

SESSION OF 2005

**CONFERENCE COMMITTEE REPORT BRIEF
SENATE BILL NO. 48**

As Agreed to March 30, 2005

Brief *

SB 48, as amended, would place in statute requirements for local school boards, technical colleges, community colleges, and vocational schools with regard to contracts as follows:

- The bill would require that it is the policy of the State of Kansas that a school board's, vocational school's, technical college's, or community college's actions relating to a contract are the sole responsibility of the institution or district. Contracts entered into by any representative of the school board or institution, officer, or employee would carry the same provision. The bill would prohibit the use of language in the contracts that would indemnify or hold harmless other parties against damages, injury, or death resulting from the action of any party to a contract other than the school board or district.
- The bill would require that it is the policy of the State of Kansas that all contracts entered into by the abovementioned entities would be governed by and interpreted in accordance with the laws of the State of Kansas. Contracts entered into by any officers or employees acting on behalf of the abovementioned entities would carry the same provision. The local board, community college, vocational school, or technical college, or any officer or employee acting on the entities' behalf, would have no power to enter into a contract which provides that the contract must be governed by or interpreted in accordance with laws of any other state.
- The bill also would require that all contracts incorporate the mandatory contract provisions prescribed by the Kansas Department of Administration in form DA-146a. The entities may omit

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any of the mandatory contract provisions in form DA-146a upon a majority vote of the ruling body or board of the entity.

- All contracts of these entities inconsistent with this bill would be void and unenforceable.

SB 48 would amend the statutes governing the Teacher Service Scholarship. This scholarship is awarded to students who are planning to teach in a hard-to-fill discipline or underserved geographic area.

Under current law, a hard-to fill discipline is defined as one in which there is a critical shortage of teachers as determined by the Board of Education. SB 48 would specifically add math and science instruction for grades five through 12 to the definition.

This bill also would add definitions of state educational institution and private postsecondary institution to this section of statute. SB 48 would make technical amendments to clarify that students attending institutions other than the state universities must be attending an institution in Kansas.

The bill would amend statutes governing the National Board Certification program. Under current law, teachers attaining National Board Certification receive an annual salary bonus from the state of \$1,000 for the ten years of the certification period. The bill would remove the ten-year limit to allow the salary bonus to be provided for those teachers who are re-certified for an additional ten years.

In addition, teachers participating in the standards program prior to initial certification currently receive a scholarship to assist with the costs of the program. SB 48 would codify this scholarship at \$1,100 and would also provide for a \$500 scholarship to assist with the costs of the re-certification program.

Conference Committee Action

The Conference Committee added the provisions of SB 44 which would amend the statutes governing the Teacher Service Scholarship, add definitions of state educational institution and private postsecondary institution to this section of statute and make technical amendments to clarify that students attending institutions other than the state universities must be attending an institution in Kansas.

The Conference Committee also added the provisions of SB 11 which would amend statutes governing the National Board Certification program. Both SB 44 and SB 11 were in the Senate Education and House Education Conference Committee. They were moved from another bill into SB 48 to comply with the single subject rule.

Background

The bill was requested by Senator Vratil, and representatives of the Kansas Association of School Boards and Kansas National Education Association spoke in favor of the bill.

The House Committee on Education amended the provisions of SB 49 into SB 48 and made the provisions also apply to technical colleges, community colleges, and vocational schools, as well as local school boards. Representative Ward Loyd requested the amendment on including the mandatory contract provisions in form DA-146a be included in the bill.

The Conference Committee added the provisions of SB 44 which would amend the statutes governing the Teacher Service Scholarship Program and provisions of SB 11 which would amend statutes governing the National Board Certification Program.

The fiscal note on the bill as introduced indicates that passage of SB 48 would not require any additional state appropriation to the Department of Education.