

MINUTES OF THE SENATE COMMITTEE ON EDUCATION.

The meeting was called to order by Chairperson Dwayne Umbarger at 1:30 p.m. on March 25, 2002 in Room 123-S of the Capitol.

All members were present except:

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: Craig Grant, KNEA
Theresa Kiernan, Revisor of Statutes
Paul West, Legislative Research
Clay Blair, Chairman, Kansas Board of Regents
Janice DeBauge, Member, Kansas Board of Regents
Robert Kelly, Executive Director, KS Independent College Assoc
Robert Hemenway, Chancellor, University of Kansas

Others attending: See Attached List

On March 20, 2002, a motion was passed to delete the language from SB2844 and insert the language from SB551. Chairman Umbarger explained that amending SB551 into HB2844 would not be beneficial and asked that the motion be withdrawn. Senator Teichman made a motion to withdraw the motion as recommended and Senator Schodorf who seconded the motion agreed. Motion carried.

SB638--Employment after retirement for certain school retirants

Craig Grant, KNEA offered written testimony in opposition of **SB638**. KNEA feels that this bill does not help the teachers or the boards of education. Teachers have no certainty under this bill that they will have a job from year to year and they have no protections. They are too many unknowns. (Attachment 1) Mr. Grant answered questions for the Committee.

Mark Tallman, KASB, offered written testimony in opposition of **SB638**. KASB is not supporting the bill because they are not supportive of changing the deadline dates. They feel this will cause more problems than good. (Attachment 2)

Chairman Umbarger asked Theresa Kiernan, Revisor of Statutes to go through the amendments already adopted. The amendments already adopted by the Committee are the balloon amendments as proposed by Senator Kerr, the effective date of the Act was amended to be effective in the Kansas Register, the program was extended to July, 2006 so there would be no gap between the sunset date and the interim study, and page 2, Subsection C was amended to include only those retirants who return to the district from which they retired.

An amendment still to be considered is to change the date the board may notify a teacher of non-renewal of a contract from May 1 to May 15 and the date for a teacher to give written notice not to renew a contract from May 15 to May 25. (Attachment 3)

Senator Teichman made a motion to adopt the amendment changing the contract dates as stated in the paragraph above with a one year sunset. After discussion Senator Lee made a substitute motion to change the dates from May 1st to May 15th, and May 15th to May 30th with a one year sunset. Seconded by Senator Downey. After more discussion, Chairman Umbarger elected to keep the motion on the floor, close the hearing on **SB638** and move on to **SB647** to allow the conferees from out of town to testify today.

SB647--Kansas higher education coordination act amendments

Chairman Umbarger recognized Regent Clay Blair, Chairman, Kansas Board of Regents. Mr. Blair told the Committee that **SB647** was a result of the NORED study that was conducted for more than a year with

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privately raised funds. In their study, they realized that all those in higher education, universities, community colleges, Washburn and technical schools must work as a team. They need to be more collaborative, more efficient, and more accountable. Mr. Blair introduced Janice DeBauge.

Janice DeBauge, Member of the Kansas Board of Regents and Chair of Commission on Higher Education Coordination, a proponent for **SB647**, came before the Committee to present a system of 36 institutions at the direction of the legislature in 1999 through **SB345**. They are proposing amendments that would move the new Kansas system of post-secondary education to a greater maturity. Programs, in the past, were developed independently and not as a whole and as a result, each set its own policies, statutes and regulations. The vision of the legislature in 1999 was to develop a system that would combine programs and institutions into a true system that creates accountability and efficiency. The Board of Regents and 35 of 36 institutions have agreed to the proposed amendments which would create increased accountability, increased effectiveness, increased service to students, and an endorsement of the need for a coordinated higher education system. Washburn University has chosen not to endorse the amendments. (Attachment 4)

Chairman Umbarger allowed opponent, Robert N. Kelly, Executive Director, Kansas Independent College Association, to give his testimony before the remaining proponents so that he could attend a family funeral. Mr. Kelly stated that the Kansas Independent College Association opposes **SB647** because of one provision; they are not included under the definition of "postsecondary educational institution." They also have concern for the magnitude of change envisioned in **SB647**. The Association believes the proposed change is unnecessary and bad public policy. They believe there is no precedent for this exemption, no urgency to enact the provision, no historical evidence to support the exemption and no compelling state interest for any agency to be granted the broad exemption contained in this amendment. (Attachment 5)

Chancellor Robert Hemenway from the University of Kansas gave testimony in support of **SB647**. Chancellor Hemenway assured the Committee that the six state universities stand behind the proposed amendments and welcome the challenges they represent. They are ready to work closely with the community colleges and technical schools and colleges in order to better coordinate their efforts and better serve the people of Kansas. The university welcomes the opportunity to be held accountable and are willing to be evaluated on how well they collaborate, perform and on how efficiently they use state resources. (Attachment 6)

Chairman Umbarger adjourned at 2:30, but added that the Committee would meet again today after the Senate adjourns and at 1:00 p.m. tomorrow.