

Approved _____ Date 3-27-1984

MINUTES OF THE HOUSE COMMITTEE ON PUBLIC HEALTH AND WELFARE

The meeting was called to order by Marvin L. Littlejohn at _____
Chairperson

1:30 /a.m./p.m. on March 21, 1984 in room 423-S of the Capitol.

All members were present except:

Committee staff present:

Emalene Correll, Research
Bill Wolff, Research
Norm Furse, Revisor
Sue Hill, Secy. to Committee

Conferees appearing before the committee:

Senator Charlie L. Angell
Mr. Rex Fuller, Educator, and Christian Law Association
Dr. James Mastin, Derby Kansas, (NWBC)
Senator Tom Rehorn
Barbara Sabol, Secretary of Department of Health and Environment
Elizabeth Taylor, Ks. Association for Education of Young Children, Topeka, Ks.
Joan Raven, Ks. Assoc. for Education of Young Children, Concordia, Ks.
Robert Poresky, Pres. of Ks. Council for Children and Youth, Manhattan, Ks.

Visitor's register, (Attachment No. 1.)

Chairman called meeting to order, then recognized Senator Angell.

SB 683 Hearings began:--

Senator Charlie Angell spoke to SB 683, in that he feels that SB 683 will address a problem that might be forthcoming in day care/preschools. He offered an amendment, (see Attachment No. 2.), for details, We feel, he said, SB 683 is offering free choice for parents to educate their children where they choose, and having this freedom is imperative to keep the American way alive. There is the question of separation between Church and State here, and we have worked long hard hours with Staff to design a bill to address this question he said. He then answered questions from committee and staff. He spoke in support of the amendment to SB 683.

Rex Fuller spoke in support of SB 683, saying he had long been involved in problems that private schools have when trying to extend their programs due to the inconsistent laws that schools are subject to. He believes that it is appropriate for private schools to be exempted from program licensure by the Department of Health and Environment. He cited several specific cases where the question of licensure has been of great conflict. The Churches in question have no difficulty with objective standards in regard to the sanitation, fire codes, safety codes, etc. He said the problems are related to having their educational programs licensed. (See Attachment No. 3.) for details. He then answered questions from committee, i.e., some of the schooling to be conducted by a state regulation would be inconsistent with the teachings of the Church; teacher certification; and the problems pertaining to corporal discipline, etc.

Dr. James Mastin, Pastor and also involved in the operation of a Christian School and Christian preschool as part of its ministry, spoke to SB 683. He said he was very interested in SB 683 being favorably passed. (See Attachment No. 4.), for details of his comments. He said, they believe the responsibility of care and education of children belongs to the parents of those children. A choice should be theirs. To not have this freedom would be a sin to our people, he said. Licensing a church ministry violates the Bill of Rights respecting the establishment of religion. The Sunday services and Sunday Schools are guaranteed freedom and are not licensed, so the Monday schools should enjoy these same freedoms from state government control, he said. The favorable passage of SB 683 would be a step forward returning the responsibility of child raising and training to the parents he said. He then answered questions .

CONTINUATION SHEET

MINUTES OF THE HOUSE COMMITTEE ON PUBLIC HEALTH AND WELFARE,
room 423-S, Statehouse, at 1:30 ~~a.m.~~/p.m. on March 21, 1984

SB 683 continues:--

Senator Tom Rehorn spoke in support of SB 683. He stated he knew that Senator Angell had struggled with this bill both intellectually and spiritually, and has great concern with this issue as I have, he said. It seems to me, he said, if America is about anything, it is about creating and protecting space for people to be what they decide themselves to be. It is not necessary to understand why people feel the way they do about certain issues, and it is not necessary to agree with them on these issues, but I hate to see State Government get involved here in interfering with the religious convictions of some people in our state. There are other laws that we can use to protect the safety and well being of children without interfering with their theological convictions.

Barbara Sabol, Sec. of Health and Environment spoke to SB 683, stating she is not for, or against this issue, but would like to make some factual information available to committee as they make a decision on this bill. Their Department had worked at an attempt to implement a policy that would have exempted certain preschools from licensure, she said, and it was those schools who provided just 3 hours of school, provided no meals, and were attached to a school that offered grades K through 6th. These were schools that were already licensed with the Department of Education. The bill now before you goes further. I would like you all to realize, she said, licensure is to protect children. It is for screening the qualifications of people who will inter-act with youngsters, protecting them from persons who have a record of child abuse, and of course there are the health standards that must be met, safety and fire regulations, and the corporal punishment issue. She then answered questions from staff and committee.

Elizabeth Taylor, Ks. Association for Education of Young Children spoke to SB 683, in that the licensure of preschool facilities is vital for the protection of young children of our state. She read regulations that are required by the Department of Education, and after quite a comprehensive list was read she stated there is nothing to prohibit the teaching of religion. The guide lines that have been painstakingly implemented have been done for the protection of children. The next regulation she spoke to was corporal punishment, and she said this is a big issue. She brought attention to a fact earlier mentioned this date, that some of the children attending these private schools are not all members of the Church that operates the school. She spoke further to the requirements for the educators, problems of keeping the very young child in school for more than 3 hours, etc. She feels, she said, the Church should be regulated in their schools the same as all other schools. Our Association is in opposition to SB 683 she stated.

Gene Swim, Vice President of Christian Schools, spoke in favor of SB 683. He stated their schools have a good working relationship with the State Board of Education and this relationship is not on the basis of licensure or mandatory accreditation, but on the basis of compulsory attendance, competent instructors they use in their schools and a spirit of cooperation with the standards for core curriculum and units required for graduation, and compliance with health and fire safety standards, etc. Further, he stated, they sincerely believe that whether or not a church-connected preschool exists as part of an elementary school should not be determined by the Department of Health and Environment. He urged for favorable passage of SB 683. (See Attachment No. 5.), for details of his testimony.

Joan Raven, M.A. Coordinator Cloud County Community College, Concordia, Ks., spoke in opposition to SB 683. She called attention to hand-out included with her printed testimony, (see Attachment No. 6.), for details. This explains, she said, education that is needed for preschool instructors in order to meet requirements. Her belief that a proper education for those who directly inter-act with the students in preschools, she said, is necessary for quality education.

CONTINUATION SHEET

MINUTES OF THE HOUSE COMMITTEE ON PUBLIC HEALTH AND WELFARE,
room 423-S Statehouse, at 1:30 ~~a.m.~~/p.m. on March 21, 1984.

SB 683 continues:--

Robert Poresky, Board Member for Kansas Association for Education of Young Children, spoke in opposition to SB 683. (See Attachment No. 7.), for details of his testimony. It is his strong conviction that all preschools be required to meet regulations and be licensed. At a time, he said, when our nation is concerned with quality education, we should not be giving consideration to exempting selected preschool educational programs from meeting basic requirements. He asked that committee would support the young children by maintaining the current safeguards within the preschool regulations by either rejecting SB 683, or requiring the Department of Education to enforce the relevant Ks. Department of Health and Environment preschool regulations.

Hearings closed on SB 683.

Chair announced that we are out of time this date, and SB 780 will have hearings held tomorrow, March 22, 1984.

Chair announced sub-committee appointments on several bills that will need work on amendments.

SB 623, breast cancer bill, chairman appointed will be Rep. Hassler, other sub-committee members on this bill are Rep. Roenbaugh, and Rep. Wagnon.

SB 640, hemophilia Bill, Rep. Friedeman was appointed to be chairman, and other sub-committee members on this bill are Rep. Kline and Rep. Harder.

SB 660, the dental bill, Rep. King was appointed to be chairman and other sub-committee members on this bill are Rep. Buehler, and Rep. Walker.

Meeting adjourned at 3:05 p.m.

Date: 3-21-84

GUEST REGISTER

HOUSE

PUBLIC HEALTH AND WELFARE

Please PRINT

NAME	ORGANIZATION	ADDRESS
MARÉE E. HUMES	LEAGUE WOMEN VOTERS - EMPORIA	2025W. SEVENTH - EMPORIA - KS - 66801
Lisa Hunter	"	613 S. Merchant St. Emporia 66801
Christine L. Stillson	" " " "	4 LAKESHORE DR. EMPORIA 66801
Diane Peil	" " " Johnson Co	7737 Long Shawnee 66216
Dorleen Simonsen	" " " " "	7333 Long, Shawnee 66216
KETH R LANDIS	CHRISTIAN SCIENCE COMMITTEE ON PUBLICATION FOR KANSAS	TOPEKA
Dub Lakestraw	Family Service & Guidance Center	"
Paul M. Klotz	ASSOC OF CMHC'S OF KS	820 Quincy Suite 416 ^{TOPEKA} 66612
Dr. Gerald T. Hawk	WRS / MTHMR	505, Topeka, KS
Jean Remmers	KANHA	711 So 11 th
PAT REMMERS	KANHA	1430 OREGON SABBATH #5
Joe Hollowell	KDHE	Topeka
Gail Franklin	League of Women Voters - Topeka	2321 SW 35 th Terr., Topeka 66611
John Van Den Berg	Center for Applied Behavior Analysis	Topeka/Lawrence
Amy Otis	Center for Applied Behavior Analysis	Topeka/Lawrence

Attn #1
3-21-1984

Attn #2
3-21-84

CRS683p1

REPORTS OF STANDING COMMITTEES

MR. SPEAKER:

Your Committee on Elections PHW

Recommends that Senate Bill No. 683 (As Amended by Senate Committee)

"AN ACT concerning preschools; providing for the regulation thereof; exempting such schools from certain licensure requirements."

Be amended:

On page 1, in line 22, preceding "Private" by inserting: "(a) Except as otherwise provided by subsection (b)"; following line 34, by inserting:

"(b) Any person or organization maintaining a private preschool as provided in subsection (a), may in lieu of operating as a school pursuant to K.S.A. 72-1111, and amendments thereto, elect to be licensed and operate in accordance with article 5 of chapter 65 of the Kansas Statutes Annotated and acts amendatory thereof or supplemental thereto.";

And the bill be passed as amended.

Chairperson

Attn #2
3-21-1984

Attn # 3
3-21-84

Testimony in Support
of Senate Bill 683
M. Rex Fuller, Ed. D
March 21, 1984

Mr. Chairman and members of the committee, thank you for this opportunity to speak in support of Senate Bill 683. This bill represents a reasonable effort by Senators Angell and Hess to delineate departmental responsibilities so confusion and confrontation can be prevented. I have personally been involved in situations where such problems developed in the past.

Approximately six years ago I worked with a Christian school principal who wished to plan a full day preschool program as an extension of the school. During the ten years I served the school as its superintendant, we did not experience any problems with the Department of Education. However, after studying the forms from the Department of Health and Environment, we decided not to start the program. The licensing provisions appeared inconsistent with school laws, involving the department in the program and philosophy of the school.

After completing my doctoral program in educational administration at the University of Kansas, I served as the director of a federally-funded program headquartered in Conway Springs from 1971 to 1973. We offered a preschool child care program for two, three, and four year olds. Since we were sponsored by U.S.D.#356, the program was not subjected to licensing by the Department of Health and Environment.

I believe it is appropriate for public schools to be exempted from program licensing by the Department of Health and Environment. Private schools have established a history of cooperation with the Department of Education but have encountered difficulties with the Department of Health and Environment when extending their programs for younger children.

In 1981 the West Side Baptist Church in Emporia was threatened with litigation. I met with the Pastor and a representative of the Department of Health and Environment, but we were unable to resolve the problem. The meeting ended with the Pastor expecting to be taken to court, but no action has been initiated against him.

Attn # 3
3-21-1984

The North Woodlawn Baptist Church in Derby also has a successful school program with a preschool program. Early in 1983 attorneys for the church met with attorneys for the Department of Health and Environment to discuss the question of licensure. The conflict was not resolved at that meeting, but no further contact has been made.

Last summer the department moved against the Heritage Baptist Temple in Great Bend. Several meetings, including one in which Senator Angell served as an arbitrator, failed to resolve the problem. The case went before the District Court in December. The court ruled for the state. In the comment by the court it was stated that the church is doing nothing innately wrong. The problem was identified as statutory, because of the requirement to have a program licensed by the Department of Health and Environment.

The churches in question have no difficulty with objective standards pertaining to sanitation, fire codes, safety, etc. It is their intention to not just meet, but to exceed the requirements of law. Their problem relates to having the program licensed. Their philosophy is different from that reflected in Health and Environment forms and publications. They believe parents should be involved in choosing the best training for their children. They believe discipline should reflect love and methods of Scripture and cannot, by conviction, make the Scriptures subservient to the state. They are compelled by their faith to continue a ministry of this type.

The conflict focused on the Heritage Baptist Temple after the Department of Health and Environment issued a narrow definition of a preschool, apparently exempting the other churches in conflict. I appreciate the effort to resolve the conflict and commend the department for recognizing that preschools connected with elementary and secondary schools would better operate under statutes relating to schools. However, that definition included not only the age and purpose requirements found in Senate Bill 683 but also requirements that children could not remain more than three hours or eat meals there. This bill would restrict a preschool only to serving children at least thirty months of age and to operating for educational purposes in a school facility. In support of the desire of Kansans to maintain harmony between the state of Kansas and private, denominational, and parochial schools in the state, I urge you to advance Senate Bill 683. Thank you.

Comments submitted
Concerning SB 683

*Attn. #4
3-21-84*

Dr. James Mastin
1409 N. Woodlawn
Derby, KS 67037

As the pastor of a church that operates a Christian school and Christian pre-school as part of its ministry, I'm very interested in Senate Bill 683 being passed.

Over the years we have seen across our nation a gradual trend toward government control of our schools, both private, parochial, and church related. We feel this is a very dangerous direction for our country to be moving because government control of our church school violates the convictions of the church's membership. We are unable to accept a license for any ministry of our church for the following reasons:

- (1) Ephesians 1:22 states, referring to Jesus, "And hath put all things under His feet, and gave Him to be the head over all things to the church."

We acknowledge Jesus Christ as Lord over our church ministries. To be licensed is to put a greater power over Him and His church. We simply cannot do that.

- (2) We believe the responsibility of care and education of children belongs to the parents. God has repeatedly given His people instructions as to how they should raise, train, and teach their children. To not do so, free from government control, would be a sin to our people.
- (3) Licensing a church ministry violates the Bill of Rights respecting the establishment of religion. The Sunday services and Sunday School are guaranteed freedom and hence not licensed. Therefore, the Monday school should enjoy the same freedom from state control since the Monday through Friday segment of our church ministry is simply an extension of our Sunday ministry.

*Attn. #4
3-21-1984*

Therefore, we are pleased to see Kansas step out, as several other states have, and lead in this matter of putting church schools back under the authority of the parents and their church rather than a government licensing agency.

We strongly support the passage of Senate Bill 683 for the following reasons:

- (1) It rejoins the pre-school ministry of the church with the school ministry of the church in the eyes of the state. All of our ministries are inseparable from one another and from the church.
- (2) It removes the state from a conflicting position with the church which we have seen so graphically demonstrated in the state of Nebraska. As church leaders we have a strong desire to support our state government and its leaders. It places a limit on that support when the state places themselves in a conflicting position with the church.
- (3) The passage of this bill is a step toward returning the responsibility of child raising and training to the parent.
- (4) It would pull us back under the Bill of Rights protection of our freedom to operate a religious ministry according to the dictates of our God-given convictions.

We urge you to consider the magnitude of your decision in the lives of a large segment of your constituency, and to vote to see Senate Bill 683 passed.

Thank you.

Attn # 5
3-21-84

March 21, 1984

Rep. Marvin Littlejohn,
Chairperson of the House Committee
on Public Health and Welfare

Chairman Littlejohn, I am Gene Swim, Vice President of the Kansas Association of Christian Schools. Thank you for this opportunity to speak as a proponent to Senate Bill 683.

Our schools have a good working relationship with the State Board of Education. We believe this relationship is much more practical than dividing up a part of an educational ministry, such as pre-school, and placing it under the Department of Health and Environment. A relationship with the Department of Health and Environment would be on the basis of licensure. The relationship we have with the State Board of Education is not on the basis of this licensure or mandatory accreditation, instead it is on the basis of compulsory attendance, competent instructors and a spirit of voluntary cooperation with the standards for core curriculum and units required for graduation. Safety health and fire standards are complied with and these standards by local authority carry a force of law.

These standards are already enforced without the involvement of the Department of Health and Environment by their program of licensure. We sincerely believe that whether or not a church-connected pre-school exists, as part of an elementary school, should not be determined by the Department of Health and Environment.

Sincerely,



Gene R. Swim
Vice President of the Kansas
Association of Christian Schools

GRS:ms

Attn # 5
3-21-1984

March 21, 1984

Opposing Senate Bill #683

*Attn. #6
3-21-84*

TRAINING OF EARLY CHILDHOOD EDUCATORS

Opposing Senate Bill #683

Presented by: Joan E. Raven, M.A.
Instructor and Coordinator
Care and Guidance of Young Children
Cloud County Community College
Concordia, KS 66901

Basic core classes in the curricula of a typical Early Childhood Education Program in either a 2 or 4 year institution would include the following:

Child Development - how do children develop, what can we expect of children at the preschool ages.

Observation Course in conjunction with Child Development to see actual children doing the skills learned about in main course.

Interaction and Guidance of Children - what to say to children, how to say it to children and how to guide an entire group of children and individual children.

Activities planning course dealing with the what, where, when, how and why of activity development, planning presentation and evaluation of activities for use with young children.
(A laboratory experience also accompanies this course to give student experience in planning, preparation, presentation and evaluation of activities.)

Health, Nutrition, Safety, First Aid Course dealing with these components in relation to preschool children out of the home and in group care (preschool, child care or nursery school).

More advanced activities planning course dealing with planning of the entire time children are at Center, the developmental goals.

Parent Relations course dealing with what to say to parents, how to involve parents in program, how to meet the parents needs.

Directed Field Experience - similar to student teaching, student is in the Center full time and assumes many of the responsibilities of the teacher for a full semester.

Business courses - to fully understand the administration of a program, state laws and staff relations.

*Attn. #6
3-21-1984*

These are the basic courses which are in almost every preparation program for Early Childhood Educators. Many other courses are added and several hours of practicum to prepare the teacher. These requirements are supported by a 1982 publication from the National Association for the Education of Young Children entitled Early Childhood Teacher Education Guidelines.

Attached is a copy of the curriculum we follow at Cloud County Community College for our two year associate degree allowing them to meet the Kansas requirements for Program Directors and Teachers of Preschools and Child Care Centers.

CARE AND GUIDANCE OF YOUNG CHILDREN ...

... provides a background in family and development theories while working directly with children. Supporting courses complete the program.

FIRST SEMESTER	CR. HRS.
Early Childhood Development	3
Early Childhood Development Lab.	1
Interaction Techniques with Young Children	3
Human Relations	2
General Psychology	3
English Composition I	3
Physical Education Elective	1
	16
SECOND SEMESTER	
Creative Activities for Young Children	4
Creative Activities for Young Children Lab.	0
Health and Nutrition for Young Children	3
Speech	2
Marriage and Family or Parenting	1-3
First Aid and Safety	3
Physical Education Elective	1
Electives	0-2
	14-18
THIRD SEMESTER	
Developmental Program Planning for Young Children	4
Developmental Program Planning for Young Children Lab.	0
Parent Providers & Community Relationships	3
Human Growth & Development	3
Supervisory Office Management	3
Child Care Management Practicum	1
Business Accounting	3
	17
FOURTH SEMESTER	
Child Care Administration, Organization, and Management	3
Directed Field Experience	6
Electives	4-6
	13-15
Total Hours in Program	62
Minimum Grade Points	124

CLOUD COUNTY COMMUNITY COLLEGE • 2221 CAMPUS DRIVE • CONCORDIA, KANSAS 66901

Things to Know About Cloud County Community College

COST: Tuition and fees for 1982-83 are \$17 per credit hour. Total tuition, fees, and books for one academic year will cost approximately \$750.

FINANCIAL AID: The college participates in the BASIC and SEOG Grant Programs, Work Study, National Direct Student Loans, and the Guarantee Student Loan Program-Higher Education Loan Program. On and off campus jobs are available, as are scholarships. Contact the financial aid office for further information.

HOUSING: A unique experience in college housing is available at CCCC. Eleven campus apartment buildings provide housing for 200 students. The campus apartments accommodate 136 women and 64 men and are located adjacent to the Commons. Each apartment has a kitchen, living-dining area, two bedrooms and a bath. The newest apartment building accommodates six students per apartment; all other apartments accommodate four students. The apartments are electrically heated and offer a break from traditional dormitory living. New and attractive, they can be decorated according to the whims of the occupants! Cost, including utilities, is \$800 per student.

Housing is available in the city of Concordia for comparable costs.

PLACEMENT: A placement bureau is operated by the college to aid students in locating both part-time employment while attending college and full-time employment upon graduation or leaving school. Students are encouraged to use this service as placement is good.



9/82

HOME ECONOMICS

Care and Guidance Of Young Children

Two-Year Associate Degree Program



CLOUD COUNTY COMMUNITY COLLEGE

CONCORDIA, KANSAS

CHILD CARE EDUCATION IS AMONG THE MOST RAPIDLY EXPANDING VOCATIONAL EDUCATION AREAS IN AMERICA. AS MORE FAMILIES FIND NEED FOR CHILD CARE, AND MORE PARENTS RECOGNIZE THE BENEFITS OF EARLY EDUCATION, THE DEMAND OF WELL-TRAINED CHILD CARE LEADERS WILL CONTINUE TO GROW.



GRADUATES ...

... can meet S.R.S. educational certification requirements for a two-year college program.

... will receive an Associate of Science Degree.

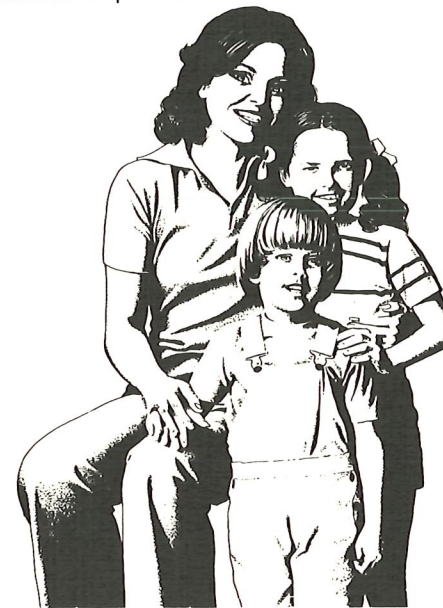
PREPARE TO BE ...

... a director, teacher, or assistant in:

- a child care center
- a nursery school
- a pre-school

... proprietor of a facility in your own home

... an informed parent



Contact:

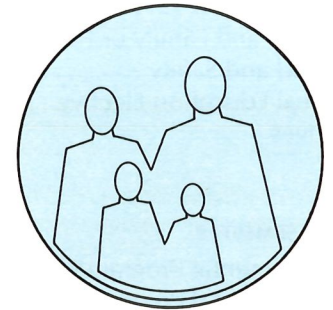
Dianna L. May
 Home Economics Coordinator
 Cloud County Community College
 2221 Campus Drive
 Concordia, Kansas 66901
 Phone (913) 243-1435



INFORMATION FORM

Please send me information about:

- Care and Guidance of Young Children Program
- Scholarship Opportunities
- Work Study Program
- Application for Admission
- CCCC Enrollment Procedure
- I am interested in visiting the CCCC Campus
- I would like an individual conference in planning a program of study at CCCC in Care and Guidance of Young Children



Name _____

Address _____

Phone _____

For more information complete this Information Form and Send to:

Dianna L. May
 Home Economics Coordinator
 Cloud County Community College
 2221 Campus Drive
 Concordia, Kansas 66901
 Phone (913) 243-1435

#7

March 20, 1984

To: Kansas House Public Health and Welfare Committee

Fr: Robert H. Poresky
President, Kansas Council for Children and Youth
Board Member, Kansas Association for the Education of
Young Children
Associate Professor, Family and Child Development,
Kansas State University
Resident: 3016 Claflin Road, Manhattan, Kansas 66502

Re: Opposition to SB 683

I believe SB 683 is designed to exempt selected preschool programs from meeting the minimal Department of Health and Environment regulations for preschools. Based upon my experience as a parent and professional in the field of early childhood education, I urge you to support the health and welfare of preschool children by requiring all preschools to meet the minimal state regulations pertaining to preschool programs. I do not believe that the transfer of oversight from the Kansas Department of Health and Environment to the Kansas Department of Education would provide the safeguarding which is essential to protect the health and welfare of young children because K.D.E. does not have equivalent regulations concerning environmental and staff qualifications.

At a time when we as a nation are concerned with the quality of educational preparation of our children, we should not be exempting selected preschool educational programs from meeting basic requirements. Our families and children deserve the admittedly minimal safeguarding of the current regulations which have been developed with public input by the Kansas Department of Health and Environment.

Thus I hope you will support our children by maintaining the current safeguards within the preschool regulations and thus providing some assurance to Kansas families that their children will not be exposed to unnecessary hazards by either rejecting SB 683 or by requiring K.D.E. to enforce the relevant K.D.H.E. preschool regulations.

Attn. #7
3-21-1984