

MINUTES OF THE HOUSE EDUCATION COMMITTEE

The meeting was called to order by Chairman Clay Aurand at 9:00 a.m. On February 18, 2011, in Room 784 of the Docking State Office Building.

All members were present.

Committee staff present:

Sharon Wenger, Kansas Legislative Research Department
Reagan Cussimano, Kansas Legislative Research Department
Eunice C. Peters, Kansas Revisor of Statutes
Norm Furse, Kansas Revisor of Statutes
Dale Dennis, Deputy Commissioner, Kansas State Department of Education
Jan Johnston, Committee Assistant

Others attending, see attached sheet.

HB 2191 - Concerning school districts; relating to teachers

Eunice Peters, Kansas Revisor of Statutes, gave a handout to the Committee members of the proposed Amendment to **HB 2191**. (Attachment 1)

Chairman Aurand moved to amend HB 2191 to allow teachers a two year extension if teachers would agree to the extension. The motion was seconded by Representative Ryckman. Motion carried.

Chairman Aurand moved to amend HB 2191 by changing line 12 back to "two", and line 13 back to "third". The motion was seconded by Representative Colloton. Motion carried.

Representative Ward moved to amend HB 2191 that the data be added and given to the Board of Education showing the statistics on the number of teachers tenured. The motion was seconded by Representative Bollier. Motion carried.

Representative Winn moved to amend HB 2191 to have the criteria agreement between teachers in question and school to be filed with the Board of Education. The motion was seconded by Representative Loganbill. Motion failed.

Representative Loganbill moved to amend HB 2191 to change sunset date to expire in 2014. The motion was seconded by Representative Winn. Motion failed.

Representative Aurand made a substitute motion to Representative Ward's motion to have the report given annually to the State Board of Education. The motion was seconded by Representative Colloton. Motion carried.

Representative Colloton moved to have the substitute bill to HB 2191 as amended be moved out favorably. The motion was seconded by Representative Osterman. Motion carried.
Representative Loganbill and Representative Winn requested their "no" vote be recorded.

HB 2201 - Providing authority for a school district to adopt a local activities budget

Representative Aurand moved to remove sub section 3 in HB 2201. The motion was seconded by Representative Colloton. Motion carried.

Representative Colloton moved to amend HB 2201 by adding publication date to Registrar. The motion was seconded by Representative Spalding. Motion carried.

Representative Ward moved to amend HB 2201 by adding equalization to all districts under 30% LOB. The motion was seconded by Representative Winn. Motion failed.

CONTINUATION SHEET

Minutes of the House Education Committee at 9:00 a.m. On February 18, 2011, in Room 784 of the Docking State Office Building.

Representative Spalding moved to amend HB 2201 to remove “protest petition”. The motion was seconded by Representative Bollier. Motion carried.

Representative Grosserode moved to amend HB 2201 to not exceed five years on a levy. The motion was seconded by Representative Colloton. Motion carried.

Representative Colloton moved to pass HB 2201 out as amended favorably. Motion carried.

Representative Loganbill, Representative Winn and Representative Trimmer requested their “no” vote be recorded.

Chairman Aurand announced there was a Sub Committee formed on HB 2245 comprised of Representative Huebert, Representative Colloton, Representative Trimmer and Representative Cassidy.

The meeting was adjourned at 10:45 a.m. The next meeting will be February 21, 2011.

PROPOSED AMENDMENT TO HOUSE BILL No. 2191

By Committee on Education

2-7

[Material in blue is new; Material in red is stricken;
Line numbers on proposed amendment are not consistent with original bill]

1 AN ACT concerning school districts; relating to teachers; amending
2 K.S.A. 2010 Supp. 72-5445 and repealing the existing section.
3

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

5 Section 1. K.S.A. 2010 Supp. 72-5445 is hereby amended to read as
6 follows: 72-5445. (a) (1) Subject to the provisions of ~~subsection~~
7 ~~subsections~~ (b) ~~and (c)~~, the provisions of K.S.A. 72-5438 through 72-
8 5443, and amendments thereto, apply only to: (A) Teachers who have
9 completed not less than ~~three~~ ~~three~~ ~~five~~ consecutive years of employment,
10 and been offered a ~~fourth~~ ~~fourth~~ ~~sixth~~ contract, in the school district, area
11 vocational-technical school or community college by which any such
12 teacher is currently employed; and (B) teachers who have completed not
13 less than ~~two~~ ~~three~~ consecutive years of employment, and been offered a
14 ~~third~~ ~~fourth~~ contract, in the school district, area vocational-technical
15 school or community college by which any such teacher is ~~currently~~
16 ~~employed~~ if at any time prior to the current employment the teacher has
17 completed the years of employment requirement of subpart (A) in any
18 school district, area vocational-technical school or community college in
19 this state.

20 (2) Any board may waive, at any time, the years of employment
21 requirements of provision (1) for any teachers employed by it.

22 (3) The provisions of this subsection are subject to the provisions of
23 K.S.A. 72-5446, and amendments thereto.

24 (b) The provisions of K.S.A. 72-5438 through 72-5443, and
25 amendments thereto, do not apply to any teacher whose license has been
26 nonrenewed or revoked by the state board of education for the reason that
27 the teacher: (1) Has been convicted of a felony under K.S.A. 2010 Supp.
28 21-36a01 through 21-36a17, and amendments thereto, or any felony
29 violation of any provision of the uniform controlled substances act prior
30 to July 1, 2009; (2) has been convicted of a felony described in any
31 section of article 34 of chapter 21 of the Kansas Statutes Annotated, *prior*
32 *to their repeal, or sections 36 through 64, 174, 210 or 211 of chapter 136*
33 *of the 2010 Session Laws of Kansas, and amendments thereto, or an act*

House Education Committee

Date 2/18/11

Attachment# 1-1

1 described in K.S.A. 21-3412 or K.S.A. 21-3412a, prior to their repeal, or
2 sections 48 or 49 of chapter 136 of the 2010 Session Laws of Kansas, and
3 amendments thereto, if the victim is a minor or student; (3) has been
4 convicted of a felony described in any section of article 35 of chapter 21
5 of the Kansas Statutes Annotated, prior to their repeal, or sections 65
6 through 77 or 229 through 231 of chapter 136 of the 2010 Session Laws
7 of Kansas, and amendments thereto, or has been convicted of an act
8 described in K.S.A. 21-3517, prior to its repeal, or section 69 of chapter
9 136 of the 2010 Session Laws of Kansas, and amendments thereto, if the
10 victim is a minor or student; (4) has been convicted of any act described
11 in any section of article 36 of chapter 21 of the Kansas Statutes
12 Annotated, prior to their repeal, or sections 78 through 86 of chapter 136
13 of the 2010 Session Laws of Kansas, and amendments thereto; (5) has
14 been convicted of a felony described in article 37 of chapter 21 of the
15 Kansas Statutes Annotated, prior to their repeal, or sections 87 through
16 125 and subsection (a)(6) of section 223 of chapter 136 of the 2010
17 Session Laws of Kansas, and amendments thereto; (6) has been convicted
18 of an attempt under K.S.A. 21-3301, prior to their repeal, or section 33
19 of chapter 136 of the 2010 Session Laws of Kansas, and amendments
20 thereto, to commit any act specified in this subsection; (7) has been
21 convicted of any act which is described in K.S.A. 21-4301, 21-4301a or
22 21-4301c, prior to their repeal, or sections 212 or 213 of chapter 136 of
23 the 2010 Session Laws of Kansas, and amendments thereto; (8) has been
24 convicted in another state or by the federal government of an act similar
25 to any act described in this subsection; or (9) has entered into a criminal
26 diversion agreement after having been charged with any offense
27 described in this subsection.

28 *(c) The provisions of this subsection shall apply to a teacher described*
29 *in subsection (a)(1)(A) of this section. After a teacher has completed not*
30 *less than three consecutive years of employment, the board of education*
31 *of the school district and the teacher may enter into an agreement under*
32 *which the school district may offer the teacher a contract of employment*
33 *for a fourth and fifth year and the teacher agrees that the provisions of*
34 *K.S.A. 72-5438 through 72-5443, and amendments thereto, shall not*
35 *apply to such teacher unless a sixth contract is offered to the teacher. If*
36 *an agreement under this subsection is reached by the teacher and the*
37 *school district, then the school district shall file a report with the state*
38 *board of education which shall contain the following information:*

39 *(1) the number of teachers that were offered by the school district a*
40 *contract under subsection (a)(1)(A) of this section;*

41 *(2) the number of teachers that were offered by the school district an*
42 *agreement under this subsection;*

43 *(3) the number of teachers that accepted the agreement under this*

1 *subsection; and*

2 *(4) the number of teachers that were not offered by the school district*
3 *either a contract under subsection (a)(1)(A) of this section or an*
4 *agreement under this subsection.*

5 *(d) The provisions of subsection (c) shall expire on July 1, 2016.*

6 Sec. 2. K.S.A. 2010 Supp. 72-5445 is hereby repealed.

7 Sec. 3. This act shall take effect and be in force from and after its
8 publication in the statute book.

9
10

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23 K.S.A. 72-5446, and amendments thereto.

24 (b) The provisions of K.S.A. 72-5438 through 72-5443, and
25 amendments thereto, do not apply to any teacher whose license has been
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41 *(2) the number of teachers that were offered by the school district an*
42 *agreement under this subsection;*

43 *(3) the number of teachers that accepted the agreement under this*

1 *subsection; and*

2 *(4) the number of teachers that were not offered by the school district*
3 *either a contract under subsection (a)(1)(A) of this section or an*
4 *agreement under this subsection.*

5 *(d) The provisions of subsection (c) shall expire on July 1, 2016.*

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