

Drug testing and fingerprinting teachers

The State Board of Education has been weighing a requirement to require the fingerprinting of any Kansas license holder who has not yet been fingerprinted upon renewal of the license. Currently fingerprinting is required for initial licensure but there is no fingerprint record for those who earned their license before the fingerprint requirement went into effect. The State Board of Education is seeking to have all licensed educators fingerprinted one time so there is a record on everyone with a license.

Not to be outdone, the legislature naturally has jumped in seeking to beat the SBOE to the punch. Enter Senate Bill 335 which would require every license holder to be fingerprinted every time he or she seeks to renew a license or reactivate an expired license. This bill would go further than the SBOE requirement and put a cost burden on educators every five years.

Senate Bill 335 also requires school boards to adopt policies on drug testing of teachers. The bill would require that the results of any drug test administered be reported to the State Department and made available to any potential employing district.

In testimony before the Senate Education Committee both KNEA and KASB raised concerns about the bill. KNEA attorney Marjie Blaufuss pointed out that the record would include false positives as well as positive results caused by drugs legally prescribed for the teacher. Such results given to a potential employer would create serious privacy issues and serve to promote discrimination based on medical conditions. Say, for example, that a teacher has been prescribed an anti-depressant or other medicine to deal with post-partum depression. While that might cause a positive test result, it is not an indicator of drug abuse. Should a district be permitted to discriminate in employment based upon a medical condition that would otherwise not have been revealed under existing medical privacy protections?

Plenty of new bills as turnaround approaches

A number of interesting bills on K-12 education have appeared in the last couple of days as the deadline for bill introductions passed and turnaround approaches.

Senate Bill 376 ^[1] and its companion bill **House Bill 2620** ^[2] by Senators Mary Pilcher-Cook and Greg Smith would change sex education class from "opt-out" to "opt-in," require that schools share all the curriculum materials with parents who request them, and prohibit the display of any sex education curricular materials such that students who have not opted in to the program might see them. Pilcher-Cook and Smith are both from Shawnee Mission where the posting of a poster from the sex education curriculum recently made national news.

House Bill 2621 ^[3] prohibits spending money on a "statewide longitudinal data system or study with the purpose of monitoring or tracking any student post-high school graduation, or to compile the student's personal, non-academic information beyond what is necessary either for administrative functions directly related to the student's academic progress, for evaluations of education programs, or for compliance with express requirements of federal law." The bill also deals with privacy of student records and prohibits administering any test that collects "any type of psychological data." **Senate Bill 367** ^[4] addresses the privacy of student records but not the other pieces of HB 2621.

House Bill 2621 also declares the Kansas College and Career Ready math and reading standards, the Common Core Standards for math and English language arts, the Next Generation Science Standards, and the social, emotional, and character development standards that have been adopted by the State Board of Education to be null and void. It establishes an advisory council of political appointees to create education standards.

Senate Bill 369 ^[5] sets guidelines for contracts to share administrative services and establishes a method to analyze the results of such shared agreements.

Senate Bill 378 ^[6] creates a voucher system that provides for public funding of private schools including non-accredited schools. Under this bill, a parent that chooses a private school for a child notifies the state treasurer's office which then establishes an account in the child's name. The state deposits 95% of what

would normally go to the child's public school if he/she were enrolled in the public school into that account. The resident public school district deposits revenue collected by the 20 mill property tax levy for that student into the account. The parent then uses the money to send the child to a private school.

House Pensions hears COLA bill

In House Pensions today the committee heard testimony regarding H.B. 2539 which would institute a Cost of Living Adjustment for current KPERS retirees. HB 2539 provides for a one-time cost of living adjustment (COLA) beginning July 1, 2014, to members who retired on or before July 1, 2009 with percentage increase of 0.5 percent for members who retired on or before July 1, 2009 and increasing to 3.0 percent for members who retired on or before July 1, 1984. KNEA supported the bill through our membership in the Coalition of Retired Public Employees. The coalition worked together to develop a bill that would be helpful to all retired coalition members. Current law does not allow for a regular COLA. Instead, retirees must rely on the generosity of the Legislature for a cost of living adjustment in any given year.

Next week the coalition will sponsor a rally in support of the COLA on the 18th at 10:30 a.m. in the statehouse.

A hearing on H.B. 2519 which would change KPERS to a Defined Contribution Plan for new hires will be heard on either Monday or Wednesday of next week.

1. <http://click.email.nea.org/?qs=fec70686e1adba702cbe239000c8959ec0dd5214ac2a07abd488c13264eda03d9df26d77e6bb8550>
2. <http://click.email.nea.org/?qs=fec70686e1adba709a6859abcbdc64630490a7986125c8b62c8f7da7a635d918d0ab3838b0f3f9cd>
3. <http://click.email.nea.org/?qs=f4ecbddef1bd511c733c7f20f74606bb5426c9fa84b63e8303e80c8a682db75c49103218996ac646>
4. <http://click.email.nea.org/?qs=f4ecbddef1bd511c631697c852d26cfe833e8437e42b7777fdeec0745f9d9a8e75fd94c66145ae4f>
5. <http://click.email.nea.org/?qs=f4ecbddef1bd511ca3c76f4188a47de85deab757d7c542a2ad582ea890f943933cfd4af523b66b6a>

6. <http://click.email.nea.org/>?

qs=f4ecbddef1bd511c72af538530486de5b976573a8d3e70be3e90978f04ea8b25939c42ba129e7197