

MINUTES OF THE SENATE EDUCATION COMMITTEE.

The meeting was called to order by Chairperson Senator Barbara Lawrence at 9:00 a.m. on February 23, 2000 in Room 123-S of the Capitol.

All members were present except:

Committee staff present: Ben Barrett, Legislative Research Department  
Jackie Breymeyer, Committee Secretary

Conferees appearing before the committee: Mark Tallman, KASB  
Brilla Scott, USA  
Mark Desetti, KNEA

Others attending: See Attached Sheet

The Chairperson called the meeting to order and stated the agenda for the meeting was:

**SB 328 - career teacher salary plans**

The Chairperson called on Senator Kerr, who deferred to Mark Tallman, who, as the first conferee, was ready to explain the bill.

Mr. Tallman distributed his testimony (Attachment 1) and stated the bill would allow school districts to establish what is called career teacher salaries. The local board would have to agree to do this; the local teacher would have to agree to participate in such a plan. If the teacher did agree to participate in such a plan, he or she would be eligible for higher degree of compensation in return for higher expectations of performance. Teachers in these plans would not be covered by the due process system that currently applies to regular classroom teachers. If these plans were approved by the Commissioner of Education under criteria set forth in the bill, that district would be eligible for an additional weighting factor to provide additional revenues to compensate teachers in these plans. KASBs long standing policy positions support the idea of professional accountability and additional levels of merit pay compensation for teachers.

Attached to Mr. Tallman's testimony were recommendations from a Kansas level affiliate of the National Commission on Teaching and America's Future (KCTAF). KASB does not agree with all of the recommendations offered by this group, but many of them are consistent with its policy goals. In closing, Mr. Tallman stated the bill does not address all the concerns about issues of teacher tenure and due process, but it is a step forward.

Mr. Tallman replied to a question by stating that a teacher would have to move beyond the probationary stage to be able to participate in a plan. This would be after three years. The district plan would set out the additional things a teacher would have to do to qualify, but the district would only receive funding to help implement this plan. New sec.3, page 2, outlines what the Commissioner of Education would do.

It was clarified by one of the committee that the Commissioner of Education would set the guidelines and criteria and districts can create the plan from the framework they receive from that. He will evaluate what is submitted to make certain it comes within the guidelines.

Brilla Scott, USA appeared next in support of the bill. (Attachment 2) She stated the plan would allow a teacher to choose from either the usual district salary schedule or the enhanced career salary plan. This would make school districts in a better position to compete with business and industry in retaining teachers in such fields as mathematics, science and technology. It also has the potential for encouraging more young adults to enter the field of education. She added that a teacher can choose to remain on the regular salary schedule with a continuing one-year contract or that individual could select the proposed career plan with its enhanced salary and a possible three-year contract.

In closing, Ms. Scott stated that United School Administrators looks favorably on a bill that provides choices for Kansas teachers and local boards of education.

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Ms. Scott responded to a question by stating that it has been her experience that quality teachers are not concerned about the protection piece. They know that the way they perform is going to continue their job and not the security of a negotiated or salary protection.

One of the committee stated she disagreed with this and Ms. Scott responded by stating that there may be isolated cases where someone may be making less than appropriate decisions, but she believes at the local district there are enough levels that there will be a checking system so that will not occur. There is no one individual making a decision; it is being recommended by the principal and the superintendent, in turn, is reviewed by the local board of education.

Another committee member stated he agreed with Ms. Scott's comments and has had teachers tell him they would welcome the opportunity to participate in what the bill outlines.

This led to several further comments on the bill.

Mark Desetti, KNEA, opponent of the bill, submitted his testimony ([Attachment 3](#)) Mr. Desetti also submitted a copy of the KNEA publication "Issues" (on file at KNEA). He stated that the fiscal note on the bill is over \$40 million. The bill does not address school districts' basic needs, nor does it address teaching and learning. The bill is fundamentally about conning low paid teachers out of their due process rights and contract protections; it is really about gaining control and institutionalizing the status quo. Any school district or local association can propose such a system and work out the details collaboratively at the bargaining table.

Mr. Desetti referred to the publication he had brought with him and stated the entire issue was devoted to alternative pay plans. KNEA has proposed state rewards for teachers who achieve National Board Certification and five of their local associations have successfully negotiated this issue. The Kansas Commission on teaching and America's Future was presented with similar legislation last year and was not interested in pursuing it. The Educational Testing Service and Harvard University looked into the issue of a link between due process rights and student achievement. The answer was "no". The newspaper wrote an editorial which concluded that the elimination of due process rights would be a disaster for schools.

Mr. Desetti ended his testimony by stating the bill is not about anything but getting rid of due process rights. He stood for questions.

One of the committee referred Mr. Desetti to new section 3 of the bill and read the language which states most of the language of the purpose of the bill.

Mr. Desetti responded by stating that there is due process in education for several reasons. Being creative and innovative might mean taking a chance on something that may not be successful. He feels that one is freer to take risks when there is some protection.

One of the committee commented on the latest copy of "Issues" and stated that it was the best issue he had read. He read from an article that quoted Harry McDonald, Blue Valley NEA and stated that he is right on target with his comments.

After further comments, Senator Downey distributed an attachment entitled, "Teacher Support Program" ([Attachment 4](#)) and spoke of its merits.

After additional comments, the Chairperson called for action on the bill.

Senator Kerr recommended SB 328 favorably for passage. Senator Bleeker gave a second to the motion. The motion carried.

The meeting was adjourned.