

MINUTES OF THE SENATE EDUCATION COMMITTEE

The meeting was called to order by Chairman Jean Schodorf at 1:40 p.m. on January 28, 2008, in Room 123-S of the Capitol.

Committee members absent: Anthony Hensley
Janis Lee
Chris Steineger

Committee staff present: Sharon Wenger, Kansas Legislative Research Department
Carol Toland, Kansas Legislative Research Department
Theresa Kiernan, Revisor of Statutes Office
Matt Todd, Revisor of Statutes Office
Shirley Higgins, Committee Secretary

Conferees appearing before the committee: Senator John Vratil
David Schauner, Kansas National Education Association
Doug Svatos

Introduction of bill

Senator Vratil requested the introduction of a bill concerning licensing for teachers. He explained that, under current law, if a person has a first time misdemeanor DUI, he/she cannot be licensed as a teacher in Kansas. The bill would change current law with regard to a first time misdemeanor DUI, but the statute would still prohibit teacher licensing for persons who have a felony DUI as well as several other personal crimes.

Senator Vratil moved to introduce the bill, seconded by Senator Apple. The motion carried.

SB 420 – School districts; notice of non-renewal or termination of teachers’ contracts

Theresa Kiernan, Revisor of Statutes Office, explained that **SB 420** would repeal K.S.A. 72-5411. She distributed a handout which included a copy of K.S.A. 72-5411 along with other relevant statutory provisions. (Attachment 1) She explained that the provisions of 72-5411 require that, if a teacher’s contract is not renewed, the district must notify the teacher by May 1. If a teacher does not desire continuation of a contract, the teacher must give written notice by May 15. She noted that almost identical language is found in K.S.A. 72-5437, the due process provision relating to the continuation of teachers’ contracts. The only difference is in the definition of “teacher”. Superintendents, administrators, principals, and supervisors are included in the definition under 72-5411, but 72-5437 applies only to teachers. However, a third statute, K.S.A. 72-5452, applies specifically to administrators. Ms. Kiernan commented that the bill could be described as a clean-up bill.

Senator Vratil testified in support of **SB 420**. He noted that the continuing contract law for teachers and other specified school employees has worked for years; however, the two statutes dealing with teacher continuing contract law are inconsistent and conflict with each other. The repeal of K.S.A. 72-5411 would make the teacher continuing contract law apply only to teachers, but administrators’ contracts would continue to be covered by K.S.A. 72-5452. He explained that his goal was simply to eliminate the inconsistency and conflict that exists in current law, not to change substantive law. (Attachment 2)

David Schauner, general counsel for the Kansas National Education Association, testified in opposition to **SB 420**. In his opinion, passage of the bill would create uncertainty and upset 56 years of established practice which has worked well for school employees and school districts. He expressed his concern about four problems which he felt might be created with the repeal of K.S.A. 72-5411. (Attachment 3)

There being no others wishing to testify, the hearing on **SB 420** was closed.

SB 421 – School districts; concurrent enrollment; pupils in grade 10

Ms. Kiernan explained that **SB 421** would expand the definition of a concurrent enrollment pupil to include pupils in grade 10. Currently, only students in grades 11 and 12 or gifted students in grades 9-12 may

CONTINUATION SHEET

MINUTES OF THE Senate Education Committee at 1:40 p.m. on January 28, 2008, in Room 123-S of the Capitol.

participate in dual credit programs with colleges.

Senator Karin Brownlee introduced Doug Svatos, who requested the bill. She explained that she and Mr. Svatos had served together on a council at Olathe South High School.

Mr. Svatos explained that his son and three or four other 10th graders were in two computer programming classes last year with juniors and seniors. The 10th graders did the same work as the juniors and seniors yet were unable to dual enroll and get the same college credit as the juniors and seniors. He said that the bill would simply provide additional opportunities for more students. (Attachment 4)

Written testimony in support of **SB 421** was submitted by Dr. Gary George, Olathe School District, (Attachment 5) and Elaine Carpenter, Olathe South High School (Attachment 6).

There being no others wishing to testify, the hearing on **SB 421** was closed.

Senator Schodorf reminded the Committee that, after a review of the Post Audit report on virtual schools at the January 23 meeting, she had suggested that a subcommittee on virtual schools be appointed to determine whether or not statutes concerning virtual schools need to be in place. She appointed Senator Vratil to serve as the Chairman of the subcommittee on virtual schools, and Senators Allen, Lee, Ostmeyer, and Pine to serve as subcommittee members. The subcommittee will meet on February 4 at 1:30 p.m. in Room 123-S.

The meeting was adjourned at 2:15 p.m.

The next meeting is scheduled for January 29, 2008.