

MINUTES OF THE SENATE EDUCATION COMMITTEE

The meeting was called to order by Chairperson Steve Abrams at 1:30 pm on Thursday, February 12, 2015, 144-S of the Capitol.

All members were present

Committee staff present:

Mark Savoy, Legislative Research Department
Lauren Douglass, Legislative Research Department
Erna Fabert, Kansas Legislative Committee Assistant
Jason Long, Office of Revisor of Statutes

Conferees appearing before the Committee:

No conferees present

Others in attendance:

[See Attached List](#)

Possible action on bills previously heard SB60 — Participation by homeschooled students in activities regulated by the Kansas state high school activities association.

Chairperson Abrams called for continuing discussion and possible final action on **SB60**. He apologized to the Committee for dismissing early on February 11 as he was under the impression there was a motion on the floor. Jason Long, staff revisor, distributed a new amendment offered by Senator Pettey, to replace the balloon amendment that was discussed at the February 11 meeting. ([Attachment 1](#))

Revisor Long reviewed the difference between the two amendments and discussion followed whereby Mr. Long defined the term extracurricular as it relates to this bill. Questions were raised about how this amendment would limit co-curricular students.

Senator Pettey moved, Senator Schmidt seconded, to adopt the substitute balloon amendment, labeled #8. Motion failed.

The staff revisor then distributed an amendment offered by Senator Schmidt dealing with the issue of participation fees being paid by students. *Senator Schmidt moved, Senator Kerschen seconded, to approve balloon amendment, labeled #5. Motion carried.* ([Attachment 2](#))

Senator Schmidt then presented another balloon amendment dealing with age and eligibility requirements. After discussion, *Senator Schmidt moved, Senator Pettey seconded, to adopt balloon amendment, labeled #2. Motion carried.* ([Attachment 3](#))

Senator Schmidt then presented another balloon amendment dealing with general liability insurance obtained by a school district that provides coverage of students. *Senator Schmidt moved, Senator Pettey seconded, to approve balloon amendment, labeled #3. Motion carried.* ([Attachment 4](#))

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Senator Schmidt presented another balloon amendment dealing with proof of compliance with academic requirements for participation in activities. ([Attachment 5](#))

Discussion centered around what kind of proof would be required of the homeschooled students and whether those students might be required to perform at a higher standard, whereby Senator Baumgardner indicated that public school students can fail up to three classes per semester and still participate in extracurricular activities, so the bar is not very high. Senator Pettey indicated that Iowa does use a standard form that needs to be completed by parents.

In response to the concern about equal standards for all students, and who would provide proof of compliance with academic requirements, the staff revisor was asked to revise the amendment to clarify these issues. The new language, contained within quotes as follows, was inserted into the balloon amendment, labeled #4:

Section 1. Any student who is a resident of a school district "*who attends a school registered with the state board of education in accordance with K.S.A. 72-53,101, and amendments thereto, and such school attests to the student's compliance with all applicable academic requirements for participation in activities offered by such school district*" shall be permitted to participate . . .

Senator Schmidt moved, Senator Kerschen seconded, to approve the balloon amendment, as revised, labeled #4. Motion carried.

Senator Schmidt presented another balloon amendment, labeled #6, dealing with the issue of student tryouts and procedures for activities. ([Attachment 6](#))

Concerns were expressed about schools setting policies that would seek to exclude homeschooled students and whether the wording in this amendment would unintentionally limit students who do not attend the public school where the activity is centered. No motion was offered to bring the amendment to the floor.

Senator Schmidt then presented another balloon amendment regarding immunization records being required for all students participating in school activities. ([Attachment 7](#))

Senator Schmidt moved, Senator Hensley seconded, to approve balloon amendment, labeled #1.

Senator Fitzgerald moved, Senator Arpke seconded, a substitute amendment that changed the wording to read: "*who attends a school registered with the state board of education in accordance with K.S.A. 72-53,101, and amendments thereto, and such school attests to the fact that student has submitted an immunization record to such school in accordance with K.S.A. 72-5209, and amendments thereto*". . . . Motion failed.

Unless specifically noted, the individual remarks recorded herein have not been transcribed verbatim. Individual remarks as reported herein have not been submitted to the individuals appearing before the committee for editing or corrections.

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The original Senator Schmidt amendment was then voted upon. *Motion carried.*

Chairperson Abrams indicated that further discussion and possible action on **SB60** would occur sometime next week. The meeting was adjourned at 2:36 pm.

The next meeting of the Senate Education Committee will be Tuesday, February 17, 2015 at 1:30 pm in Room 144-S of the Capitol.