

MINUTES OF THE SENATE COMMITTEE ON EDUCATION.

The meeting was called to order by Chairperson Dwayne Umbarger at 1:35 p.m. on March 19, 2002 in Room 123-S of the Capitol.

All members were present except: Senator Hensley (excused)

Committee staff present: Ben Barrett, Legislative Research
Theresa Kiernan, Revisor of Statutes
Dale Dennis, Deputy Commissioner of Education
Judy Steinlicht, Secretary

Conferees appearing before the committee: Senator Dave Kerr
Brilla Scott, USA
Brad Stauffer, Topeka USD 501
Diane Gjerstad, Wichita Public Schools
Dr. Gary Norris, Salina USD 305
Mark Desetti, KNEA

Others attending: See Attached List

SB638—Employment after retirement for certain school retirants

Senate President Dave Kerr gave testimony in support of **SB638**. Currently, if a teacher or administrator were to retire, they cannot return to the same district and earn more than \$15,000. Sometimes a person is eligible to retire but they are not really ready to fully stop teaching. With the teacher shortage, this bill is proposed as a partial, temporary solution to the shortage of teachers in certain teaching fields. This bill would allow a teacher who has retired to come back and teaching in the same district. ([Attachment 1](#)) Senator Kerr offered a balloon to amend **SB638**. The balloon adds a three year sunset and authorizes an interim study. The study would be to determine whether this bill has helped with the teacher shortage. On page two, section C of the balloon, the hard-to-fill list would be reviewed on an annual basis. On page four, the amendment would authorize the change and then sunset the provision in July 2005. The change would also protect those who took advantage of the provisions of the bill. Employment would be at the discretion of the school board. ([Attachment 2](#)) Senator Kerr acknowledged that KPERS has a concern about the IRS regulations for someone who retires early and comes back to the district to teach. KPERS has provided additional language to handle this situation. ([Attachment 3](#)) Chairman Umbarger provided a copy of the fiscal note for **SB638**. ([Attachment 4](#))

In discussion, it was noted that in the provisions of the bill, the program would sunset one year prior to the interim study. Senator Kerr acknowledged this and said that those dates were flexible if the Committee wished to make changes. Also, there was no objection to making the provisions effective with the Kansas register.

Brilla Scott, Executive Director, United School Administrators offered support of **SB638**. USA has one basic concern with the bill in the section that defines and limits the hard-to-fill positions to an underserved or geographic area of the state. USA believes this is a statewide problem and recommends that the hard-to-fill listing represent a statewide list rather than a geographic area. ([Attachment 5](#))

Brad Stauffer, Director of Communications, Topeka Public Schools gave testimony in support of **SB638**. Topeka Public School District believes this bill will provide another option to help fill teacher positions. It would be to the advantage to the schools and the students to keep these teachers because these teachers know the students, the district and the community. ([Attachment 6](#))

Diane Gjerstad, Wichita Public Schools, agrees with **SB638**. Although they do not believe the bill will draw large numbers back into the classrooms, any additional tools from the legislature to attract and retain teachers would be greatly appreciated. Diane also noted that the shortage of qualified school district staff is not limited to teachers, but they also have difficulty in hiring principals and coordinators. ([Attachment 7](#))

CONTINUATION SHEET

MINUTES OF THE SENATE COMMITTEE ON EDUCATION at on March 19, 2002 in Room 123-S of the Capitol.

Dr. Gary Norris, Superintendent, Salina Public Schools, is supportive of **SB638**. Forty percent of the teachers in Salina School District are eligible for retirement in the next five years. Dr. Norris feels this bill should help the district to partially deal with the teacher shortage. This bill could potentially save recruiting, interviewing and hiring costs associated with filling vacancies. Keeping more senior teachers in place should increase student achievement. (Attachment 8)

Mark Desetti, KNEA, made comments on **SB638**. KNEA agrees that some teachers would like to return to their same school after retirement and it would be a benefit to the school district. KNEA has a problem with taking out the due process protection of the current law. They believe that retired teachers who stay in their district should be given the same consideration as their non-retired peers. (Attachment 9)

Chairman Umbarger recommended that the Committee work the bill next week. Senator Oleen reminded the Committee of the upcoming deadline and suggested the bill be worked later this week. Chairman Umbarger agreed and plans to work the bill on Thursday as soon as the amendments are ready. He urged other Committee members to study the bill and be ready with amendments on Thursday.

Senator Oleen reported to the Committee that K-State had their annual job fair last week. Last year there were four states recruiting and this year there were eleven states. Eight states offered signing bonuses on the spot, two states had three year programs and were signing people with a BS in English or History and no teaching experience. For three years they would be in a masters program and if they stay the three years, all bills would be paid. They are coming back to interview experienced teachers the next time. This is unprecedented in Manhattan.

Senator Teichman made a motion to approve the minutes for March 11, 13 and 14, 2002. Seconded by Senator Vratil. Motion carried.

Meeting adjourned at 2:30 p.m.