

SESSION OF 2023

SUPPLEMENTAL NOTE ON SENATE BILL NO. 66

As Amended by House Committee on Education

Brief*

SB 66, as amended, would enact the Interstate Teacher Mobility Compact (Compact). The Compact's uniform provisions are outlined below.

Section 1: Purpose

The bill would state the purpose of this Compact is to facilitate the mobility of teachers across the member states with the goal of establishing a new and expedited pathway to licensure.

Section 2: Definitions

The Compact would define various terms used throughout the Compact.

Section 3: Licensure Under the Compact

The Compact would provide licensure requirements for states participating in the Compact. Member states would compile a list of licenses that it would be willing to consider for equivalency, including licenses that a state would be willing to grant to teachers from other member states. The receiving state would have the sole discretion of determining which license, if any, the teacher is eligible to hold. Receiving states would be required to grant an equivalent license to any active military member and eligible military spouse, as

*Supplemental notes are prepared by the Legislative Research Department and do not express legislative intent. The supplemental note and fiscal note for this bill may be accessed on the Internet at <http://www.kslegislature.org>

defined in the bill, who holds a license that is not unencumbered. Receiving states would not be required to grant an equivalent license to a career and technical education teacher who does not meet the receiving state's industry recognized requirements, including not holding a bachelor's degree.

Section 4: Licensure Not Under the Compact

The Compact would not limit the ability of a member state to regulate its licensing authority. Nor would the Compact impede member states' control of ownership or dissemination of teacher's information. In the event a teacher is required to renew a license received pursuant to the Compact, the receiving state could condition the renewal of the license on the teacher's completion of state-specific requirements.

Section 5: Teacher Qualifications and Requirements for Licensure Under the Compact

The Compact would require a teacher to hold an unencumbered license in a member state to be eligible to receive a license through the Compact. The unencumbered license requirement would not apply to active military members or eligible military spouses. If a teacher's license is accepted by the receiving state, the teacher would be required to then undergo a background check and provide other information as necessary to the receiving state.

Section 6: Discipline and Adverse Actions

The Compact would not limit a member state's authority to impose disciplinary actions. Upon request of a member state, other member states would be required to share information regarding investigations and discipline of teachers. The Compact would require member states to keep shared information secure. Prior to a state disclosing

information it received, the state would be required to inform the original state of its intent to disclose the information received.

Section 7: Establishment of the Interstate Teacher Mobility Compact Commission

The Compact would create the Compact Commission and include provisions relating to the membership, voting, powers and duties, and financing of the Compact Commission and would also create an executive committee.

Section 8: Rulemaking

The Compact would authorize the Compact Commission to exercise rulemaking powers. Rules, or amendments to the rules, would be adopted or ratified at a regular or special meeting of the Compact Commission. If a majority of the legislatures of the member states reject a rule, the rule would have no further force nor effect. Additionally, if certain conditions are met, the Compact Commission would be required to grant the opportunity for a public hearing. In the event of an emergency, the Compact Commission could adopt emergency rules.

Section 9: Facilitating Information Exchange

The Compact Commission would be required to facilitate the exchange of information.

Section 10: Oversight, Dispute Resolution, and Enforcement

The Compact would provide for dispute resolution and appeals processes of member states. In addition, the Compact Commission would be authorized to enforce the

provisions of the Compact and, by majority vote, could initiate legal action in federal court against a member state.

Section 11: Effectuation, Withdrawal, and Amendment

The Compact would be effective on the date on which the Compact statute is enacted into law in the tenth member state. Any member state would be allowed to withdraw from the Compact by enacting a statute that would repeal the Compact, but this would not take effect until six months after the enactment of the repealing statute. Member states could amend the Compact, but any amendment would not be effective until it is enacted by all member states.

Section 12: Construction and Severability

The Compact would be required to be liberally construed. The provisions of the Compact would be severable.

Section 13: Consistent Effect and Conflict with Other State Laws

The Compact would not prevent the enforcement of any other law of a member state that is not inconsistent with the Compact. State laws that conflict with the Compact would be superseded, to the extent of the conflict. All lawful actions of the Compact Commission would be binding upon member states.

Background

The bill was introduced by the Senate Committee on Education at the request of Senator Pettey.

Senate Committee on Education

In the Senate Committee hearing, Senator Pettey and representatives of the Kansas Association of School Boards and the United School Boards of America, Kansas testified as **proponents** of the bill. The proponents generally stated it would help reduce teacher vacancies and streamline the licensing process.

Written-only proponent testimony was provided by a representative of the Office of the Assistant Secretary of Defense.

Representatives of the American Federation of Teachers-Kansas and the Kansas State Board of Education (Board) testified as **opponents** of the bill. The opponents generally testified that other options are available to fill teacher vacancies, and that potential member states may not have licensure requirements as stringent as those of Kansas.

Written-only opponent testimony was provided by a representative of the Kansas National Education Association (KNEA) and a private citizen.

House Committee on Education

In the House Committee hearing, Senator Pettey provided **proponent** testimony noting the purpose of the Compact and that the Compact legislation has been introduced in 14 states and has passed both chambers in Utah. The Senator indicated technical amendments were needed to update references in the definitions section of the Compact.

Written-only proponent testimony was submitted by representatives of the Greater Kansas City Chamber of Commerce and the Office of the Assistant Secretary of Defense.

Representatives of the Board and the KNEA provided **opponent** testimony. The Board representative addressed concerns regarding the Compact standards for teacher licensure and indicated the Board is continuing to study the Compact and Kansas' participation. It was noted that the Board was not yet ready to make a recommendation at its January meeting, but was scheduled to again review the matter at its March meeting.

Written-only opponent testimony was provided by a representative of the American Federation of Teachers-Kansas.

The House Committee amended the bill to make technical amendments to conform with updated references to "armed services" (instead of "uniformed services") in the underlying Compact model language.

Fiscal Information

According to the fiscal note prepared by the Division of the Budget on the bill, as introduced, the State Department of Education indicated that any possible fees associated with the Compact should be negligible and managed within the Department's existing resources.

Education; Interstate Compact; teacher licensure