeeper, Buhler High School, USD 313

Regarding: Senate Bill 344

Honorable Chairman,

I am here to voice support for Senate Bill 344, as I feel it would be beneficial for the students of Kansas who are enrolled in our schools.

Buhler High School is currently a large 4A school. Last year we paid over eight thousand dollars in sales tax from money collected from gate receipts, club fundraisers, yearbooks, student activity tickets, marching band shoes, uniforms, etc.

I feel that if these dollars would be kept in schools it would create more opportunities for our young people. Buhler High School highly encourages students to participate, be involved and be connected to the school.

An example I would like to give you would be our Debate and Forensics program. This program has expanded tremendously this year with a new leader who encourages increased competition opportunities. These groups are attending multiple tournaments that come with a cost. Entry fees with high participation cost our school a lot of money and we want to be able to fund this program and give every student a chance to participate.

Another example would be tax collected from club fundraisers. Clubs hold fundraisers so they can go on trips and participate in learning experiences.

We are proud of our students and would like them to have every opportunity to be able to be involved in all activities. I feel like we could benefit the students by keeping sales tax money in the school by providing more money to fund activities that are beneficial to the students, not only at Buhler High School but all Kansas schools.

I am asking that you please consider passing this bill, as it will benefit the young people enrolled in our great Kansas schools. Please help us in making our organization more financially stable by granting us these exemptions.

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Senate Education Committee

S.B. 344 – sales tax exemption for educational organizations

February 18, 2004

*Submitted by: Diane Gjerstad
Wichita Public Schools*

Mr. Chairman, members of the committee:

We rise in support of S.B. 344 which clarifies the exemption from sales tax for items resold by organizations supporting schools.

In 1998 the exemption for PTA's and PTO's was enacted. This bill puts all educational organizations on equal footing.

However, even though the organizations are exempt, school districts are not. School districts selling tangible goods are treated as "retailers" and required to submit sales taxes. Examples of items school district submit sales tax include:

- The 4th grade class selling wrapping paper and candy for a field trip.
- Family consumer science projects which are taken home.
- The lock for a student locker.
- Rental of musical instruments.
- Admission to athletic events.
- Activity tickets.
- Photo identification.

For a school clerk or classroom teacher the paperwork is time consuming. The building must track and submit the receipts to the district's accounting office who compiles the monthly report and submits to the Department of Revenue. It is a lot of accounting for generally a few dollars in sales taxes from a basketball game.

Mr. Chairman, members of the committee, I would suggest adding to school to S.B. 344; treating the 4th grade teacher the same as the PTA/PTO.

Thank you.

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Attachment 4*

Date: February 16, 2004
TO: Honorable Chairman, Senator Dwayne Umbarger
Senate Education Committee
FROM: Mid-Central Activities Association
RE: Senate Bill 344

Senate Education Committee Members:

The Principals of the Mid-Central Activities Association would like to voice their support for Senate Bill 344. It is our belief that the monies generated through fund raising and student activities should not be subject to sales tax.

The money generated from athletic events, school plays, music concerts, concession stands and vending machines all go back into the student activity accounts to support and promote programs for students at our league schools. Monies raised by clubs and organizations are used to fund a wide range of projects that benefit the students or help to serve the community.

As educational institutions we believe the money generated from sales tax would better serve the needs of our students by staying in our local schools. We are asking that the legislature pass this bill and allow all schools in Kansas to be exempt from sales tax. Allow us to use these dollars to further the cause of education for all students in Kansas.

Sincerely,



Kevin L. Abbott, League Treasurer
League Schools

Ellinwood
Halstead
Haven
Hesston
Hillsboro
Hoisington
Lindsborg
Lyons
Marion
Nickerson
Sterling
Wichita Collegiate

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BOB LYON
 SENATOR, 3RD DISTRICT
 LEAVENWORTH AND JEFFERSON COUNTIES
 14431 SALINE RD.
 WINCHESTER, KS 66097

STATE CAPITOL, ROOM 143-N
 TOPEKA, KANSAS 66612-1504
 (785) 296-7372



TOPEKA

SENATE CHAMBER

COMMITTEE ASSIGNMENTS
 MEMBER: FEDERAL AND STATE AFFAIRS
 STATE BUILDING CONSTRUCTION
 TRANSPORTATION
 UTILITIES

Testimony on Senate Bill 157 Senate Committee on Education

There has been much talk this Legislative Session about improving K-12 education in Kansas. Many believe the primary solution to improving our schools is to increase the amount of funding they receive. While this may be helpful, there are other routes that may also increase the quality of education that students receive. It is well known that one of the surest paths to better schools is through better teachers. There are a number of individuals willing and able to teach, yet the Kansas licensure requirements as they currently stand prevent a number of qualified, educated individuals from teaching.

Currently in Kansas, an individual with a bachelors, masters, or doctoral degree from an accredited university, regardless of their previous experience, is not allowed to obtain a teaching license unless they re-enroll in an accredited university to obtain their education degree. This discourages a number of quality teaching candidates because they seldom have the time or the money to become eligible for a teaching license. Most individuals interested in coming to the field of teaching leave their present positions and seek a career in teaching not as a repulsion from a negative career experience but as a positive attraction to what they view as a more worthy occupation.

We are all familiar with the current alternative teacher licensure programs. Research has shown that teachers licensed through an alternative licensure program do not lag behind others who become licensed through traditional paths. Research has shown that alternative licensure teachers were as instructionally effective as their university-educated counterparts. Furthermore, statistics show that alternative licensure teachers tend to stay with teaching longer than traditionally licensed teachers. A study comparing alternative trained teachers to traditionally trained teachers showed that the annual drop out rate for alternative licensed teachers was 20% less than with traditionally licensed teachers.

Effective teachers—teachers who boost student achievement—are more likely to be people who score well on standard measures of verbal ability (SAT's for instance) and who have a solid knowledge of the subject they teach, not necessarily those who have received a lot of training in schools of education. Barring some of the most talented and qualified individuals because they have not taken the required university course work seems an inefficient way to recruit teachers.

With teacher shortages looming as many current teachers reach retirement age and rural and urban schools struggling to fill positions with qualified teachers, it is important that we allow

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qualified individuals to pursue this career path.

SB 157 would create an alternative route to teacher licensure by allowing individuals who have not received a degree in education at an accredited university to become licensed teachers. It is important to note that this bill will not simply allow random individuals direct access to our schools. SB 157 is very structured to ensure that those pursuing their teaching licenses through this process are truly qualified to teach Kansas kids. This includes many prerequisites, much training, and high levels of supervision.

The prerequisites for alternative teacher licensure as outlined in SB 157 include:

- Holding a bachelor's degree from an accredited college
- A minimum collegiate cumulative GPA of 2.75
- Taking and passing the National Teacher Examination Core Battery with a composite score higher or equal to the national average
- Having earned academic credits in relation to the subject to be taught in Kansas schools
- Receiving an offer to teach at an accredited Kansas school
- Applying for and receiving a one-year license from the State Board of Education that is renewable after successful completion of first year
- Paying a fee approved by the State Board of Education to cover costs of the program

Once these standards are met, SB 157 would require the following before issuing a teaching license to an individual:

- Attendance of a 10 hour orientation including familiarization with school policies, procedures, curriculum, instructional model, community characteristics, and resources
- Completion of a two-year closely supervised internship

Career-changers, recent retirees, and individuals with degrees in fields outside education are important resources for schools and districts to fill vacancies. Until the current requirements are expanded to reduce the amount of time and money needed to get licensed, Kansas is discouraging many outstanding candidates from pursuing teaching as a career. Classroom performance, not getting a degree in education, is the true measure of a teacher's effectiveness.

I respectfully request that SB 157 be recommended favorably for passing.

KANSAS
ASSOCIATION



OF
SCHOOL
BOARDS

1420 SW Arrowhead Road • Topeka, Kansas 66604-4024
785-273-3600

Testimony on **SB 157**
before the
Senate Education Committee

by

Mark Tallman, Assistant Executive Director/Advocacy
Kansas Association of School Boards

February 18, 2004

Mr. Chairman and members of the Committee:

We appreciate the opportunity to appear today as proponents of **SB 157**, which would establish an alternative method to for teacher preparation and licensure in Kansas schools.

In December, the KASB Board of Directors adopted our set of priority goals and issues for the 2004 session. We share the Kansas State Board of Education's goal to "**Recruit, prepare, support and retain a competent, caring and qualified teacher for every classroom and leaders for every school.**" Under that goal, we include the following position:

- Provide boards with more flexibility to hire employees who have not achieved traditional certification requirements, with accountability based on performance.

KASB has a long-standing policy position in support of alternative teacher and administrator preparation and certification. Quite frankly, our members do not believe that completion of the entire range of college-based education program is necessary to insure competent, caring and qualified. Nor do we believe that completion of traditional programs guarantee that the individual will be a successful teacher. We believe the real test of teacher quality is performance, which can only be measured "on the job."

This bill would require that teachers would have to meet minimum college degree and grade-point requirements, a well as subject area requirements, and take and pass the national teacher examination. To be hired under this bill, a local school board would have to agree to offer these individuals a contract; provide a supervisory team to evaluate, consult with and advise the applicant. This team would be composed of two individuals who have been "traditionally certified" and would presumably be able to provide quality assurance.

KASB believes this will would give local school boards more options in finding "competent, caring and qualified teachers for every classroom." We would also support giving board more flexibility in hiring school administrators. Since the implementation of Quality Performance Accreditation began over a decade ago, KASB has supported the idea that accountability should be based on results, not inputs and regulations. This bill moves in that direction.

Thank you for your consideration.

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Peg Dunlap Testimony
Senate Education Committee
February 18, 2004
Senate Bill 157

Thank you, Mister Chairman and members of the Committee for the opportunity to talk with you about **Senate Bill 157**. We come before you in strong opposition to this bill which significantly lowers the standards for entry into the teaching profession.

Let me first address our objections to this kind of alternative certification. It is often proposed as a solution to the teacher shortage. Where we have declining numbers of students in teacher preparation programs, increasing retirements and a high attrition rate among new teachers, we seek ways to recruit and retain teachers. Very often the first one proposed is "alternative certification." These proposals assume that holding a bachelor's degree is the only necessary training for entry into the classroom. They operate on the premise that one will "learn on the job." I would suggest to you that in no other profession is a shortage addressed by eliminating preparation programs. If you lived in a rural Kansas community in which the physician passed away or retired, how would you go about finding a new physician? Would you consider it appropriate to hire a nurse, give her 10 clock hours of orientation, and allow her to practice medicine with the oversight of a mentor? I think you would be appalled at such a proposal. I'll bet you would try to address your shortage through pay, benefits, working conditions – you would, in short, attract someone to your community rather than settle for an untrained physician.

Now, I'd like you to consider some specifics in this bill. The whole preservice program is "10 contact hours preservice orientation." In these 10 hours, these alternatives to teachers will learn school policies and procedures, they will become familiar with the curriculum and the instructional model of the district, and they will learn the community characteristics and resources. While 10 contact hours might get through policies and procedures, learning curriculum and instructional models takes a significant amount of time in any preservice program. This orientation is followed by a two-year internship in which the protégé gets six advice sessions with a principal and a mentor. With no training, no study of pedagogy, no study of child development, this bill will allow them to practice on our children.

These requirements for training and preservice orientation also would come to schools at the very time when the legislature has eliminated all funding for the mentor teacher program and completely eliminated funding for professional development. Of course, not to worry, in Senate Bill 157, this untrained inexperienced teacher gets to foot the bill for the principal and mentor who will pay him or her those three visits per year. The very programs that are designed to address the teacher attrition rate and continuous learning and growth for practicing teachers have been eliminated while a bill is being considered to bring in teachers with absolutely no professional training.

Finally, I would ask why a bill would be proposed that is a clear violation of the federal Elementary and Secondary Education Act as amended by President Bush's No Child Left Behind Act. Federal law requires that beginning in the 2002-03 school year, every core subject teacher in a Title 1 school be "highly qualified." Core subjects under the federal law are all subjects except physical education and technology. The federal law further defines highly qualified as being fully licensed in the state in which the teacher is employed. This provision will apply to all teachers in the state beginning with the 2005-06 school year. Teachers in this proposed program would trigger a letter to the parents of that teacher's students telling them that the teacher is not qualified to teach.

I suppose that letter could be composed to say, "Under the requirements of the President's No Child Left Behind Education Act, your child's teacher is not qualified. The Kansas legislature however, believes this teacher is good enough for your child."

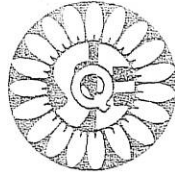
You have heard from Dr. Andy Tompkins and Dr. Alexa Pochowski that Kansas already has one of the highest percentages of highly qualified teachers in the nation. The state department reports that between 94 and 97 percent of our teachers already meet the federal definition. They are confident that the remaining group will meet the highly qualified status under the provision for a highly objective, uniform standard of evaluation. **SB 157** would set Kansas back and take us further away from federal requirements.

This bill lowers standards for the teaching profession. It demeans the thousands of well-trained, skilled teachers in our schools today. It is in complete disagreement with federal law. And it is poor public policy to risk our children's education with untrained teachers. We urge you to reject **SB 157**.



Kansas Alternative Licensure

- **Individual teacher education institutions offering alternative programs:**
 - **Wichita State University** – since 1992
 - **Pittsburg State University** – since 2001 working with the Kansas City school district
 - **University of Kansas** – Transition to Teaching program currently being implemented in the areas of science and math
- **Statewide program - Restricted Teaching License**
 - Implemented July 1, 2002 as part of a redesign of teacher preparation and licensure
 - Participants must have:
 - A degree in the content they want to teach or equivalent content coursework
 - An offer of employment from a local school district
 - Minimum cumulative GPA of 2.50
 - The participant is teaching full-time while completing professional education requirements through a cooperative effort between the teacher education institution, the district and the individual teacher. A mentor teacher must be assigned.
 - 3 year timeframe – yearly update report required
 - Initial induction occurs prior to placement in the classroom
 - Content assessment must be completed during the first year
- **Transition to Teaching Grant**
 - Federally funded program to help collaborating partners implement the restricted license
 - Provides funding for:
 - up to \$1,500 towards the cost of tuition for individuals teaching in high need school districts
 - the design and development of on-line professional education course
 - 12 teacher education institutions are participating
 - 16 individuals are participating in the Transition to Teaching program and completing on-line coursework. 8 are funded because they are teaching in a high needs district
- Approximately 180 individuals are currently participating in alternative routes. 13 institutions are involved. Restricted license participants meet NCLB highly qualified requirements.



Schools for Quality Education

Bluemont Hall Manhattan, KS 66506 (785) 532-5886

SQE Endorses Sebelius School Tax Plan

I am writing in support of Governor Sebelius and her education funding plan. First, I want to applaud the Governor for her courage in stating that we need to provide increased funding for all schools. Governor Sebelius correctly assessed the need for implementing an increase of \$300 million dollars over three years. In the past the few years, the Legislature has been reluctant to increase any spending for education. Certainly no one could predict the horrible act of terrorism that occurred on September 11, 2001. The economy of the United States and Kansas was negatively impacted and the fall-out changed the predictions of a surplus to the State's budgetary resources. I realize that few Legislators want to increase property taxes (even though it would simply be a reinstatement of taxes that were lowered because of predictions of large surpluses), but there are additional means to increase revenue that are fair to all. I offer this solution: implement a tax of two or three cents per gallon on motor vehicle fuel sold in Kansas. This would affect all Kansans evenly, and allow us to gain revenue from those travelers passing through our state who utilize our roads and services. I am sure there are other monies that can be raised through nontraditional means that are fair and equal. I am opposed to more *sin* taxes since it seems that everyone has jumped on that bandwagon and there is no longer room for trumpets.

As an organization dedicated to keeping quality education in the small rural schools in Kansas, Schools for Quality Education (SQE) is opposed to shifting funds from the smaller and larger schools to the mid-sized schools just to resolve the ruling by Judge Bullock. The Augenblick & Myers report (instituted by and paid for by the Legislature) stated that all students and schools needed increased funding to fulfill the mandate that the legislature must properly and fully fund a free and appropriate quality education for all students. The idea that schools and educators are wasting money and there is fat to trim is simply a fallacy. The teachers and school districts in Kansas score among the top 10 in the United States in all categories, while funding per pupil is 43rd of 50. We do get a lot of bang for our buck. I have heard some people say, "See, they don't need more money." "We are doing fine with what we have"

If we learn anything from history, we need to see what maintaining the status quo does to a society. A great example of this is the Roman Empire. Its inability to look forward led to the downfall of one of the greatest cultures known to man. With fewer students entering the field of education each year and the increased need for quality educators in Kansas and in the United States, it is foolish and irresponsible to not increase funding to maintain and improve our educational system. The new *No Child Left Behind* legislation recently enacted will make it imperative that we have the ability to recruit quality educators to our school systems. A quality educator is defined as a teacher that is fully licensed in their content area or an individual that has meet standards utilizing a rubric.

Again, this letter is stating my support for Governor Sebelius and her plan to increase revenues to all schools in Kansas. It is my contention that we are fortunate to have one of the best educational systems in the United States. To improve this, we must be progressive in our approach. This is in all areas, not just funding. Our goal must be lofty, yet obtainable, for ALL schools from the largest to the smallest.

Doug Malay, President, Schools for Quality Education
President, USD 208 Board of Education, WaKeeney, Kansas

"Rural is Quality"

Senate Education
2-18-04
Attachment 10