

MINUTES OF THE SENATE EDUCATION COMMITTEE.

The meeting was called to order by Chairperson Senator Dwayne Umbarger at 1:38 p.m. on March 10, 2003 in Room 123-S of the Capitol.

All members were present except:

Committee staff present: Carolyn Rampey, Legislative Research
Kathie Sparks, Legislative Research
Theresa Kiernan, Revisor of Statutes
Judy Steinlicht, Secretary

Conferees appearing before the committee: Christy Levings, KNEA
Jim Edwards, KASB
Reggie Robinson, President & CEO, KS Board of Regents
Theresa Kiernan, Revisor of Statutes

Others attending: See attached list

HB 2006—Renaming the state inservice education opportunities act the education professional development act

Christy Levings explained that **HB2006** was simply to rename the “State Inservice Education Opportunity Act” to the “Education Professional Development Act”. The term inservice has become outdated and the term professional development is more acceptable. (Attachment 1)

After Committee discussion, a motion was made by Senator Teichman to recommend **HB2006** favorably for passage. Seconded by Senator Schodorf. Motion carried.

HB 2179—Prohibiting a state officer or employee from being a member of the state board of education

Jim Edwards, Governmental Relations Specialist, Kansas Association of School Boards, testified in opposition to **HB2179**. The element of the bill that KASB opposes would be that of allowing officers and employees of school districts to serve on the school board. These individuals would have greater chances of having conflicts of interest arising than would persons without those direct connections. After Committee discussion, it was suggested that an amendment eliminating the words school district and a comma would satisfy the objections of KASB on **HB2179**. (Attachment 2)

The hearing on **HB2179** was closed.

SB 7—Technical Colleges, governing body

Theresa Kiernan, Revisor of Statutes explained amendments pending on **SB7**. The first amendment suggested by Wichita Area Technical College would insert a new section 2, paragraph c, deleting “upon approval of the plan by the state board of regents, and on the date determined in the approved plan” and inserting “the plan must be approved by both the technical college board and the state board of regents before it is implemented. Upon implementation of the plan” followed by the current language in the bill. (Attachment 3)

Reggie Robinson, President & CEO, Kansas Board of Regents, shared additional thoughts on **SB7**. At this point, the Board would like to point out that **SB7** would not result in immediate separation of the affected technical colleges from their governing local boards of education. It would trigger the start of a more than 2-year period for the development of plans to achieve that separation. The planning would be a locally driven process to be mutually satisfactory to local boards and the Board of Regents. The Regents

CONTINUATION SHEET

MINUTES OF THE SENATE EDUCATION COMMITTEE at 1:38 p.m. on March 10, 2003 in Room 123-S of the Capitol.

commits to provide all of the support and advocacy that it can to move such legislation forward.
(Attachment 4)

The Committee discussed an amendment regarding local taxing authority for technical schools and Senator Schodorf recommended that an interim study be made to make sure all questions are answered before plans are developed. She believes the bill is incomplete in funding issues and she believes that there should be a template to follow so that all technical colleges know what is expected so that they come up with similar plans, rather than 4 or 5 different plans. Chairman Umbarger believes that a part of **SB7** is working out the plans and differences.

After the discussion, a motion was made by Senator Vratil to recommend **SB7** favorable for passage without amendment. Seconded by Senator Oleen. Motion carried with two no votes by Senator Schodorf and Senator Corbin.

Written testimony that was requested from Lynn Rogers, Wichita school board member and Lee Alderman, Flint Hills District Emporia on **SB7** from testimony given on March 6 was distributed.

The meeting adjourned at 2:30 p.m. The next meeting is scheduled for March 11, 2003 at 1:30 p.m. in Room 123-S.

SENATE EDUCATION COMMITTEE GUEST LIST

DATE - 3-10-03

<u>NAME</u>	<u>REPRESENTING</u>
Janice Rose	KACCT
Dorothy Apt.	USA - U.S.D. 500
Steve Crutcher	KACCT
Tina Jarrett	BOEING
Jim Edwards	KASB
Bob Vancrum	Blue Valley USD 229
Shirley Antle	Northeast Kansas Technical College - Atchison
Susan Dunn	Manhattan Area Technical College
Dana Brunson	Hickory Hill Works
Lys & Kitchem	Heartland Works
L. V. Allen	Flint Hills Technical College
Susan P. Fowler	AGC of KANSAS
Paul Osborn	Kansas Board of Regents
STEVE KEARNEY	KS ASSN TECH SCHOOLS & COLLEGES
Jacquie Dakes	SCE
Matt J. Adams	United School Admin / KAESP
Diane Gjerstad	Wichita Public Schools



Good morning and thank you, Mr. Chairman and members of the Committee, for the opportunity to talk with you about **House Bill 2006** on the Inservice Education Opportunities Act. I am here today wearing what I refer to as my two “hats.” I am speaking as the Chair of the Kansas Learning First Alliance and as President of the Kansas National Education Association.

Kansas was very fortunate when the Legislature discussed and drafted the current statute on professional development for Kansas’s educators. The depth and breadth of the bill as it outlines new knowledge, study, and professional development is as current as it was when the statute was written. However, the term inservice has developed a bad connotation. It has come to stand for bad practices and less than helpful learning experiences for educators. The “talking heads” approach is one that comes immediately to mind. In the Kansas Learning First Alliance presentation on quality standards before the Legislative Educational Planning Committee it was suggested that the title be changed but not the content of the statute and that is exactly what HB 2006 does. The act will now be called the Education Professional Development Act.

In the future when the economic situation of Kansas improves we will make suggestions for improved funding for Professional Development as we hope this statute will be called in the future. Thank you for your consideration.

KANSAS
ASSOCIATION



OF
SCHOOL
BOARDS



1420 SW Arrowhead Road • Topeka, Kansas 66604-4024
785-273-3600

Testimony on **HB 2179**
before the
Senate Education Committee

by

Jim Edwards, Governmental Relations Specialist
Kansas Association of School Boards

March 10, 2003

Chairman Umbarger and members of the Committee:

I appreciate the opportunity to appear in front of you today to oppose portions of HB 2179, a measure which would permit officers and employees of the state, school districts, or community colleges to serve as a member of the State Board of Education. The element that KASB opposes would be that of allowing officers and employees of school districts to serve on the State Board of Education.

KASB's policy on this issue stems from a policy which supports legislation that would prohibit school district employees from serving on the board of the district in which they are employed. It can be extended to the State Board of Education for the same reason ... in effect you can have individuals that would have greater chances of having conflicts of interest arising than would persons without those direct connections.

I thank you once again for the opportunity to present our testimony and would ask you to strongly consider our thoughts on this bill. I would stand for questions.

Senate Education
3-10-03
Attachment 2

New Sec. 2. (a) On or before July 1, 2005, all technical college boards shall develop and present to the state board of regents a plan to replace the governing body described in K.S.A. 72-4470, and amendments thereto, with a new governing board, which shall be separate and independent of any board of education of any school district, to operate, control and manage the technical college. The plan shall provide:

- (1) The composition of the independent governing board;
 - (2) The territory of the technical college;
 - (3) The method of election or appointment and the terms of services of the members of the independent governing board;
 - (4) The date upon which the independent governing board shall assume management and control of the technical college; and
 - (5) The manner, terms upon which and extent to which the facilities, faculty, employees and students of the technical college will be transferred to the independent governing board.
- (b) ~~Upon approval of the plan by the state board of regents, and on the date determined in the approved plan, the independent governing board established under subsection (a) of this section shall operate subject to the rules, regulations and supervision of the state board of regents in the same manner as other technical colleges, technical schools and area vocational technical schools.~~
- (c) In addition to such powers expressly granted by law and subject to the provisions of subsection (b), the governing body shall have the power to:
- (1) Determine the vocational, technology and general education courses of instruction that will comprise the associate of applied science degree programs of the college;
 - (2) establish the requirements for satisfactory completion of the associate of applied science degree programs of the college;
 - (3) confer the associate of applied science degree upon students who successfully complete an associate of applied science degree program of the college and to award a certificate or diploma to students who successfully complete a vocational education program of the college; and
 - (4) appoint teaching staff to fix and determine teacher qualifications, duties and compensation. No teacher appointed to teach courses comprising the associate of applied science degree programs of the college shall be required to meet certification requirements greater than those required in the state educational institutions.

Section 3. K.S.A. 72-4470 is hereby repealed.

Section 4. This act shall take effect and be in force from and after its publication in the statute book.

Proposed new first sentence for subsection (b):

- (b) ~~The plan that is approved by the state board of regents shall be agreed to between the technical college board that presents the plan and the state board of regents before it is approved by the state board of regents.~~

The plan must be approved by both the technical college board and the state board of regents before it is implemented. Upon implementation of the plan,

*Senate Education
3-10-03
Attachment 3*



KANSAS BOARD OF REGENTS

1000 SW JACKSON • SUITE 520 • TOPEKA, KS 66612-1368

TELEPHONE – 785-296-3421
FAX – 785-296-0983
www.kansasregents.org

Testimony Regarding Technical College Governance Reform Proposal – Senate Bill 7

Senate Education Committee

March 10, 2003

Reginald L. Robinson, President & CEO
Kansas Board of Regents

Good afternoon, Mr. Chairman and members of the Committee. First of all, I would like to acknowledge the presence of two members of the Kansas Board of Regents – Chairman Jack Wempe and Vice Chair Janice DeBauge. I thank them for their leadership and for their presence here today.

I appreciate having the opportunity to share some additional thoughts with you regarding Senate Bill 7. Because I have already had one opportunity to speak with you about this legislation, and I know your time is limited, I will be brief.

Since the Committee first heard testimony on this legislation in mid-February, I had the opportunity to meet with members of the Wichita School Board on February 25 to discuss issues related to this important, proposed legislation.

During my Wichita visit, it was useful for me to listen to a presentation regarding a report produced by a Community Transition Task Force the Board of Education had appointed to examine a range of issues related to accreditation and the establishment of an independent governing board for the Wichita Area Technical College. Last week, you heard testimony regarding that report

The transition document that the Wichita School Board has produced is impressive, and identifies many of the difficult transition issues in a useful way. I applaud the Board's effort to get on top of those tough issues. While I was in Wichita, I committed on behalf of the Board of Regents, that we would work with the Wichita Board – as well as all of the other Boards affected by this legislation – in a reasonable, respectful, sensible, and flexible manner to work through those difficult issues as we seek to implement this legislation. I make that same commitment to this Committee here today.

*Senate Education
3-10-03
Attachment 4*

Let me say a brief word regarding the SB 7 amendments that were presented to you when you last considered this legislation. The Regents are interested in the possibility of some capital outlay authority for the governing boards that would be created if this legislation becomes law. As you heard last week, such an amendment would give technical college leadership the opportunity to seek such support from their local constituents, which we believe would be a positive addition to this bill. However, fundamentally, the Regents are committed to the governing change that is at the core of this proposal. That is our first priority here and we would be willing to come back to you at another time regarding the taxing authority question.

At this juncture, I would just like to make three points about this legislation.

First – SB 7 would not result in immediate separation of the affected technical colleges from their governing local boards of education. The passage of this bill will **trigger the start of a more than 2-year period for the development of plans** to achieve that separation. In fact, the *only* deadline in the bill is a requirement that the colleges have submitted their transition plans for Board of Regents consideration by July 1, 2005.

Second – the planning process triggered by passage of SB 7 will be a **locally driven process**. The Board will not be seeking to impose upon the colleges and local boards any Board-developed plan for transition. Rather, the Board's role will be to ratify locally crafted proposals. The aim here is the **production of "two-party" agreements** that are mutually satisfactory to local boards and the Board of Regents.

Third – to the extent that the planning process triggered by SB 7 identifies issues and obstacles to transition that are most effectively addressed by additional legislation, **the Board commits to provide all of the support and advocacy** that it can to move such legislation forward.

Thank you very much for your serious and thoughtful consideration of this proposal. I would be happy to respond to questions at this point, Mr. Chairman.