

MINUTES OF THE SENATE EDUCATION COMMITTEE.

The meeting was called to order by Chairperson Senator Dwayne Umbarger at 1:10 p.m. on March 18, 2003 in Room 123-S of the Capitol.

All members were present except:

Committee staff present: Carolyn Rampey, Legislative Research
Kathie Sparks, Legislative Research
Theresa Kiernan, Revisor of Statutes
Judy Steinlicht, Secretary

Conferees appearing before the committee: Theresa Kieran, Revisor of Statutes
Bruce Wyatt, State Board of Education
Mark Desetti, KNEA

Others attending: See Attached List

SB190–State Board of Education; non partisan election

Chairman Umbarger stated that he had talked to many of the Committee members to determine their interests on changes for the State Board of Education. It was his understanding that the members were very interested in **SB190** as it relates to a non-partisan election. The spring election in **SB190** did not receive much support.

Theresa Kiernan explained amendments to **SB190**. The amendment would change the election of the State Board of Education back to November in the odd numbered years, but retain the non-partisan election provision. It would retain the provision for filling vacancies by remaining members of the board. The amendments were discussed by the Committee. Chairman Umbarger held working the bill until later in today's meeting as two members needed to leave the meeting to report to another committee. ([Attachment 1](#))

Proposed SCR 3rs0939–adds three appointed members to the State Board of Education and appointed and elected members would have four-year terms

Theresa explained amendments to **Proposed SCR 3rs0939**. The amendment would allow three members of the State Board of Education to be appointed by the Governor, subject to confirmation by the Senate. In discussion, Chairman Umbarger stated the reason for this change was the concern that the Governor needed a stronger voice in education. Approximately 52% to 55% of the state general fund is spent on education. Other state departments have a secretary appointed by the Governor. The Governor does not have a voice in education. ([Attachment 2](#))

Bruce Wyatt, State Board of Education offered comments that passage of any of the proposals will cause stress for the board. He feels the board will spend the next two years talking about the board instead of the education of the children. It is a critical time when the board has adopted a plan and set goals for the No Child Left Behind Act. Focus needs to be on education and Mr. Wyatt urges the board to not make any changes in the board that would detract from their work on education. Committee discussion followed.

Dr. Bill Wagnon, State Board of Education member provided a document entitled “Strategic Goals 2001-02: Progress Report” which was distributed to each Committee member. He would like members to observe the continued school improvement effort made by the State Board of Education and future plans for the academic achievement of Kansas students.

Mark Desetti, KNEA addressed the proposals before the Committee regarding the changes in the State Department of Education. KNEA believes people desire a consistency in the state board. KNEA sees the first issue as the number of board members, the second as that of election versus appointment and third the issue of membership to the board. **SCR1601** or **3rs0941** would provide an uneven number on the

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board. Mark does not believe the people would be willing to give up their vote in electing board members. He does believe that appointment of some members would raise the importance of education policy in the eyes of both the Governor and the Legislature. KNEA does not believe the provision in **SCR1611** for local boards to elect the state board is good policy. They also do not believe there would be a benefit to moving the election to the spring. KNEA would recommend passage of **HB2179** allowing school employees to serve on the State Board of Education. The bill passed in the House 112-8. The State Board of Education is the only regulatory board on which professionals in the field are not permitted to serve. (Attachment 3)

Information was distributed to Committee members in reference to **HB2179** regarding the debate yesterday on conflict of interest during the Committee meeting on March 17, 2003. (Attachment 4)

Senator Schodorf made a motion to amend **SB190** as drafted which would remove the provision to move the election to the spring. Seconded by Senator Downey. Motion carried.

Senator Schodorf made a motion to amend **SB190** as amended into **HB2179**. Seconded by Senator Oleen. Motion carried with one no vote by Senator Bunten.

Final action on **HB2179** will be held until next week.

Proposed Senate Concurrent Resolution 3rs0939—adds three appointed members to the State Board of Education and appointed and elected members would serve a four year-terms

Senator Teichman made a motion to amend **Proposed Senate Concurrent Resolution 3rs0939** to allow the Governor to appoint one member instead of three to the State Board of Education. Seconded by Senator Schodorf.

Senator Downey made a substitute motion on **Proposed Senate Concurrent Resolution 3rs0939** to allow the Governor to appoint up to three members to the State Board of Education. Seconded by Senator Hensley. After discussion, the substitute motion and the second were withdrawn.

A vote was taken on the original motion by Senator Teichman. Motion failed.

Senator Oleen made a motion to replace the contents of **SCR1611** with the contents of **Proposed Senate Concurrent Resolution 3rs0939**. After discussion, Senator Oleen withdrew and replaced the original motion with a motion to bring forth **Proposed Senate Concurrent Resolution 3rs0939** to receive a number. Seconded by Senator Teichman. Motion carried with 3 no votes by Senators Emler, Bunten and Corbin.

Senator Schodorf made a motion to approve the minutes of March 10, 2003. Seconded by Senator Emler. Motion carried.

Meeting adjourned at 2:30 p.m. The next meeting is scheduled for March 19, 2003 at 1:30 p.m. in Room 123S.