

SESSION OF 2023

**SUPPLEMENTAL NOTE ON SENATE BILL NO. 66**

As Recommended by Senate Committee on  
Education

**Brief\***

SB 66 would enact the Interstate Teacher Mobility Compact (Compact). The Compact's uniform provisions are outlined below.

***Section 1: Purpose***

The bill would state the purpose of this Compact is to facilitate the mobility of teachers across the member states with the goal of establishing a new and expedited pathway to licensure.

***Section 2: Definitions***

The Compact would define various terms used throughout the Compact.

***Section 3: Licensure Under the Compact***

The Compact would provide licensure requirements for states participating in the Compact. Member states would compile a list licenses that it would be willing to consider for equivalency, including licenses that a state would be willing to grant to teachers from other member states. The receiving state would have the sole discretion of determining which license, if any, the teacher is eligible to hold. Receiving states would be required to grant an equivalent license to active military members and eligible military spouses, as defined in

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\*Supplemental notes are prepared by the Legislative Research Department and do not express legislative intent. The supplemental note and fiscal note for this bill may be accessed on the Internet at <http://www.kslegislature.org>

the bill, who hold a license that is not unencumbered. Receiving states would not be required to grant an equivalent license to a career and technical education teacher who does meet the receiving state's industry recognized requirements, including not holding a bachelor's degree.

#### ***Section 4: Licensure Not Under the Compact***

The Compact would not limit the ability of a member state to regulate its licensing authority. Nor would the Compact impede member states' control of ownership or dissemination of teacher's information. In the event a teacher is required to renew a license received pursuant to the Compact, the receiving state could condition the renewal of the license on the teacher's completion of state-specific requirements.

#### ***Section 5: Teacher Qualifications and Requirements for Licensure Under the Compact***

The Compact would require a teacher to hold an unencumbered license in a member state to be eligible to receive a license through the Compact. The unencumbered license requirement would not apply to active military members or eligible military spouses. If a teacher's license is accepted by the receiving state, the teacher would be required to then undergo a background check and provide other information as necessary to the receiving state.

### ***Section 6: Discipline and Adverse Actions***

The Compact would not limit a member state's authority to impose disciplinary actions. Upon request of a member state, other member states would be required to share information regarding investigations and discipline of teachers. The shared information would be required to be kept secure. Prior to a state disclosing information it received, the state would be required to inform the original state of its intent to disclose the information received.

### ***Section 7: Establishment of the Interstate Teacher Mobility Compact Commission***

The Compact would create the Compact Commission and include provisions relating to the membership, voting, powers and duties, and financing of the Compact Commission and would also create an executive committee.

### ***Section 8: Rulemaking***

The Compact would authorize the Compact Commission to exercise rulemaking powers. Rules, or amendments to the rules, would be adopted or ratified at a regular or special meeting of the Compact Commission. If a majority of the legislatures of the member states reject a rule, the rule would have no further force nor effect. Additionally, if certain conditions are met, the Compact Commission would be required to grant the opportunity for a public hearing. In the event of an emergency, the Compact Commission could adopt emergency rules.

### ***Section 9: Facilitating Information Exchange***

The Commission would be required to facilitate the exchange of information.

***Section 10: Oversight, Dispute Resolution, and Enforcement***

The Compact would provide for dispute resolution and appeals processes of member states. In addition, the Compact Commission would be authorized to enforce the provisions of the Compact and, by majority vote, could initiate legal action in federal court against a member state.

***Section 11: Effectuation, Withdrawal, and Amendment***

The Compact would be effective on the date on which the Compact statute is enacted into law in the tenth member state. Any member state would be allowed to withdraw from the Compact by enacting a statute that would repeal the Compact, but this would not take effect until six months after the enactment of the repealing statute. Member states could amend the Compact, but any amendment would not be effective until it is enacted by all member states.

***Section 12: Construction and Severability***

The Compact would be required to be liberally construed. The provisions of the Compact would be severable.

***Section 13: Consistent Effect and Conflict with Other State Laws***

The Compact would not prevent the enforcement of any other law of a member state that is not inconsistent with the Compact. State laws that conflict with the Compact would be superseded, to the extent of the conflict. All lawful actions of the Compact Commission would be binding upon member states.

## **Background**

The bill was introduced by the Senate Committee on Education at the request of Senator Pettey.

### ***Senate Committee on Education***

In the Senate Committee hearing, Senator Pettey and representatives of the Kansas Association of School Boards and the United School Boards of America, Kansas testified as **proponents** of the bill. The proponents generally stated it would help reduce teacher vacancies and streamline the licensing process.

Written-only proponent testimony was provided by a representative of the Office of the Assistant Secretary of Defense.

Representatives of the American Federation of Teachers-Kansas and the Kansas State Board of Education testified as **opponents** of the bill. The opponents generally testified that other options are available to fill teacher vacancies, and that potential member states may not have as stringent of licensure requirements as those of Kansas.

Written-only opponent testimony was provide by a representative of the Kansas National Education Association and a private citizen.

## **Fiscal Information**

The fiscal note prepared by the Division of the Budget indicated that any possible fees associated with the Compact should be negligible and managed within the existing resources in the Department of Education.

Interstate Compact; Teacher License