

REPORTS OF STANDING COMMITTEES

MR. SPEAKER:

The Committee on **Education** recommends **HB 2634** be amended on page 1, by striking all in lines 8 through 36;

By striking all on page 2.

On page 3, by striking lines 1 through 10 and inserting:

"New Section 1. (a) (1) The board of education of each school district may apply to the state board for a grant of state moneys for the purpose of paying the costs for a probationary teacher or administrative employee to attend mentor programs. The state board shall award such grants of state moneys in accordance with the provisions of this section.

(2) To be eligible to receive a grant of state moneys, a board of education shall submit to the state board an application for a grant. The application shall be prepared in such form and manner as the state board shall require and shall be submitted at a time to be determined and specified by the state board. Approval by the state board of the application is prerequisite to the award of a grant.

(3) Each board of education which is awarded a grant shall make such periodic and special reports of statistical, financial and such other information to the state board as the state board may request.

(b) The state board may adopt rules and regulations, which establish:

(1) Standards and criteria for evaluating and approving mentor programs and applications of school districts for grants; and

(2) the evaluation and approval of mentor programs.

(c) Within the limitations of appropriations therefor, the state board shall determine the amount of grants to be awarded to each school district by considering the number of probationary teachers and administrative employees participating in a mentor program. Upon receipt of a grant of state moneys, in accordance with this section, the amount of the grant shall be deposited in the general fund of a school district. Moneys deposited in the general fund of a school district under this subsection shall be considered reimbursements for the purpose of the school district finance and quality performance act. The full amount of the grant shall be allocated among the probationary teachers and administrative employees employed by the school district.

(d) The state board shall provide any board of education of any school district, upon request, with technical advice and assistance regarding an application for a grant of state moneys.

(e) This section shall be part of and supplemental to the provisions of article 14 of chapter 72 of the Kansas Statutes Annotated, and amendments thereto.";

Also on page 3, in line 13, by striking "Objective" and inserting "Multiple"; in line 14, by striking "Such objective measures shall include:"; by striking all in lines 15 through 24 and inserting "Such multiple measures shall be determined by the state board of education."; in line 32, by striking "the following allocations to"; by striking all in line 33; in line 34, by striking "(A) Fifty percent based on"; in line 35 by striking the semicolon and inserting "as the primary factor for the evaluation."; by striking all in lines 36 through 41;

On page 4, in line 1, after "board" by inserting "of education"; in line 11, by striking "within 90 school days from the date the plan of assistance is"; in line 12, by striking "implemented"; in line 19, after "board" by inserting "of education"; in line 22, after "board" by inserting "of education"; by striking all in lines 27 through 43;

By striking all on page 5;

On page 6, by striking lines 1 through 42 and inserting:

"Sec. 4. K.S.A. 72-1412 is hereby amended to read as follows: 72-1412. As used in K.S.A. 72-1412 through 72-1415 and section 1, and amendments thereto: (a) "Administrative employee" means, in the case of a school district, any person who is employed by a board of education in an administrative capacity, and who is fulfilling duties for which an administrator's certificate is required under K.S.A. 72-7513, and amendments thereto.

(b) "Mentor program" means any research-based mentoring program approved by the state board for the purpose of providing probationary teachers and administrative employees with professional support

(c) "Mentor teacher program" means a program established and maintained by the board of education of a school district for the purpose of providing probationary teachers with professional support and the continuous assistance of an on-site mentor teacher.

(b)(d) "Mentor teacher" means a certificated teacher who has completed at least three consecutive school years of employment in the school district, has been selected by the board of education of the school district on the basis of having demonstrated exemplary teaching ability as indicated by criteria established by the state board of education, and has participated in and successfully completed a training program for mentor teachers provided for by the board of education of the school district in accordance with guidelines prescribed by the state board of education. The primary function of a mentor teacher shall be to provide probationary teachers with professional support and assistance. A mentor teacher may provide assistance and guidance to not more than two probationary teachers.

(e)(e) "Probationary teacher" means a certificated teacher to whom the provisions of K.S.A. 72-5438 through 72-5443, and amendments thereto, do not apply.

(f) "State board" means the state board of education."

On page 8, in line 26, after "(A)" by inserting "(i)"; in line 35, before "each" by inserting

"professional employee appraisal procedures in accordance with state law and subject to the limitations in subsection (l)(1)(A)(ii);"; in line 38, after "system;" by inserting "(ii) on and after the state board of education adopts, by rules and regulations, the Kansas education evaluation protocol or a statewide evaluation system substantially similar to the Kansas education evaluation protocol, for a board of education of any school district, the term "terms and conditions of professional service" does not include professional employee appraisal procedures;"

On page 9, following line 35, by inserting:

"Sec. 6. K.S.A. 72-5442 is hereby amended to read as follows: 72-5442. The hearing officer may:

- (a) Administer oaths;
- (b) issue subpoenas for the attendance and testimony of witnesses and the production of books, papers and documents relating to any matter under investigation;
- (c) authorize depositions to be taken;
- (d) receive evidence and limit lines of questioning and testimony which are repetitive, cumulative or irrelevant;
- (e) call and examine witnesses and introduce into the record documentary and other evidence;
- (f) regulate the course of the hearing and dispose of procedural requests, motions and similar matters; and
- (g) take any other action necessary to make the hearing accord with administrative due process.

Hearings under this section shall not be bound by rules of evidence whether statutory, common law or adopted by the rules of court, except that, the burden of proof shall initially rest upon the board in all instances other than when the allegation is that the teacher's contract has been terminated or nonrenewed by reason of the teacher having exercised a constitutional right. All relevant evidence shall

be admissible, except that the hearing officer, in the hearing officer's discretion, may exclude any evidence if the hearing officer believes that the probative value of such evidence is substantially outweighed by the fact that its admission will necessitate undue consumption of time. A hearing officer shall consider an evaluation as evidence.";

On page 10, in line 28, after "(d)" by inserting "(1)"; also in line 28, after "herein" by inserting "and in subsection (d)(2)"; following line 36, by inserting:

"(2) if a teacher receives a rating designation of progressing or ineffective pursuant to K.S.A. 72-9001 *et seq.*, and amendments thereto, in such teacher's most recent evaluation, such teacher shall be evaluated at least one time per semester by not later than the 60th school day of the semester;"

On page 11, by striking all in lines 28 through 34; in line 35, by striking "(h)" and inserting "(g)";

And by renumbering sections accordingly;

On page 12, in line 43, by striking "72-1413, 72-1414, 72-1415," and inserting "72-5442,"

On page 1, in the title, in line 1, by striking the second "pertaining"; in line 2, by striking the first "to"; also in line 2, by striking "pertaining to"; in line 3, by striking "72-1413, 72-"; in line 4, by striking "1414, 72-1415," and inserting "72-5442,"

And the bill be passed as amended.

Chairperson