

MINUTES OF THE SENATE EDUCATION COMMITTEE

The meeting was called to order by Chairman Dwayne Umbarger at 1:41 p.m. on February 18, 2004 in Room 123-S of the Capitol.

All members were present except:

Senator Anthony Hensley (excused)
Senator Christine Downey (excused)
Senator Janis Lee (excused)

Committee staff present:

Carolyn Rampey, Legislative Research
Kathie Sparks, Legislative Research
Theresa Kiernan, Office of the Revisor of Statutes
Judy Steinlicht, Committee Secretary

Conferees appearing before the committee:

Theresa Kiernan, Revisor of Statutes
Dave Kerr, President of the Senate
Jerry Burch USD #309 Nickerson
Jerri Corkin, Secretary, Buhler High School
Diane Gjerstad, Wichita Public Schools
Senator Bob Lyon
Peg Dunlap, Kansas National Education Association
Mark Tallman, Kansas Association of School Boards
Susan Hilbert, Kansas State Board of Education

Others attending: See Attached List

SB314 --Technical colleges; powers and duties of governing body

Theresa Kiernan, Revisor of Statutes, explained amendments to **SB314** which resulted from discussion in the committee meeting yesterday. The amendments expand and clarify the powers and duties of the technical colleges. ([Attachment 1](#))

Senator Vratil made a motion to adopt the amendments in the balloon described by Theresa and to recommend **SB314** favorably as amended for passage. Seconded by Senator Corbin. Motion carried.

SB344--Sales tax; exempting certain sales by schools and school-sponsored groups and organizations

President Kerr introduced Jerry Burch, Superintendent USD 309 Nickerson and explained that **SB344** was introduced to eliminate the hassle factor of paperwork involved with collecting sales tax on miscellaneous types of sales in the school districts. The bill was drafted to include universities and other entities. The fiscal note which came out today was 12.4 million dollars. President Kerr believes that the fiscal note would be a fraction of that amount if it included only the sales of school districts.

Mr. Burch supported **SB344**, but was also surprised at the fiscal note of 12.4 million dollars. When he asked for the bill to be introduced, he expected the fiscal note to be approximately 2.5 million dollars. His school pays just under \$6000 a year in sales tax on the sales that this bill would include, such as gate receipts, annual sales, cookies sales, etc. Sales tax is paid to the state on these sales, the state then sends money back in the form of state aid and their general fund has to support their activities. If the schools did not pay sales tax on these items, it would help to fund their activities and they would not have to take as much from their general fund. ([Attachment 2](#))

Jerri Corkins, Bookkeeper, Buhler High School USD 313, also supports **SB344**. Jerri told the committee that last year their school paid just over eight thousand dollars in sales tax from money collected from gate receipts, club fundraisers, yearbooks, student activity tickets, marching band shoes, uniforms, etc. Jerri believes that being able to keep the money paid in sales taxes would allow more students to be involved in more activities that are beneficial to them. It would also save hours that it takes to do all the

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paperwork. ([Attachment 3](#))

Diane Gjerstad, Wichita Public Schools supports **SB344**. Diane reminded the committee that in 1998, PTA's/PTO's were given tax exemption and asks that schools be given tax exempt status as provided for in **SB344**. Diane added that the paperwork was very time consuming. Last year Wichita School District paid approximately \$251,000 sales tax on these items and fund raiser's were the biggest portion. ([Attachment 4](#))

The committee requested a new fiscal note including pre-K thru 12 only.

Written testimony in support of **SB344** was provided by the principals of the Mid-Central Activities Association. This includes Ellinwood, Halstead, Haven, Hesston, Hillsboro, Hoisington, Lindsborg, Lyons, Marion, Nickerson, Sterling and Wichita Collegiate. ([Attachment 5](#))

SB157--Alternative teacher preparation programs

Senator Bob Lyon requested **SB157** and supports it. Currently, individuals with bachelors, masters, or doctoral degrees from an accredited university, regardless of their experience, cannot obtain a teaching license unless they re-enroll in an accredited university and obtain their teaching degree. This would discourage many, simply because they do not have the money or time to leave their present positions to seek a career in teaching. With teacher shortages and difficulty in filling teaching positions, it is important that qualified individuals be allowed to pursue this career path. **SB157** includes many prerequisites, training and high levels of supervision to ensure that those pursuing their teaching licenses through this process are qualified to teach. Senator Lyon feels that career-changers, recent retirees and individuals with degrees in fields outside education are important resources for school districts to fill vacancies. He feels that Kansas is discouraging many outstanding candidates from pursuing teaching as a career and would like to see **SB157** recommended favorably for passage. ([Attachment 6](#))

Mark Tallman, Kansas Association of School Boards testified in favor of **SB157**. KASB supports giving boards more flexibility to hire employees who have not achieved traditional certification requirements, with accountability based on performance. KASB does not believe that completion of traditional programs guarantee that the individual will be a successful teacher. They believe the real test of teacher quality is performance, which can only be measured on the job. KASB believes this bill will give local school boards more options in finding competent, caring and qualified teachers for every classroom. ([Attachment 7](#))

Peg Dunlap, Kansas National Education Association, spoke in strong opposition of **SB157** because it significantly lowers the standards for entry into the teaching profession. Under requirements required by **SB157**, the person would get no training, no study of pedagogy, no study of child development, and this bill would allow that person to practice on the children of Kansas. KNEA believes this bill is in clear violation of the federal No Child Left Behind Act. Federal law requires that every core subject teacher in a Title 1 school be "highly qualified". "Highly qualified" is defined as being fully licensed in the state in which the teacher is employed. Kansas already has between 94 and 97 percent of teachers that meet the highly qualified status. KNEA believes **SB157** lowers the standards for the teaching profession and demeans the thousands of well-trained, skilled teachers in our schools today and that this bill would set Kansas back and take us further away from federal requirements. ([Attachment 8](#))

Susan Hilbert, Kansas State Board of Education explained the current law concerning teacher requirements in the state of Kansas. ([Attachment 9](#))

SB403--Schools; school finance; education first plan

Written testimony on **SB403** was distributed from Schools for Quality Education endorsing Governor Sebelius' school funding plan. ([Attachment 10](#))

A motion was made by Senator Teichman to approved the minutes for February 9 and February 10. Seconded by Senator Emler. Motion carried.

Meeting was adjourned at 2:30 p.m. The next meeting is scheduled for February 19, 2004.

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