

3
4 **HOUSE BILL No. 2777**

5
6 By Representative Huff

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8 2-5

9
10 AN ACT concerning [schools; relating to teachers; providing for an
11 **alternative teacher preparation program; relating to**] payments
12 by school districts; amending K.S.A. 12-105b and 72-5326 and K.S.A.
13 2001 Supp. 72-8201 and repealing the existing sections.
14

15 *Be it enacted by the Legislature of the State of Kansas:*

16 Section 1. K.S.A. 12-105b is hereby amended to read as follows: 12-
17 105b. (a) All claims against a municipality must be presented in writing
18 with a full account of the items, and no claim shall be allowed except in
19 accordance with the provisions of this section. A claim may be the usual
20 statement of account of the vendor or party rendering a service or other
21 written statement showing the required information.

22 (b) Claims for salaries or wages of officers or employees need not be
23 signed by the officer or employee if a payroll claim is certified to by the
24 administrative head of a department or group of officers or employees or
25 an authorized representative that the salaries or wages stated therein were
26 contracted or incurred for the municipality under authority of law, that
27 the amounts claimed are correct, due and unpaid and that the amounts
28 are due as salaries and wages for services performed by the person named.

29 (c) No costs shall be recovered against a municipality in any action
30 brought against it for any claims allowed in part unless the recovery shall
31 be for a greater sum than the amount allowed, with the interest due.
32 Subject to the terms of applicable insurance contracts, judgments and
33 settlements obtained for claims recoverable pursuant to the Kansas tort
34 claims act shall be presented for payment in accordance with this section
35 or in such manner as the governing body may designate.

36 (d) Any person having a claim against a municipality which could give
37 rise to an action brought under the Kansas tort claims act shall file a
38 written notice as provided in this subsection before commencing such
39 action. The notice shall be filed with the clerk or governing body of the
40 municipality and shall contain the following: (1) The name and address
41 of the claimant and the name and address of the claimant's attorney, if
42 any; (2) a concise statement of the factual basis of the claim, including
43 the date, time, place and circumstances of the act, omission or event

1 complained of; (3) the name and address of any public officer or employee
2 involved, if known; (4) a concise statement of the nature and the extent
3 of the injury claimed to have been suffered; and (5) a statement of the
4 amount of monetary damages that is being requested. In the filing of a
5 notice of claim, substantial compliance with the provisions and require-
6 ments of this subsection shall constitute valid filing of a claim. The con-
7 tents of such notice shall not be admissible in any subsequent action
8 arising out of the claim. Once notice of the claim is filed, no action shall
9 be commenced until after the claimant has received notice from the mu-
10 nicipality that it has denied the claim or until after 120 days has passed
11 following the filing of the notice of claim, whichever occurs first. A claim
12 is deemed denied if the municipality fails to approve the claim in its
13 entirety within 120 days unless the interested parties have reached a set-
14 tlement before the expiration of that period. No person may initiate an
15 action against a municipality unless the claim has been denied in whole
16 or part. Any action brought pursuant to the Kansas tort claims act shall
17 be commenced within the time period provided for in the code of civil
18 procedure or it shall be forever barred, except that, if compliance with
19 the provisions of this subsection would otherwise result in the barring of
20 an action, such time period shall be extended by the time period required
21 for compliance with the provisions of this subsection.

22 (e) Claims against a municipality which provide for a discount for
23 early payment ~~or, provide~~ for the assessment of a penalty for late payment
24 ~~or require action prior to the next board meeting~~ may be authorized to
25 be paid in advance of approval thereof by the governing body in accord-
26 ance with the provisions of this subsection. The governing body may des-
27 ignate and authorize one or more of its officers or employees to pay any
28 such claim made against the municipality in advance of its presentation
29 to and approval by the governing body if payment of the amount of such
30 claim is required before the next scheduled regular meeting of the gov-
31 erning body ~~in order for the municipality to benefit from the discount~~
32 ~~provided for early payment or to avoid assessment of the penalty for late~~
33 ~~payment.~~ Any officer or employee authorized to pay claims under this
34 subsection shall keep an accurate record of all moneys paid and the pur-
35 pose for which expended, and shall submit the record to the governing
36 body at the next meeting thereof. Payments of claims by an officer or
37 employee of the municipality under authority of this subsection are valid
38 to the same extent as if the claims had been approved and ordered to be
39 paid by the governing body.

40 (f) When an employee is required to travel on behalf of a munici-
41 pality, the employee shall be entitled, upon complying with the provisions
42 of the municipality's policies and regulations on employee travel, to timely
43 payment of subsistence allowances and reimbursement for transportation

1 and other related travel expenses incurred by the employee while on an
2 approved travel status. When reimbursement through the regular claims
3 approval process of the municipality will require more than 15 days from
4 the date the reimbursement claim is filed, the claim may be authorized
5 to be paid in advance of approval thereof by the governing body in ac-
6 cordance with the provisions of this subsection. The governing body may
7 designate and authorize one or more of its officers or employees to pay
8 any such claim made against the municipality in advance of its presen-
9 tation to and approval by the governing body if payment of the amount
10 of such claim is required before the next scheduled regular meeting of
11 the governing body. Any officer or employee authorized to pay claims
12 under this subsection shall keep an accurate record of all moneys paid
13 and the purpose for which expended, and shall submit the record to the
14 governing body at the next meeting thereof. Payments of claims by an
15 officer or employee of the municipality under authority of this subsection
16 are valid to the same extent as if the claims had been approved and
17 ordered to be paid by the governing body.

18 (g) Claims submitted by members of a municipality's self-insured
19 health plan may be authorized to be paid in advance of approval thereof
20 by the governing body. Such claims shall be submitted to the administra-
21 tive officer of such insurance plan.

22 (h) Claims against a school district for the purchase of food or gaso-
23 line while students are on a co-curricular or extra-curricular activity out-
24 side of the school boundaries may be paid in advance of approval thereof
25 by the governing body in accordance with the provisions of this subsec-
26 tion. The governing body may designate and authorize one or more of its
27 officers or employees to pay any such claim made against the school dis-
28 trict in advance of its presentation to and approval by the governing body.

29 (i) Except as otherwise provided, before any claim is presented to the
30 governing body or before any claim is paid by any officer or employee of
31 the municipality under subsection (e) or (f), it shall be audited by the
32 clerk, secretary, manager, superintendent, finance committee or finance
33 department or other officer or officers charged by law to approve claims
34 affecting the area of government concerned in the claim, and thereby
35 approved in whole or in part as correct, due and unpaid.

36 Sec. 2. K.S.A. 72-5326 is hereby amended to read as follows: 72-
37 5326. The board of education of any school district or the board of trus-
38 tees of any community junior college is hereby authorized to appropriate
39 money ~~out of its general fund~~ to pay the annual dues in the Kansas as-
40 sociation of school boards *and any other organization*.

41 Sec. 3. K.S.A. 2001 Supp. 72-8201 is hereby amended to read as
42 follows: 72-8201. Each unified school district shall be designated by the
43 name and style of "unified school district No. _____ (the number des-

1 ignated by the state board of education), _____ county (naming
2 the home county of the unified school district), state of Kansas,” and by
3 such name may sue and be sued, execute contracts and hold such real
4 and personal property as it may acquire. Every unified school district shall
5 possess the usual powers of a corporation for public purposes. The board
6 of education of every unified school district may delegate to the super-
7 intendent of schools, *or other employees of the district*, the power to
8 execute contracts on behalf of the district for the purchase of goods and
9 services if the value of such goods or services is less than \$10,000.

10 **[New Sec. 4. The state board of education shall adopt rules**
11 **and regulations for administration and effectuation of the provi-**
12 **sions of this act and, in accordance therewith, may issue an initial**
13 **license to teach in this state to any person who successfully com-**
14 **pletes the alternate teacher preparation program.**

15 **[New Sec. 5. As used in this act:**

16 **[(a) “Alternate teacher preparation program” means a pro-**
17 **gram which is provided for by the state board of education under**
18 **contractual arrangements with an accredited Kansas teacher ed-**
19 **ucation institution having an approved teacher education program**
20 **and with accredited schools and which is designed to ensure the**
21 **attainment of the basic competencies necessary to engagement in**
22 **the profession of teaching through correlation of professional de-**
23 **velopment study at the teacher education institution with practical**
24 **experience at an accredited school.**

25 **[(b) “Teacher licensure applicant” means a person who applies**
26 **under authority of this act for an initial license to teach in this state.**

27 **[New Sec. 6. (a) The alternate teacher preparation program**
28 **will require a teacher licensure applicant to complete:**

29 **[(1) Nine semester hours of professional development study at**
30 **the teacher education institution. Professional development study**
31 **shall include, but not be limited to, study of adolescent psychology,**
32 **foundations of education, classroom management, and methodol-**
33 **ogy. Professional development study may be taken during a sum-**
34 **mer or regular session and must be completed by the applicant**
35 **prior to entry into the classroom;**

36 **[(2) a 10 contact hour preservice orientation conducted by the**
37 **employing accredited school prior to a classroom assignment. Ori-**
38 **entation shall include familiarization with school policies, proce-**
39 **dures, curriculum, instructional model, community characteristics,**
40 **and resources;**

41 **[(3) an internship of two school years (four semesters). During**
42 **internship, the applicant will be enrolled in three credit hours of**
43 **internship each semester. The contact and delivery system will be**

1 determined by the teacher education institution. At the successful
2 completion of internship, student teaching requirements will be
3 waived; and

4 [(4) professional development coursework during the second
5 year of internship or the second summer of participation in the
6 program as needed to meet professional development standards
7 set by the state board of education.

8 [(b) During internship, a teacher licensure applicant will be
9 supervised by a team of three persons consisting of a mentor
10 teacher from the accredited school employing the applicant, the
11 building principal, and a faculty member from the teacher edu-
12 cation institution. Guidelines for supervision will be provided by
13 the teacher education institution. The supervisory team will meet
14 no fewer than three times per school year to evaluate, consult with,
15 and provide advice to the applicant. The last meeting of the first
16 year of internship will result in a recommendation for discontin-
17 uation of the program or continuation for the second year of in-
18 ternship. Successful completion of the program will result in a rec-
19 ommendation for licensure.

20 [(c) In order to receive institutional recommendation for initial
21 licensure, a teacher licensure applicant must successfully complete
22 the required semester hours of professional development study at
23 the teacher education institution and the two years of internship.
24 An applicant will be suspended from participation in the program
25 by failure to attain a 3.0 grade point average on a 4.0 scale or for
26 causes for suspension arising under law or rules and regulations
27 of the state board of education.

28 [New Sec. 7. A teacher licensure applicant shall:

29 [(a) Be the holder of a baccalaureate or higher degree, earned
30 with a minimum cumulative grade point average of 2.75 on a 4.0
31 scale, and granted by an accredited college or university;

32 [(b) have earned academic credits appropriate to meeting sub-
33 ject and field requirements for licensure with an endorsement at
34 the secondary level for such subject or field. The teacher education
35 institution will assure attainment by the applicant of the minimum
36 semester hour requirements for general education and minimum
37 competence in subjects or fields of specialization. Minor deficien-
38 cies in the subject or field of specialization may be satisfied
39 through additional course work approved by the teacher education
40 institution;

41 [(c) take and pass the PPST or other basic skills test as pre-
42 scribed by the state board of education;

43 [(d) apply for and receive from the state board of education a

1 restricted license valid for three years and renewable in accord-
2 ance with rules and regulations of the state board of education;

3 [(e) fulfill formal requirements for admission to a teacher ed-
4 ucation program at an accredited Kansas teacher education
5 institution;

6 [(f) meet all nonacademic requirements of the teacher educa-
7 tion institution upon which the applicant will depend for initial
8 institutional recommendation;

9 [(g) receive and document an offer of a teaching position at an
10 accredited Kansas school in accordance with rules and regulations
11 of the state board of education;

12 [(h) pay a fee approved by the state board of education as part
13 of the contractual arrangements with the teacher education insti-
14 tution and employing accredited school, which fee shall be in an
15 amount determined to be necessary for payment of the costs of
16 the program including, but not limited to, the costs related to the
17 credit hours of professional development study and internship
18 earned at the teacher education institution, the costs for travel
19 expenses of the teacher education institution faculty member of
20 the supervisory team, and the costs for remuneration of the prin-
21 cipal and mentor teacher members of the supervisory team. The
22 applicant and employing accredited school will share equally in
23 the costs for remuneration of the principal and mentor teacher.

24 [New Sec. 8. Upon successful completion of the alternate
25 teacher participation program as verified by the teacher education
26 institution, a teacher licensure applicant may apply for licensure
27 on a form provided by the state board of education. The state
28 board shall review the application and the recommendation of the
29 teacher education institution and shall grant or deny licensure.
30 Successful completion of the alternate teacher preparation pro-
31 gram will not entitle a teacher licensure applicant to certification
32 with an endorsement in special education.

33 [New Sec. 9. Upon completion of each school year, commenc-
34 ing with the 2004-05 school year, the state board of education shall
35 make a report to the governor and the legislature on the effect-
36 iveness of the alternate teacher preparation program. The report
37 shall include the following information:

38 [(a) The number of accredited schools participating in the
39 program;

40 [(b) the number of persons who applied for employment as
41 teacher licensure applicants and the number of such applicants
42 who actually were employed;

43 [(c) the number of persons who successfully completed the al-

1 ternate teacher preparation program, who were recommended for
2 licensure, and who were granted licenses;

3 [(d) the rate of attrition of teachers granted licenses under this
4 act as compared with teachers who have completed a regular
5 teacher preparation program; and

6 [(e) the costs of the alternate teacher preparation program as
7 compared with costs associated with regular teacher preparation
8 programs.

9 [New Sec. 10. Nothing contained in this act shall be construed
10 to abrogate, affect the status, force or operation of any other pro-
11 vision of law relating to initial issuance of licenses to teach or of
12 any rules and regulations adopted pursuant thereto. The require-
13 ments and procedures contained in this act for initial issuance of
14 licenses to teach shall be deemed alternative to the requirements
15 and procedures therefor that are in effect under any other provi-
16 sion of law and under rules and regulations adopted pursuant
17 thereto by the state board of education.]

18 Sec. ~~4~~ [11.] K.S.A. 12-105b and 72-5326 and K.S.A. 2001 Supp. 72-
19 8201 are hereby repealed.

20 Sec. ~~5~~ [12.] This act shall take effect and be in force from and after
21 its publication in the statute book.

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