

MINUTES OF THE HOUSE COMMITTEE ON EDUCATION

The meeting was called to order by Representative Don Crumbaker at  
Chairperson

3:30 ~~pm~~/p.m. on January 12, 1984 in room 313-S of the Capitol.

All members were present except: Representatives Apt, Branson, W. Fuller, Hassler, Hensley, Laird, Murphy and Reinhardt. All were excused.

Committee staff present:

Avis Swartzman, Revisor of Statutes' Office  
Ben Barrett, Legislative Research  
Carolyn Rampey, Legislative Research  
Judy Crapser, Secretary to the Committee

Conferees appearing before the committee:

The Chairman welcomed the returning members of the Committee and introduced the present new members to the Committee.

The Committee were given a summary of bills and resolutions carried over from the 1983 Session in the House and Senate Committees on Education prepared by Ben Barrett. (ATTACHMENT I)

The Chairman announced a joint meeting with the Senate Education Committee planned for February 16 to review the Interim Education Committee recommendations. The School Board Association is expected to have 125 to 150 members in town interested in the discussion referencing the pupil teacher ratio.

The deadline dates were brought to the attention of the Committee by the Chairman in regard to introduction of bills. The agenda for next week was reviewed.

Meeting was adjourned at 3:53 p.m by the Chairman.

The next meeting of the Committee will be held at 3:30 p.m. on January 16, 1984.

MEMORANDUM

January 2, 1984

FROM: Kansas Legislative Research Department

RE: Summary of Bills and Resolutions Carried Over From the 1983 Session  
in the House and Senate Committees on Education

A. House Committee on Education

H.B. 2083 (Rep. Shelor)

The bill amends the compulsory attendance law to require that teachers in nonaccredited nonpublic schools hold a baccalaureate degree or a higher degree. Also, the bill exempts gifted pupils from the compulsory attendance requirements of the Special Education for Exceptional Children Act. (Such children would still be subject to the compulsory attendance requirements of K.S.A. 72-1111.)

H.B. 2158 (Rep. Meacham)

The bill requires school districts and accredited nonpublic schools that maintain any of grades 9 to 12 each year to provide programs in basic life support cardiopulmonary resuscitation (CPR) for all pupils. These programs must be conducted under the auspices of the American Heart Association or the American National Red Cross.

H.B. 2174 (House Education)

The bill contains the Governor's original school finance proposal -- budget controls for 1983-84 of 104 percent to 108 percent and an additional 1.5 percent in general fund budget authority for teachers' salaries. Based on statewide averages, the plan assumed a ratio of general state aid and income tax rebate (combined) to general fund budget of about 48 percent and a 1983-84 general fund property tax increase of \$28.3 million.

(The budget controls applicable in 1983-84 are 105 percent to 115 percent.)

H.B. 2176 (House Education)

The school finance plan contained 1983-84 budget controls of 102 percent to 104 percent.

(The budget controls applicable in 1983-84 are 105 percent to 115 percent.)

H.B. 2180 (Rep. Lowther)

The bill establishes a pupil-professional personnel ratio (PPPR) penalty which would have the effect of penalizing a school district in terms of its general state aid entitlement when the district's PPPR falls below specified norm PPPR ratios for the district's enrollment category. The penalty provision would become effective in the 1985-86 school year. Any amount of general state aid withheld from school districts due to the PPPR penalty provision would be redistributed proportionately to nonpenalized school districts that are general state aid recipients. Amounts so distributed could be spent whether budgeted or not and would not be considered an operating expense.

H.B. 2186 (Rep. Luzzati)

The bill requires the State Board of Education, in consultation with the State Advisory Council for Special Education, to establish standards and criteria for qualifications of special education hearing officers and to compile a list of these officers. When the agency providing for the hearing is a local school board or the Secretary of Social and Rehabilitation Services, a list of names and qualifications of five prospective hearing officers is to be provided by the State Board. The agency and the custodian of the child each may remove two names from the list and the State Board shall appoint the person remaining as the hearing officer. When the State Board of Education is the agency providing for the hearing, the lawful custodian may select any hearing officer from the State Board's list.

(See S.B. 177 which passed.)

H.B. 2187 (Rep. Farrar)

The bill provides for creation by the State Board of Regents of a Committee of Academic Preparedness for Admission to University. The Committee is composed of six members who are representatives of the six state universities. Prior to July 1, 1984, the Committee would identify minimum competency objectives in academic skills needed to be mastered in order for a person to function competently in the universities and prepare a standardized examination designed to assess achievement of prospective students of the academic skills minimum competency objectives.

Beginning in 1984-85, the State Board of Regents would begin administering the test to prospective students. Each year the Board would determine the percentage of prospective students from each school district who had met the academic skills objectives and certify these percentages to the State Board of Education. If less than 90 percent of the prospective students from a school district failed to attain the prescribed objectives, the school district's maximum general fund budget for the next year would be reduced by 0.25 percent.

H.B. 2241 (Rep. Hensley, *et al.*)

The bill amends the professional negotiations law applicable to school districts, community colleges, and area-vocational technical schools. The major change is to add a binding arbitration procedure to the law. It would replace the authority of boards to issue unilateral contracts in instances where the parties are unable to reach a

negotiated agreement. Each party would submit to the arbitrator a memorandum containing its position on each issue in dispute. The memorandum would be the same as that submitted to the factfinding board, except that it could include acceptance of the factfinding board's position or the acceptance of the other party's position on an issue. The arbitrator selects the memorandum of one of the parties, without modification, for adoption. The arbitrator's decision is final and binding.

H.B. 2314 (Rep. Laird)

The bill requires state universities, community colleges, Washburn University, and accredited independent colleges and universities in Kansas to grant full credit value toward a degree or advanced standing for the following types of educational experiences received by the student in the military service:

1. satisfactory completion of postsecondary courses offered by the U.S. Armed Forces Institute, the Marine Corps Institute, or the Coast Guard Institute;
2. satisfactory completion during military service of courses offered by colleges accredited by national or regional accrediting associations; and
3. satisfactory completion of military service-conducted instructional programs.

In addition, these postsecondary institutions would be permitted to establish testing services as a means of evaluating and certifying education attained by an eligible student, while in the military service, through self-study, supervised experience or successful completion of courses offered by nonaccredited colleges.

H.B. 2325 (Rep. Apt, et al.)

The bill amends a community college law as it pertains to the outdistrict tuition liability of counties. The amendment makes it clear that counties may not, by the exercise of their home rule authority, exempt themselves from the levying of taxes and the payment of outdistrict tuition to community colleges. (Re-referred)

H.B. 2326 (Rep. Apt, et al.)

The bill amends the county home rule law to prohibit counties from exempting themselves from the requirements of law relative to the payment by counties of outdistrict tuition to community colleges or Washburn University. (Re-referred)

H.B. 2380 (Rep. Knopp)

The bill pertains to due process hearings regarding nonrenewal or termination of teacher contracts and, as amended by the Committee, provides for paying compensation to due process hearing committee members (compensation is not presently authorized).

H.B. 2405 (Reps. Peterson and Justice)

The bill provides that if an assistant superintendent of schools has been appointed, the maximum salary of the superintendent of the district shall be \$50,000.

H.B. 2410 (Rep. Solbach)

Subject to certain restrictions, the bill permits school boards to contract with licensed child day care centers to provide transportation to or from such centers.

H.B. 2416 (Rep. Duncan, et al.)

The bill requires school districts to make available preschool special education services to all handicapped students by no later than July 1, 1985.

The bill also is assigned to the Ways and Means Committee.

H.B. 2417 (Rep. Duncan)

The bill amends the special education categorical aid formula to provide for "excess cost" funding of nonfederal school district special education expenditures.

Under the amendments, the entitlement of special education categorical aid to be distributed among the schools would be computed as follows:

1. Divide the legally adopted budgets of operating expenses of all school districts for the current year by the September 15 enrollment.
2. Determine for the current year the number of full-time equivalent (F.T.E.) exceptional children in school district special education services.
3. Multiply the budget per pupil (as computed in 1 above) by the number of F.T.E. exceptional children (determined in 2 above).
4. Determine total school district expenditures for special education in the current year from state and local revenues.
5. Subtract from expenditures (4 above) the amount determined by multiplying the budget per pupil by the enrollment of exceptional children (3 above). The remainder, the "excess cost" of special education services, is the amount that school districts would be entitled to receive by distribution through the aid formula.

The provisions of the proposed law would expire on July 1, 1985.

H.B. 2440 (House Education)

The bill permits school districts to employ classroom paraprofessionals and aides to assist certificated employees of the school district in the provision of instructional programs for pupils and in the supervision of noninstructional activities of pupils. The State Board of Education would adopt rules and regulations establishing standards and criteria for classroom paraprofessionals and aides.

H.B. 2444 (House Education)

The bill permits community colleges to participate in the state vocational education capital outlay aid program.

H.B. 2465 (House Education)

The bill would amend the state aid formula for school district transportation of pupils. The purpose of the amendment is to require that transportation aid be paid for all students transported by districts who attend an accredited nonpublic school and who live more than 2.5 miles from school.

H.B. 2514 (House Education)

The bill exempts school districts, educational cooperatives, and interlocal educational agencies and the governing boards and officers and employees thereof from liability for reporting to any medical, treatment, or social service agency or facility any pupil believed to be abusing or incapacitated by the use of alcohol or other drugs. The same exemption applies with respect to any subsequent administrative or judicial proceedings. The exemption from liability does not apply if the reporting is done in bad faith or maliciously.

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H.C.R. 5001 (Legislative Educational Planning Committee)

The concurrent resolution expresses the Legislature's recognition of the importance of lifelong learning opportunities for Kansas citizens. The Legislature also encourages public and private groups to continue to provide lifelong learning experiences for Kansans. (Re-referred)

H.C.R. 5029 (Rep. Lowther)

The concurrent resolution urges the following:

1. The State Board of Education should continue to provide support for maintenance of programs presently serving preschool handicapped children.

2. The State Board of Education should use information produced by the Governor's Task Force on Young Handicapped Children in development by January, 1985, of a long-range plan for meeting the needs of young handicapped children.
3. The State Advisory Committee on Children and Youth should establish preschool handicapped children as one of its priority concerns and work with the State Board of Education toward the goal of free, appropriate education for such children. (Re-referred.)

H.C.R. 5033 (Rep. Niles)

The concurrent resolution urges the Kansas State High School Activities Association to reduce the number of basketball games held by school districts.

H.C.R. 5045 (Rep. Farrar, et al.)

The concurrent resolution requests local boards of education to prohibit the use of values clarification and other forms of affective teaching methods which promote situation ethics in all required courses. Values clarification could be used in elective courses for students under the age of consent after approval of the local board and after parents or guardians have been fully informed, have been given access to all teaching materials, and have given written permission for the participation of their children.

H.C.R. 5047 (House Ways and Means)

The concurrent resolution directs the State Board of Education by June 1, 1984, to complete a study on duplication of associate degree programs at community colleges, and to submit a plan to lessen the duplication of these degree programs to the Legislative Educational Planning Committee. This plan should include the elimination of unnecessarily duplicative associate degree programs by the 1989-90 academic year. The Legislative Educational Planning Committee is to review this study and plan and report thereon to the 1985 Legislature.

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S.B. 79 (Senate Education)

The bill prohibits any person from being at the same time a member of the school board and an employee of the same board. This prohibition does not apply to any school board member elected or appointed to office prior to the passage of the law during the duration of such term of office.

S.B. 80 (Senate Education)

The bill amends the School District Equalization Act (SDEA) to add two new budget appeal reasons and to delete one obsolete appeal reason.

The new appeal reasons permit a school district to request the State Board of Tax Appeals to authorize an increase in the school district's general fund budget in the following circumstances:

1. When the school board determines that the amount necessary to be budgeted for the salaries of classroom teachers exceeds the amount budgeted for that purpose in the preceding year increased by an amount equal to the authorized percentage increase in the district's budget per pupil in the current school year and when budgeting this "excess" amount for such salaries causes an increase in operating expenses greater than the district otherwise is permitted to budget under the SDEA.
2. When the continued operation of a program originally established under authority of federal law and financed totally or in part by federal funds causes an increase in operating expenses greater than the district otherwise is permitted to budget under the SDEA. This appeal reason is available only if the federal funds being used to finance such a program are no longer being made available under the federal law. The amount of the appeal is limited to not more than the amount of federal funds that were available to the district immediately prior to the appeal.

The obsolete budget appeal reason for library personnel is eliminated. (Re-referred)

S.B. 391 (Senate Ways and Means)

The bill amends a law pertaining to standards for construction of school buildings. The amendments update references to various codes:

1. The 1982 Edition of the Uniform Building Code, Volume I of the International Conference of Building Officials replaces the 1979 Edition.
2. The 1982 Edition of the Uniform Mechanical Code of the International Conference of Building Officials replaces the 1979 Edition.
3. The 1982 Edition of the Uniform Plumbing Code of the International Association of Plumbing and Mechanical Officials replaces the 1979 Edition.
4. The 1981 Edition of the Life Safety Code as adopted by the National Fire Protection Association replaces the 1976 Edition.

The construction or reconstruction of any building to which this law applied prior to July 1, 1983, is governed by the provisions in effect prior to July 1, 1983.

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B. Senate Education Committee

S.B. 63 (Sen. Montgomery, et al.)

The bill transfers from the Director of Accounts and Reports to the State Board of Education the responsibility for preparing and prescribing annual budget forms and financial reporting and audit procedures (generally accepted accounting principles) for school districts.

S.B. 188 (Sen. Kerr)

The bill proposes to include the adjusted valuation of property not currently on the tax rolls due to the issuance of industrial revenue bonds as a component of adjusted valuation for the purpose of computing district wealth under the School District Equalization Act.

Substitute for S.B. 334 (Senate Education)

The bill prohibits the State Board of Education from approving any additional Type I area vocational schools and permits the State Board to approve applications for additional Type II area vocational-technical schools, subject to the limitation that no such designation can be made prior to July 1, 1985. (Re-referred)

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S.C.R. 1624 (Sen. Rehorn, et al.)

The concurrent resolution contains a legislative endorsement of the concept of increasing the average salary of teachers in Kansas to a level at least equal to the national average by 1986-87.

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H.B. 2179 (Rep. Lowther)

The bill reschedules the payment of the income tax rebate to school districts. Instead of three payments per year there would be seven payments spread throughout the fiscal year. (Re-referred)

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H.C.R. 5039 (House Education)

The concurrent resolution expresses legislative support for the recommendations made by the State Board of Regents in order to provide direction to pupils, parents, school boards, and others in making curriculum decisions as to the secondary school academic preparation the Board regards to be desirable for persons who plan to attend a state university.

School districts are urged to implement the Regents' recommendations to enable students who so desire to become optimally prepared for the universities. (Re-referred)