

KANSAS
ASSOCIATION



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Testimony before the
House Committee, Labor and Economic Development
on

HB 2027 – Amendments to the Teacher Professional Negotiations Act

by
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Mr. Chairman, Members of the Committee:

My name is David Shriver, and I am an Attorney and Director of Insurance Services with the Kansas Association of School Boards. One of the duties I provide on behalf of the Association is representation of school boards in negotiations with groups representing the professional teaching staff. I also provided this service as local attorney for school boards when I was in private law practice in McPherson for 30 years before joining KASB.

My comments are to supplement those of Mr. Henderson and give an overview of the proposed changes to the Professional Negotiations Act as it is contained in the balloon amendment version of **HB 2027**. We believe the balloon amendments restore mandatory collective bargaining to teachers and that this bargaining will be by an exclusive group representing a majority of the teachers in an educational entity. Our Association appreciates having had the opportunity to review this important matter and offer suggestions to the original proposed legislation with the goal of ensuring input from licensed staff members in some of the terms and conditions of their employment with the school entity employer, but at the same time retaining management decisions by the employer.

The proposed legislation in the current balloon version does not take away the obligation of school districts to negotiate the terms and conditions of employment with the teachers, nor does it eliminate an exclusive bargaining representative. It does, however, limit the topics that are mandatorily negotiable, and increases the number of items that are permissibly negotiable. With this approach, it is believed that districts have the ability to continue negotiating those topics. Both sides want to negotiate, but provides greater local control to the boards of education of the topics decided at the table. We believe each board can better meet the needs of the students by having

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control over the working conditions, including the structure of the teaching day. The boards are going to be held accountable for the success of the students.

Another element of the proposed legislation is language which limits the employees in the bargaining unit to individuals licensed by the Kansas State Department of Education. Situations have developed with some educational entities in hiring nurses, occupational therapists, and other specialties by being restricted to compensation based on the salary schedule. These positions should be subject to the market for similar positions within that field, rather than by the salary schedules applicable to teachers.

An important provision in the legislation is the amendment to K.S.A. 72-8246 which has existed to enable to allow school districts to pay incentive and retention bonuses. The proposed language extends the authority to boards the ability to establish alternative compensation plans for persons in hard-to-fill positions, or high performing teachers. KASB has a long standing policy that boards of education should have the ability to determine pay based on professional performance. This allows creativity to boards in that determination.

We believe **HB 2027** provides boards of education more local control over issues relating to collective bargaining, and the ability to focus resources on the objective of providing the best education for all students in Kansas.

Thank you.