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OF SCHOOL BOARDS**

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Testimony before the
House Pension and Benefits Committee
on
HB 2253

by

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Mr. Chairman, Members of the Committee:

Thank you for this opportunity to share our thoughts on **HB 2253**, which extends, by three years, the statute that allows licensed educators to retire and return to work without facing a salary cap. We are testifying as proponents in accordance with our 2015 Legislative Resolution passed by our Delegate Assembly:

“Retired educators. We support extending current law allowing certified employees to return to work after retirement, provided it does not increase the liability of the system. We support exempting retired teachers hired for special education positions from the district KPERS surcharge. “

At this point, it is necessary to point out that, although an exact number cannot be determined, there IS a cost to the system under the current plan, which, by definition, would continue if the sunset were extended another three years. That might be remedied by adding to the penalty already tacked on to the actuarial rate, unpopular that might be.

The second part of the statement, we understand, further complicates the matter, as by exempting special education teachers from the assessment, the assessment on other rehired staff would have to be even higher to keep the system whole. The data, however, tells us, that without tapping into the retired, finding enough special ed teachers would be even more difficult, perhaps even reaching a critical inability to put teachers in front of students in a manner mandated by federal law.

We also have to ask how a change in the current practice might affect those currently working after retirement. Would there be a grandfather period or would they immediately be ruled by whatever policy was determined to replace the current language?

We appreciate the hard work of the committee and the good folks at KPERS as a resolution of this issue has been pursued both this session and the last. I guess it is fair to say extending the current statute is, by some standards, just kicking the can down the road as some key issues are not resolved.

On the other hand, pursuing a radically different policy may have unintended consequences worse than what we know to be found in the current statute.

I would like to conclude by stating we are diligently reminding our members a pre-arranged return to a job could be fraught with danger and should be avoided in ALL cases. We most recently did that in our last webinar, which was viewed by over 150 school leaders.

I will be happy to stand for questions at the appropriate time.