

January 20, 1970

MINUTES

STATE AND LOCAL AFFAIRS COMMITTEE
Room 526 State Capitol Building
All members present except Sen. Saar

Guests:

Paul Longhofer, Wichita Public Schools
James Winn, Wichita Chamber of Commerce
Lynn Holt, Wichita Eagle-Beacon
Dr. Neely, Kansas State Teachers Association

Speaker: Fred Rausch - Kansas State Board of Education

In addition to the attached statement concerning Senate Bills 383 and 385, and the recommended KASB policy on negotiations, Mr. Rausch answered questions of the Committee as follows:

Sen. Thomas - Are there any certificated employees who are not professionals?

Rausch - No, those who are certificated are professionals.

Sen. Gaar - Do you feel that teachers should not be allowed the right to strike?

Rausch - Yes.

Sen. Gaar - What if they submit to arbitration and it proves to no avail?

Rausch - In most cases if you go through all three phases of bargaining, one side or the other will concede. If you pass a law with mandatory arbitration, I think it would be unconstitutional. The constitution has given local boards the authority to regulate the public schools and I do not think the Legislature can take away that authority.

Sen. West.- Would teachers want to abandon their professional status and join unions?

Rausch - No.

Except as otherwise noted, the individual remarks recorded herein have not been transcribed verbatim and this record has not been approved by the committee or by the individuals making such remarks.

Sen. Ball suggested that we contact the Superintendent of Education and ask him to appear before the committee and give his views. The Committee was in agreement that he should be approached.

Adjournment

Respectfully submitted

Charlotte M. Olander
Recording Secretary



Norman E. Gaar, Chairman

Recommended KASB Policy on Negotiations

The Kansas Association of School Boards recommends that legislation be enacted in regard to collective negotiations between public employers and public employees:

(A) That public school districts be authorized, at their discretion, to engage in collective negotiations with representatives of all of the employees of the school district, both certificated and noncertificated.

~~(B) That any law authorizing such collective negotiations shall:~~

~~(1) Limit negotiable items to wages, hours and fringe benefits ~~other economic~~ conditions of employment and that policy matters be specifically made non-negotiable.~~

(2) Provide for separate bargaining units for (a) teachers, (b) administrators (including principals and assistant principals) supervisors and department heads, but excluding superintendents and associate and assistant superintendents, and (c) non-certificated employees as their special interests might require.

(3) Provide specific dates for negotiation to begin and end.

(4) Delay the effective date of the law so that the first negotiations would involve the 1971-72 school year in school districts having a July 1-June 30 fiscal year, and the 1972-73 school year for school districts whose fiscal years are January 1-December 31.

(5) Contain a meaningful and enforceable anti-strike provision.

(6) Define impasse and provide for the resolution thereof by voluntary and non-binding mediation, fact finding and arbitration.

(7) Empower local school boards to administer the act and ~~to call upon the county election officer~~ to hold elections to determine bargaining units.

(8) Define unfair labor practices applicable to both boards of education and school district employees.

(9) Permit one, two or three year contracts.

(10) Establish reasonable limits on the use of picketing to enforce employee demands.

Comments on S. B. 385

By The Kansas Association of School Boards

KASB believes that all employees of school districts, both certificated and non certificated, should have the same rights in the area of negotiating or bargaining with boards of education. We feel all employees of school districts should be governed by the same law. We do not think that certificated employees have a position or situation so unique or different that they need a special law.

It is also KASB's position that school district employees do not need a special act-that one law governing all public employees is the soundest approach to solving the need for a method by which public employers and public employees may negotiate or bargain concerning salaries and other working conditions.

KASB would, therefore, support S. B. 385 if it were amended to (1) include all school district employees; (2) more specifically limit what is negotiable; (3) more clearly indicate whether this is a "meet and confer" bill or a negotiations bill, and if it is the latter then we would want the bill amended to contain all of our policy provisions (a copy of which is attached); (4) provide a more meaningful and enforceable anti-strike provision; (5) indicate with some specificity that different classes of employees would be in different bargaining units, or "discussion" units if this is strictly a meet and confer type bill, i.e. administrators, principals and department heads should not be in the same group with teachers; custodians should not in the same group with the administrators, etc; and (6) we would prefer that local units of government administer the act as it applies to them, that there is no need for creating a new state agency or an existing state agency to administer the act.

Comments on S. B. 383

By The Kansas Association of School Boards

KASB believe that all employees of school districts, both certificated and non certificated, should have the same rights in the in the area of negotiating or bargaining with boards of education. We feel all employees of school districts should be governed by the same law. We do not think that certificated employees have a position or situation so unique or different that they need a special law.

It is also KASB's position that school district employees do not need a special act-that one law governing all public employees is the soundest approach to solving the need for a method by which public employers and public employees may negotiate or bargain concerning salaries and other working conditions.

However if the legislature wishes to place all state employees under one law and all local government employees under a different law, we would have no objection to this.

KASB could enthusiastically support S. B. 383, particularly if it is amended to (1) include all school district employees; (2) provide for appropriate bargaining units for certain classes of employees; (3) provide for loss of certification for certificated employees who violate the no-strike provision or who violate any court order issued pursuant to the act;(4) We would prefer that local units of government administer the act as it applies to them - that there is no need for creating a new state agency or assigning an existing state agency to administer the act.

Our general position on negotiations is set forth in the attached sheet.