

Testimony on HB 2085

Jan. 29, 2013

Mr. Chairman, I want to thank you for giving me the opportunity to share with you and your committee some of my thoughts on HB 2085.

I first want to make clear that I am speaking on my own behalf, and not on behalf of the State Board of Education, on which I serve, even though I am the elected legislative liaison for the board. The reason I make this stipulation is that the board has not met since inception of this bill, and we have had no opportunity to discuss it.

However, I am happy to share with you as a member of the Governor's School Efficiency Task Force, because this bill speaks directly to the findings of the task force and some of its recommendations.

Recommendation #6 of the task force suggests revising/narrowing the Professional negotiations Act to prevent it from hindering operational flexibility/resource assignment

- A. Revise tenure
- B. Replace the salary schedule with a salary range based upon various criteria (e.g., experience, education, area of expertise, etc.
- C. Narrow the number of mandatory negotiable items. The items (e.g., work hours, amount of work, insurance benefits, force reductions, professional evaluation procedures, etc.) should be changed from mandatory to permissible items for negotiation.

These recommendations came from many conversations task force members had with many school administrators around the state, and the rationale for them is:

- A. Administrators need more flexibility in making hiring and personnel assignment decisions so that district resources can be allocated efficiently and effectively to the teachers and programs that will generate positive learning outcomes. As noted in the KASB School District Efficiency Committee's Report to our task force, districts must

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provide tenured teachers with an independent hearing process prior to termination; pay salaries, attorney fees, and hearing office fees until the issue is resolved; or negotiated settlements are reached for resignation. School superintendents told us that this process hampers district's efficiency efforts.

- B. Administrators need the ability, in some cases, to negotiate individualized teacher contracts on the basis of the assignment and performance in the assignment.
- C. Changing certain negotiable items from mandatory to permissible allows school boards to determine what works best locally to drive efficiencies and best serve students, teachers, and their community.

While the changes proposed in HB 2085 don't cover all the items suggested in the SETF recommendations, to the degree that it does limit the number of negotiable items and opens the door for individualized negotiations with teachers, at the option of the teacher, as I understand the bill, I believe it would serve to provide more flexibility in school district hiring and teaching assignments, and enhance the ability of schools to gain more efficient and effective use of their resources, which translates in to a better educational opportunity for students, which is a major goal of all our efforts.

Respectfully,

Ken Willard