

Approved January 28, 1986
Date

MINUTES OF THE House COMMITTEE ON EDUCATION

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

3:38 ~~AM~~/p.m. on January 15, 1986 in room 519-S of the Capitol.

All members were present except: Representative Branson, Polson, Hensley, Miller, and Laird. All were excused.

Committee staff present:

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

Conferees appearing before the committee:

none

The Chairman welcomed the returning members of the Committee and introduced Lynda Cory, the new Secretary to the Committee.

The Committee members were given a summary of bills and resolutions carried over from the 1985 Session in the House and Senate Committees on Education prepared by Ben Barrett. (Attachment 1)

A letter jointly signed from Legislative Research and Revisor of Statutes Departments was presented to the Committee. It indicated that the three home instruction bills (HB 2008, HB 2080, HB 2178) had been declared tabled to a time certain, and they should be declared off the table because the time has passed. These three bills are before the Committee in their original form. (Attachment 2)

A motion was given by Rep. Hassler and seconded by Rep. Brady to introduce the four proposals submitted to the Committee by the State Board of Education regarding community colleges and Washburn University. Motion carried.

The next meeting is scheduled for Tuesday, January 21, 1986.

This meeting adjourned at 4:06 p.m.

SUMMARY OF 1985 CARRYOVER BILLS

In House and Senate Education Committees

I. HOUSE EDUCATION COMMITTEE

A. House Bills

H.B. 2008 (Interim Special Committee on Education — Proposal No. 17). The bill establishes a home instruction alternative for meeting the compulsory attendance requirements and imposes some new obligations for satisfaction of compulsory attendance by attending a nonaccredited nonpublic school.

An authorized home instruction option would be available only to the children who reside in the home and, further, to the private residence of such children and their parents. The parent is required annually to notify the State Board of Education that the child will be in a home instruction program. Children in home instruction must participate in the state's minimum competency assessment program. If the child fails to pass the minimum competency test, the school district in which the child resides must consult with the child and the parent in order to remedy identified deficiencies. The next year the child is tested again at the same grade level as before. If the child fails the test for the second time, the school district evaluates the child's abilities and determines whether satisfactory educational progress is being made. If the school district determines such progress has not occurred, the home instruction exemption is lost and the school district reports the child to the Secretary of Social and Rehabilitation Services.

With regard to nonaccredited nonpublic schools, enhanced registration and reporting requirements are imposed and participation of children enrolled in such schools in the state's minimum competency assessment program is required.

H.B. 2074 (Representative Harper — As Amended by the House Committee on Education). The bill requires every accredited school maintaining any of grades 4 through 8 to provide all pupils attending any of such grades so maintained a complete course in Kansas history.

(Rereferred from Committee of the Whole.)

H.B. 2080 (Representative Hassler). The bill, which is similar to H.B. 2008 in several respects, establishes a home instruction alternative for meeting the compulsory attendance requirements. H.B. 2080 is different from H.B. 2008 in that it requires the parent of the child annually to notify the school district board of education regarding a child who is to be provided home instruction. The parent must file with the school district board a copy of the curriculum and the listing of learning activities which comprise the instruction program. The school district designates a certificated

employee to oversee the home instruction program and to make at least one visit per school year to each such program. A home instruction child would participate in the state's minimum competency assessment program, which would be administered at the local school district level. If the child in home instruction fails the test through a determination that the child is performing six months or more below grade level, the school district designates a certificated employee to counsel the child and the child's parents in order to remedy the deficiencies identified. The next year the child is tested at the same grade level as before. If the child exhibits performance that is 12 months or more below grade level expectancy, the home instruction option is forfeited and the child is reported to the Secretary of Social and Rehabilitation Services.

With respect to nonaccredited nonpublic schools, the provisions of H.B. 2008 and 2080 are similar. The main difference arises in the way in which testing criteria are applied in order to determine whether the nonaccredited nonpublic school attendance option may be maintained.

H.B.2091 (House Committee on Education). The bill amends a statute which directs the State Board of Education to charge fees for certification, renewal of certification, or issuance of duplicate certification. The present law directs the State Board to charge a fee of not less than \$13 nor more than \$18 for the purpose of defraying the cost of the certification function. The amendment proposes to increase the range of certification fees that may be charged to not less than \$16 nor more than \$25.

(H.B. 2091 was recommended by the State Board of Education.)

H.B. 2115 (House Committee on Education). The bill amends the law pertaining to due process for teachers employed by school districts, area vocational-technical schools and community colleges. The amendment provides that the cost of the services of the three members of the hearing committee would be borne as follows: the cost of the member designated by each party would be borne by that party and the cost of the third member would be borne equally by the parties. (The present law provides that the cost of services of all three members of the hearing committee are borne equally by the parties.)

(H.B. 2115 was introduced at the request of the Kansas Association of School Boards.)

H.B. 2118 (Representative Hayden, et al.). The bill provides that the primary contract of employment of any teacher may be terminated or nonrenewed by a board of education on the basis of refusal by the teacher to enter into, renew, or fulfill the provisions of a supplemental contract.

(See also H.B. 2116 in Senate Education Committee.)

H.B. 2147 (House Committee on Education). The bill amends a section of the School District Equalization Act (SDEA). The purpose of the amendment is to allow a school board to deposit miscellaneous revenues in the general fund of the school district in any year that an allotment system has been applied to the appropriation made for the SDEA.

(H.B. 2147 was recommended by the Kansas Association of School Boards.)

H.B. 2178 (Representative Louis). The bill provides a home instruction option as an exemption from the compulsory attendance law. Unlike H.B. 2008 and H.B. 2080, H.B. 2178 does not address nonaccredited nonpublic schools. Under the bill, home instruction is to be provided in the home of the child and only for children living in the home. Instruction is to be provided by a "competent instructor" under the supervision of the parent.

The parent is required to register with the State Board of Education a child who is to be provided home instruction. Even though instruction is provided in the home, special instruction provided outside the home or participation of a child in classes conducted at nonpublic schools is permissive, so long as the primary place of instruction is the home.

The parents are required to arrange for a home instruction child to be tested by use of a standardized achievement test approved by the State Board of Education. The test would be administered the first time within nine months after the child becomes subject to the law, and annually every year thereafter as long as the child remains subject to compulsory attendance. The achievement test would be administered by a public or nonpublic school or by an independent person approved by the State Board of Education. The copy of the child's test results would be filed with the State Board of Education. If the State Board determines that satisfactory progress is not being made, it notifies the parent that the home instruction exemption has been taken under advisement for a period of one year. At the end of the advisement period, the State Board determines if the exemption will remain in effect, continue under advisement, or be withdrawn. If the exemption is withdrawn, it can be reinstated only after a written application to the State Board and review and approval by the Board. In addition to test results, the State Board must take into consideration other factors pertaining to the child in determining whether the child is making satisfactory progress. If the home instruction exemption is withdrawn, compulsory attendance requirements could be met by attendance in a school district, accredited nonpublic school, or nonaccredited nonpublic school.

H.B. 2212 (Representative Spaniol, et al.). The bill amends the SDEA (including the transportation aid program) to change from September 15 to September 25 the date on which enrollment in the district is determined.

H.B. 2266 (House Committee on Education). The bill amends a section of the teacher due process law. The amendment relates to the designation of the third member of the due process hearing panel. One hearing committee member is designated by the teacher; the second, by the local board of education. The two hearing committee members so designated appoint the third hearing committee member who serves as chairperson of the hearing committee. If within five days of the designation of the second hearing committee member the two members are not able to agree on the third member of the panel, the Commissioner of Education would appoint the third member from a list of qualified and impartial persons, representative of the public, that the Commissioner maintains. (Under present law, when the two hearing committee members first appointed cannot agree on the third member, that member is named by the district judge of the home county of the education institution.)

(H.B. 2266 was requested by the Kansas-National Education Association.)

H.B. 2319 (Representative Apt). The bill amends statutes pertaining to registration requirements of nonaccredited nonpublic schools. Additional registration and reporting requirements are added as of September 15 of each school year. Schools must register with the State Board of Education the grade levels maintained; the number of pupils in attendance at the school and the name and age of each such pupil; and the number of instructors who hold teaching certificates issued by the State Board of Education and the number who are not so certified. (The present law requires the official custodian of such a school only to register the name and address of the private elementary or secondary school with the State Board of Education.) The State Board would prepare and maintain a compilation of the registrations submitted by the nonaccredited nonpublic schools.

H.B. 2322 (Representatives Apt, Chronister, and Lowther). The bill authorizes an additional 0.25 percent of general fund budget authority to school districts which adopt career incentive salary plans. A "career incentive salary plan" would be one adopted by the board which is supplemental to the regular salary plan in the district and which provides for payments of increasing amounts of supplemental compensation as teachers attain higher levels of career status. In order to qualify for additional budget authority, the salary plan must include a comprehensive evaluation, training, and rewards system that may affect all teachers employed in the district; require school district employees to develop new skills in the area of personnel evaluation, goal setting, and management style; address certain specified objectives; and include certain career status levels. Participation by a teacher in the plan would be voluntary. Such plans would be excluded from the meaning of "terms and conditions of professional service" under the professional negotiations law, and, therefore, would not be the subject of such negotiations.

H.B. 2345 (Representative Polson). The bill applies to certified employees of school districts and provides that beginning with the 1985-86 school year, no school district employee would be eligible for an increase in the current base salary for the next school year if the employee's latest evaluation in the current school year is below standard or is unsatisfactory. The employee would continue to be paid at the current base salary rate until he or she becomes eligible for an increase. To be eligible for an increase in the next year, the employee would be required to have a performance evaluation rating of at least standard or satisfactory.

H.B. 2369 (Representative Patrick). The bill amends the School District Equalization Act to provide budget controls for the 1985-86 school year of 103 percent to 105 percent. The bill also amends a section of the KPERS law to require the state to pay the employee contribution for nonadministrative certificated professional employees of school districts.

H.B. 2379 (Representative Solbach). The bill relates to transportation of pupils by school districts. For purposes of transportation, the residence of a child would include a child day care facility which regularly provides care for the pupil, is located in the school district, and is licensed by or registered with the Secretary of Health and Environment. Such a "residence" would apply when the parent or person acting as the parent makes written request to the school district for this purpose. The school district would then be obligated to transport such pupils to and from the school just as if the transportation were being provided to and from the home of the child. The transportation aid formula would be amended to conform to the policy of requiring transportation to and from child day care facilities.

H.B. 2388 (Representative Patrick). The bill directs the Commissioner of Education to establish a centralized purchasing and exchange activity to assist school districts in acquiring goods and services and in the sale or exchange of goods and services with other school districts. Subject to appropriation acts, the Commissioner would maintain an inventory of new and used goods available for sale or exchange. The Commissioner could impose charges to cover the cost of establishing and maintaining the centralized purchasing and exchange activity.

H.B. 2393 (Representative Hensley, et al.). The bill would amend the professional negotiations law applicable to school districts, area vocational-technical schools and community colleges. The bill provides that at the end of the impasse process under the professional negotiations law, in the event the parties do not reach agreement, the recommendations of the factfinding board would be final and binding. Under present law, when the factfinding process is completed, if the two parties do not reach agreement, the school board issues unilateral contracts. H.B. 2393 authorizes the issuance of unilateral contracts only when negotiations have been voluntarily terminated by mutual agreement of both parties.

In addition, the listing of prohibited employer and employee practices is expanded to include refusal to enter into an agreement when professional negotiation has concluded by binding factfinding.

Under present law, a teacher may give notice of his or her desire not to continue employment in the next year until 15 days after final action is taken by the Board of Education upon termination of professional negotiations in instances where a negotiated agreement is not reached. This provision is changed to allow the employee 15 days after the termination or conclusion of professional negotiations in the event the situation occurs after May 10.

H.B. 2435 (House Committee on Assesment and Taxation). The bill pertains to individual income taxes and provides for a modification in the deductions from federal adjusted gross income for purposes of computing Kansas income tax liability of amounts not to exceed \$500 for each dependent in grades K-6, and \$700 for each dependent in grades 7-12, for tuition, textbooks and transportation of each dependent attending an elementary or secondary school located in Kansas, Oklahoma, Colorado, Nebraska, or Missouri which is not-for-profit and which adheres to the provisions of the federal Civil Rights Act of 1964 and applicable Kansas laws against discrimination and which fulfills the state's compulsory attendance law. The term "textbooks" does not include religious instructional materials or materials for extra-curricular activities and transportation for extra-curricular activities.

(H.B. 2435 is separately referred to the House Committee on Assesment and Taxation.)

H.B. 2456 (House Committee on Education). The bill creates a state aid program for payment of academic advancement awards to community colleges. Beginning in FY 1987, a community college would be eligible to receive a state academic advancement award subject to the following conditions: the community college must submit an approvable application to the State Board of Education; in the fiscal year that the application is submitted, the community college must have obtained from private sources and deposited in its academic advancement fund an amount that is equal to at least 40 percent of the award being requested from the state; and a

community college could not receive in any fiscal year an academic advancement award in excess of \$125,000.

Each year the State Board of Education would determine the total amount necessary to be appropriated from the Kansas Community College Advancement Fund to pay in full the academic awards community colleges would be eligible to receive in the next fiscal year. The Legislature would be required to transfer from the State General Fund to the Kansas Community College Academic Advancement Fund the amount determined to be necessary by the State Board of Education.

(The bill was requested by the Kansas Association of Community Colleges. It is separately referred to the House Committee on Ways and Means.)

H.B. 2538 (House Committee on Education). The bill enacts the Community College Economic Development Program Assistance Act. An economic development program is one operated by a community college to encourage new industries to locate in Kansas, to provide education and training for prospective employees of new or expanding industries, and to upgrade the skills of persons presently in the work force. The bill proposes that state financial assistance be provided to community colleges to offset part of the expenses attributable to the operation of economic development programs.

The bill proposed a State General Fund appropriation of \$150,000 for this program.

(H.B. 2538 was recommended by the Kansas Association of Community Colleges. The bill is separately referred to the House Committee on Ways and Means.)

H.B. 2572 (House Committee on Ways and Means). The bill exempts gifted programs from special education mandate.

B. House Concurrent Resolution

H.C.R. 5008 (House Committee on Education). The concurrent resolution urges schools and boards of education to provide programs that would help prepare youth for life development. The objectives of such programs should be accomplished with the assistance of local community organizations.

(HCR 5008 is identical to SCR 1613. On April 1, 1985, HCR 5008 was tabled.)

C. Senate Bills

NONE

D. Senate Concurrent Resolutions

S.C.R. 1608 (Senate Committee on Education). The concurrent resolution urges the State Department of Education in each fiscal year to reduce by 5 percentage points the amount it retains for state administration of the federal Chapter 2 block grant program. This would continue for a period of three years until the level is reached wherein the State Department of Education retains only five percent of the amount of the grant for administration.

(S.C.R. 1608 was recommended by the Kansas-National Education Association.)

S.C.R. 1624 (Senate Committee on Education). The concurrent resolution encourages school district boards to consider commencing the school term after Labor Day. In this regard, the primary concern of school boards should be to provide the highest quality of education possible.

S.C.R. 1625 (Senate Committee on Education). The concurrent resolution commends school districts which are providing education programs for students on alcohol and drug abuse and urges other school districts to give utmost consideration to implementing such programs. The resolution urges the State Department of Education, Department of Social and Rehabilitation Services, and Department of Health and Environment to engage in a cooperative effort to assist school districts in addressing alcohol and drug abuse problems of students through various strategies.

SENATE EDUCATION COMMITTEE

A. Senate Bills

S.B. 54 (Senate Committee on Education). The bill amends a provision of the School District Equalization Act (SDEA) to define the term "pupil" to include preschool age exceptional children, excluding gifted children, who are at least three years old but who are not old enough to attend kindergarten. Any such pupil who is enrolled in and attending special education services would be counted as 0.5 pupil for purposes of the SDEA.

(S.B. 54 was recommended by the State Board of Education.)

S.B. 55 (Senate Committee on Education). The bill proposes to amend the law which authorizes any community college to levy a tax for capital outlay purposes by increasing the tax rate limitation from a maximum of 1 mill for a period of up to five years to a maximum of 2 mills for the same such period.

(S.B. 55 was recommended by the State Board of Education.)

S.B. 56 (Senate Committee on Education). The bill authorizes school district boards of education to increase the general operating fund budget by an amount not to exceed 0.5 percent for the purpose of developing and operating an approved summer remediation program for students in grades one through four. Such programs would concentrate on attainment of competencies in the subjects of reading and/or mathematics.

In order to qualify for the additional budget authority, the school board would submit to the State Board of Education a description of its summer remediation program. Approval of the program by the State Board as a valid method of remediation would be required in order for the district to obtain the additional budget authority.

School boards would be authorized to provide transportation to pupils in summer remediation programs. The cost thereof would be included for purposes of the school district transportation aid program.

(S.B. 56 was recommended by the State Board of Education.)

S.B. 77 (Senate Committee on Education). The bill amends statutes which provide limited due process procedures in instances involving nonrenewal of administrators (excluding superintendents) of school districts, interlocal cooperatives, and area vocational-technical schools. The amendments provide that whenever an administrator is given a written notice of a board's intention to nonrenew or terminate the administrator's contract, the administrator may request a written statement of the reason for the proposed action. The Board must provide the statement to the administrator within ten days from the date the request was received. Further, the Board would be required to give the administrator a hearing upon the filing by the administrator of a request therefor. That request must be filed within ten days of the date the administrator received the written statement of the reasons for nonrenewal or termination of the contract. The hearing must be held within ten days after the filing of the request. The hearing would be closed unless the administrator requested that it be open. Each party would have the right to have counsel present and to receive the advice of counsel.

Another amendment changes from May 1 to May 15 the date by which administrators are obligated to give notice to the board of the rejection of the renewal of a contract for the ensuing year.

(S.B. 77 was recommended by the United School Administrators.)

S.B. 99 (Senate Committee on Education). The bill amends the professional negotiations law applicable to school districts, area vocational-technical schools, and community colleges. The amendments address the scope of negotiations; that is, the statutory listing of terms and conditions of professional service, as follows: (a) "professional employee appraisal procedures" is deleted from the listing of mandatorily negotiable items; and (b) matters relating to the duration and number of teaching periods to be included in the school day, beginning and ending times of the school day, and the beginning and ending dates of the school term are expressly excluded from negotiation under the law.

(S.B. 99 was recommended by the Kansas Association of School Boards.)

S.B. 189 (Senator Parrish et al.). The bill amends the professional negotiations law to include within the definition of "terms and conditions of professional service" the items of "assignment procedure" and "transfer procedure" as mandatorily negotiable issues.

S.B. 196 (Senator Gaines). The bill requires every school district on or after July 1, 1986, to adopt a performance based salary plan. Such a plan may be the performance based salary plan prescribed by the State Board of Education or it may be one developed by the district that has been approved by the State Board. The penalty for noncompliance with the requirements of the bill is forfeiture by the school district of participation in the School District Equalization Act distribution of general state aid and state transportation aid and, also, in income tax rebate distributions.

Matters relating to the development and adoption by a school board of a performance based salary plan are specifically excluded from the coverage of the professional negotiations law. Under the bill, a performance based salary plan is one which applies to professional employees of the district that is supplemental to the regular salary plan of the district. Supplemental salaries would be paid on the basis of performance of duties that are in addition to and separate and distinct from regular contractual duties; performance of regular contractual duties for an extended period of time; and for outstanding or extraordinary performance of regular contractual duties.

The State Board of Education is directed to study, analyze, and evaluate performance based salary plans for public school employees which currently are in effect or which are being proposed throughout the state and the nation. On or before January 1, 1986, the State Board must develop a performance based salary plan which incorporates elements that contribute to the success of such plans, provide the plan to boards of education, and prescribe criteria for assessment and approval of a district initiated performance based salary plan.

S.B. 214 (Senators Winter, Allen, and Gordon). The bill pertains to Haskell Indian Junior College. It permits the Haskell Indian Junior College to participate in the vocational educational capital outlay aid program. It also authorizes a new program of "outreach state aid" which is state aid that would be distributed to Haskell Indian Junior College for the purpose of developing and operating workshops in courses, including preparatory and adult education courses, at locations in Kansas other than on the Haskell campus. The amount of aid made available by the State Board of Education for this purpose would be determined annually by legislative appropriation. Finally, Haskell Indian Junior College would be eligible for credit hour state aid at the rate of \$25 per credit hour of enrollment of Kansas resident students for courses at a level not higher than those offered to a freshman or sophomore in a four-year institution of post-secondary education. Such courses would have to be approved by the State Board of Education for purposes of this aid program.

S.B. 224 (Senator Langworthy, et al.). The bill requires every school transportation vehicle to be equipped with an FM business band radio at all times when the vehicle is being used for transportation of pupils or school personnel to or from school or to or from special education services on prescribed transportation routes. The buses owned by a public common carrier are excluded from this requirement as are privately owned motor vehicles for which the school district is reimbursing persons to furnish transportation to pupils or school personnel. The requirement applies only to school districts and becomes effective on July 1, 1987.

S.B. 231 (Senator Anderson). The bill prohibits the athletic department of State Board of Regents' institutions from requiring a contribution of any kind in addition to money paid for the purchase of season tickets to athletic events.

S.B. 236 (Senator F. Kerr, et al.). The bill amends the School District Equalization Act for the purpose of providing some increased school district general fund budget authority in order to encourage summertime programming. The bill provides that a school district's general fund budget authority could be increased to up to an additional 0.5 percent in order to assist it in operating summer programs and adopting extended performance salary plans. Such summer programs could include remediation, enrichment and extra-curricular activities. They also could include development of curriculum; development of more effective instructional materials, strategies and techniques; development of plans for improving pupil attitude and achievement; and formulating staff development and inservice programs.

In order to qualify for this added budget authority, the school district would be required to develop a summer program and adopt an extended performance salary plan and to submit a description thereof to the State Board of Education. (The salary plan applies to nonadministrative professional employees.)

S.B. 301 (Senate Committee on Education). The bill establishes a new program for the awarding by the State Board of Regents of Distinguished Scholar and Regents Distinguished Teacher Education Scholar financial awards.

The maximum awards under this program are \$1,000 per semester for a maximum of eight semester for a Regents distinguished scholar and \$1,000 per semester for a maximum of ten semesters of undergraduate study for a Regents distinguished teacher education scholar.

These scholarships could be used at a Regents' institution, Washburn University, and accredited independent colleges and universities.

Qualifications to become a Regents distinguished scholar include Kansas residency, acceptance for admission to or enrollment fulltime in an eligible educational institution, and a minimum score of 30 points on the American College Testing (ACT) assessment. After having qualified for the initial award, a person remains qualified by continuing in good standing in school and maintaining at least a 3.5 cumulative grade point average. Additional requirements applicable to a Regents distinguished teacher education scholar include obtaining junior or senior status and having enrolled in or been accepted for admission to a teacher education program approved by the State Board of Education and operated by an eligible institution.

Beginning in 1985-86, the State Board of Regents designates persons qualified as Regents distinguished scholars or regents distinguished teacher education scholars and awards initial scholarships to not more than 125 designees. The person would be eligible for this scholarship as well as tuition grants or state scholarships. These scholarships are not considered in determining financial need under the tuition grant or state scholarship program.

S.B. 312 (Senate Committee on Judiciary). The bill is designed to eliminate the practice of hazing. Employees of public or private secondary schools or post-secondary educational institutions are prohibited from recklessly permitting the hazing of students or prospective students. Violation of this prohibition is a class C misdemeanor.

The bill permits any person subjected to hazing to file a civil action for injury or damages, including mental and physical pain and suffering, resulting from hazing. An action may be brought against any participants in the hazing, any organization whose officers permitted the hazing, and any employee of an educational institution who knew or reasonably should have known of the hazing and did not make reasonable attempts to prevent it. If any employee of an educational institution is found liable in an action under S.B. 312, the employing educational institution itself also may be found liable. The consent of the plaintiff or any assumption of risk by the plaintiff is no defense to an action brought under S.B. 312. The educational institution does have an affirmative defense if that institution actively was enforcing a policy against hazing at the time the incident occurred.

B. Senate Concurrent Resolutions

S.C.R. 1610 (Senator Salisbury, et al.). The concurrent resolution directs the State Board of Regents in cooperation with the State Board of Education to establish a regional system of study teams to explore and evaluate the accessibility and quality of existing teacher education programs and to make recommendations for strengthening such programs. To accomplish this objective, the State Boards would divide the state into six regions composed of an essentially equivalent number of school districts. Every school district would be included in one of the regions. Each region also would include one of the Regents' teacher education institutions. One study team would be established in the region. The study teams would be composed of the dean and two other faculty members of the teacher education institution, the Commissioner of Education (or designee), one person representative of school administrators from each school district in the region, two persons from each school district in the region who are representative of teachers, and two school district patron representatives from each school district in the region. In June of 1986, the two State Boards would evaluate the study results and develop an action plan that incorporates the recommendations of the study teams, identifies the needs of teacher education programs, and proposes recommendations for meeting the needs identified.

S.C.R. 1613 (Senate Committee on Education). The concurrent resolution urges schools and boards of education to provide programs which will help prepare youth for life development. The objective of such a program should be accomplished with the assistance of local community organizations.

(See HCR 5008, which is identical.)

C. House Bills

H.B. 2101 (Representatives Pottorff and Fuller). The bill amends the School District Equalization Act to change from September 15 to September 22 the date for determining enrollment for purposes of that law. This date is used in the determination of school district general fund budget authority and general state aid and transportation aid entitlements.

H.B. 2116 (House Committee on Education — As Amended by the Senate Committee on Education), The bill does two things. First, it provides that the primary contract of employment of any teacher may be terminated or nonrenewed by a board of education on the basis of refusal by the teacher to nonrenew or fulfill the provisions of a supplemental contract. Second, it amends the continuing contract provisions

applicable to teachers in school districts, area vocational-technical schools, and community colleges to change from May 10 to May 5 the deadline the teacher must observe in notifying the board of the teacher's intent not to renew the contract for the next year. It also changes from April 15 to April 10 the deadline the board of a school district, interlocal cooperative, or area vocational-technical school must observe in notifying an administrator of its intent not to renew the administrator's contract for the next year and from May 1 to May 5 the deadline the administrator must observe in notifying the board of the administrator's intent not to renew the contract.

(H.B. 2116 was rereferred to the Senate Committee on Education from the Committee of the Whole.)

H.B. 2391 (Representative Wunsch). The bill allows governing boards of educational institutions to enter into agreements with local law enforcement agencies of the state to provide instruction. The current law allows educational institutions to enter into agreements only with state agencies.

D. House Concurrent Resolutions

NONE

BFB/pb

STATE OF KANSAS

RICHARD W. RYAN,
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December 12, 1985

Representative Don Crumbaker
Box 312
Brewster, Kansas 67732

Dear Representative Crumbaker:

Pursuant to our recent telephone conversation, we are providing the following information regarding the action in 1985 on the three home instruction bills — H.B. 2008, H.B. 2080, and H.B. 2178.

On February 28, 1985, motions were adopted in the House Education Committee to table these bills until the resolution of the "parsonage case" that had been appealed to the Kansas Supreme Court.

By way of background, the Committee had received a letter dated February 11, 1985, from the State Board of Tax Appeals in which it was noted that in the case of Board of County Commissioners v. First Assembly of God Church, a Shawnee County district judge had overruled a Board of Tax Appeals decision and had found parsonages to be taxable. It was pointed out that the case was on appeal to the Kansas Supreme Court. Another case cited in the letter indicated that the Kansas Supreme Court had found a university president's home to be tax exempt because it is used for educational purposes. Some Committee members expressed concern that a reversal of the district court decision might raise the issue of potential property tax exemptions at certain home instruction sites based on educational/religious purposes.

You perhaps know that on March 26, 1985, an order was entered granting withdrawal of the parsonage case. That event, which disposed of the case, occurred subsequent to the March 13 legislative deadline for considering certain bills in the house of origin.


As a result of this development regarding the parsonage case, we discussed what the status of the three home instruction bills would be in the 1986 Session.

Our impression is that it is not uncommon in Kansas legislative practice for committees to adopt motions to lay a matter on the table or to lay the matter on the table to a certain time. In Roberts Rules of Order (Newly Revised), this latter type of action is more nearly akin to a motion to postpone a matter to a certain time or until

after a certain event. When the designated event has occurred, the matter automatically is before the body. No intervening motion is required. Accordingly, we believe that it would be appropriate for you, as Chairman of the House Education Committee, to announce at the Committee's first meeting in 1986 that the three home instruction bills are again before the Committee.

We hope this information is helpful to you. Please do not hesitate to contact us if we may be of further service.

Sincerely,


Avis Swartzman
Assistant Revisor of Statutes


Ben F. Barrett
Associate Director

AS/BFB/jar