

SENATOR CLARK: Senator Koch.

SENATOR KOCH: Thank you, Mr. Chairman, I'll be very brief. I want to answer Senator Dworak and it is not new or profound in terms of what I am going to answer. We treat school districts in this state by law differently. There is some school districts that have to bus and there are others that do not beyond a certain number of miles. Now if we want to be uniform then, why don't we apply a uniform law to transportation across the state? Why do some have to do it and others have not? We do it with cities. I sat on the Urban Affairs Committee for years. We treat the cities by class differently on a lot of issues. We do it by counties so that is not unique. It is not a very defensible argument. There are a lot of good things in this bill which no one has even addressed yet which bothers me. Go back to Senator Remmers' remarks. We now establish for the first time how you get the tenure. It breaks it down. You just don't get there by having worked there for a semester and a half any longer. You have to accumulate a certain time of good teaching performance and then you can be terminated. The teacher, if they feel that on the informal basis of hearings, if they don't request an informal hearing, it is not going to be there. It is just if they request it. So that shouldn't be frightening to us. And on the three year issue that we're trying to deal with right now, there are 16,000 teachers in Nebraska that have been under a two year provision and you may have heard some horror stories. I submit to you it has generally worked very well and why change that type of a tenure provision when the hearings that we held, the only thing we found was where some people were being heard was because of poor administration and probably some poor board actions, indiscreet. So there is no reason for us to adopt this amendment now. Let's keep it the way the committee has it because there were hours spent by all interested parties and I want to read you what one personnel director said to us in the committee. He addressed the committee as following: "I am a director of personnel. I am here to testify in favor of LB 259. For the past two months I have been involved with other school administrators, members of educational interests, legal counsel, et cetera, in shaping and rewriting LB 259. I must admit that originally I was not in favor of any change in the statutes dealing with teacher tenure or termination but after many hours of give and take by all parties involved I have changed my mind and so has the system that I work for. I work for a Class III district. LB 259 defines a school year, defines a part time teacher as one employed more than one-half but less than four-fifths time. Under the present law if you hired someone to teach one hour per day for two school years they would fulfill their probationary requirement and qualify for permanent status. The proposed law provides for procedure