

Approved January 27, 1987
Date

MINUTES OF THE SENATE COMMITTEE ON EDUCATION

The meeting was called to order by SENATOR JOSEPH C. HARDER at
Chairperson

1:30 ~~xxx~~/p.m. on Wednesday, January 21, 1987 in room 254-E of the Capitol.

All members were present except:

Committee staff present:

Mr. Ben Barrett, Legislative Research Department
Ms. Avis Swartzman, Legislative Revisor's Office
Mrs. Millie Randell, Secretary

Conferees appearing before the committee:

Ms. Connie Hubbell, Legislative Representative, Kansas State Board
of Education
Mr. Craig Grant, Director of Political Action, Kansas-National Education
Association
Mr. Richard S. Funk, Asst. Executive Director, Kansas Association of
School Boards
Dr. Merle Hill, Exec. Director, Kansas Association of Community Colleges

Chairman Joseph C. Harder opened the first meeting of 1987 by welcoming the returning Committee members and staff. At the request of Mr. Ken Rogg he read a letter of announcement which stated that Schools for Quality Education will be holding its annual legislative banquet on Wednesday, February 11 and that individual invitations would be forthcoming.

The Chairman informed the Committee that brochures relating to Wichita Public Schools had been distributed at the request of Ms. Kathryn Dysart, Legislative Liaison and Communications, USD 259, Wichita, and that Ms. Dysart will be replacing Dr. Bill Dirks. The Chairman introduced Ms. Dysart to the Committee. Ms. Dysart said that she did not wish to make any statement regarding the brochures that had been distributed to the Committee members. (Attachment 1)

The Chairman also informed the Committee that booklets stating the 1987 Legislative Goals of the USD 500 Board of Education, Kansas City, Kansas had been distributed to Committee members, and he introduced Ms. Jacque Oakes and Ms. Helen Stephens as representatives of that Board. Both Ms. Oakes and Ms. Stephens responded that they, too, did not wish to make any statements at this time. (Attachment 2)

The Chair then recognized Ms. Connie Hubbell, Legislative Representative of the State Board of Education. After copies of the Board's 1987 recommendations had been distributed to members of the Committee, Ms. Hubbell identified which recommendations the Board is asking the Senate Education Committee to introduce as bills. These recommendations are enumerated in Attachment 3. Ms. Hubbell explained that the recommendation relating to Early Childhood Education for the Handicapped is a result of the mandate signed by President Reagan.

When the Chair asked the Committee's pleasure regarding the introduction of the State Board's legislative proposals, Senator Salisbury moved, and Senator Langworthy seconded the motion that the recommendations of the State Board of Education, as outlined by Ms. Hubbell, be introduced as Committee bills. The motion carried.

When the Chair called upon Mr. Craig Grant of the Kansas-National Education Association, Mr. Grant requested that the Committee introduce bills which would amend KSA 72-5413, relating to class size provisions,

CONTINUATION SHEET

MINUTES OF THE SENATE COMMITTEE ON EDUCATION

room 254-E, Statehouse, at 1:30 ~~xxx~~^{a.m.}/p.m. on Wednesday, January 21, 1987

assignment procedures, and transfer procedures (Attachment 4) and KSA 72-5419, relating to voting at work centers (Attachment 5). Senator Karr moved, and Senator Allen seconded the motion that the Committee introduce two bills as requested by Mr. Grant. The motion carried.

After being recognized by the Chair, Mr. Richard Funk of the Kansas Association of School Boards requested the Committee to introduce a bill containing the same concept as 1986 SB 583. Mr. Funk explained that SB 583 relates to supplemental contracts of employment between boards of education and certain employees thereof. (Attachment 6)

After Chairman Harder asked the Committee's pleasure regarding the introduction of a Committee bill as requested by Mr. Funk, Senator Allen moved, and Senator Montgomery seconded the motion that the Committee introduce a bill as requested by Mr. Funk. The motion carried.

When Dr. Merle Hill, representing Kansas Association of Community Colleges, was recognized, Dr. Hill explained his request for three bills which he would like to see introduced by the Committee. These relate, he continued, to increased funding for remedial instruction, a community college advancement fund (reintroduction of the concept of 1986 HB 2456), and a community college summer honors program. (Attachment 7)

When the Chair asked the Committee's pleasure regarding introduction of the bills requested by Dr. Hill, Senator Montgomery moved, and Senator Anderson seconded the motion that the Committee introduce three bills as requested by Dr. Hill. The motion carried.

There was no response following a call by the Chairman for additional requests for bills. The Chairman then adjourned the meeting.

SENATE EDUCATION COMMITTEE

TIME: 1:30 p.m. PLACE: 254-E DATE: Wednesday, Jan. 21, 1987

GUEST LIST

<u>NAME</u>	<u>ADDRESS</u>	<u>ORGANIZATION</u>
Craig Grant	Topeka	H-NEA
Ray Coles	"	K-NEA
Richard Frank	Topeka	RAIB
Helen Stephens	Topeka	KCK #500
Jacque Oaker	Topeka	KCK #500
Mary Ellen Lima	Topeka	L.G. of Women Voters
Billie Hochlief Scott	Topeka	USA
Ken Rogers	Paola	9 Q #
Al Burnett	Topeka	USD 501 #
Burt A. Berry	Siber Lake	w/ Sen. Salisbury
Barbara Lombardo	Topeka	w/ Sen. Karr

SENATE EDUCATION COMMITTEE

TIME: 1:30 p.m. PLACE: 254-E DATE: Wednesday, Jan. 21, 1987

GUEST LIST

NAME

ADDRESS

ORGANIZATION

Dedra York

Baldwin, KS

Baker U.

Dr. Richard Watson

Wichita, KS

Doctors For the Arts

Jim Cogle

Wichita, KS

Wichita Federation of Teachers

Kollega Dyzak

Wichita, KS

Wichita Public Schools

WICHITA PUBLIC SCHOOLS
Educational Services Building
640 North Emporia
WICHITA, KANSAS 67214

*Division of Research, Planning,
and Development Services
(316) 268-7882*

POSITION PAPER
FINANCIAL NEEDS RELATED TO
URBAN DENSITY
September, 1985

U.S.D. #259
WICHITA PUBLIC SCHOOLS
A. W. Dirks, Ed.D

Senate
Education
1/21/87
Attachment 1

POSITION PAPER
FINANCIAL NEEDS RELATED TO
URBAN DENSITY

September, 1985

The 1981 School Finance Task Force requested that representatives of the various educational groups respond to several questions. One question related to the current enrollment categories in the financial formula. Witnesses were heard from all sizes of districts. Staff members and expert witnesses from outside Kansas presented research. It was within that background that the factors of both sparsity and density and the higher attendance costs of each led to a change in the enrollment categories. The change was supported by a majority of groups testifying.

Sometimes "economy of scale" is extended without regard to the facts. Even in industry it is a well recognized fact that the "diseconomy of scale" is present at a point when factors of space, personnel, backup systems, and other factors require additional costs beyond the usual projections. It is readily apparent in the class size approach that either too small or too large district category is related to the increased costs in the five largest districts as compared to the others. The median budget per pupil in 1980-1981 was estimated at \$2,802 in the category of under 400 pupils, \$2,150 in the 400-1599 category, \$1,785 in the over 1600 category, as compared to \$2,050 in Wichita. Legislators have accepted the concept of sparsity factors and their higher costs when low enrollment categories and budget controls are established. This concept also includes the principle of local control and presumes that local budgets are the result of the collective wisdom of citizens, boards of education, teachers, and administrators for those respective categories.

The same logic and conclusions can be drawn for the large urban districts. The per pupil expenditures represent the collective wisdom of citizens, boards of education, teachers and administrators. The added emphasis would be that the five largest districts enroll 117,377 pupils or 30.3% of all the pupils in Kansas public schools. Current medians, according to testimony, August 15, 1985, are:

<u>Enrollment Categories</u>	<u>Per Pupil Budget</u>
0-199-----pupils	\$4,181
200-399-----pupils	\$3,567
400-1999----pupils	\$2,637-\$3,567
2000-9999----pupils	\$2,637
10,000--and up--pupils	\$3,006

Some of the specific reasons for higher per pupil costs would include the following factors:

1. Wage scales are often higher for certified personnel in large urban centers due to the salaries paid by industry in competition for personnel. The number of mature or career teachers may be somewhat higher in large urban school districts than in smaller districts which also raises the mean for salaries.
2. Wage scales for noncertified personnel are even more in competition with private industry because of direct work relationship; thus urban salary schedules are higher than other districts. Specifically, this would be true in large enrollment categories because of competition with the computer industries and aerospace related industries. There is competition for computer personnel, electricians, plumbers, custodians, truck drivers, food service personnel, security personnel, various crafts, special education aides, and others.

3. Funds from the general fund are transferred to the bilingual category to serve the large number of non-English speaking Southeast Asian refugees and the growing number of Hispanic pupils. The current federal and state funds are inadequate to meet the needs of these children. Concentrations of these families are settling in the urban centers to take advantage of the jobs available and due to government relocation policies.
4. An examination of SRS outlays to low income families would indicate that concentrations of these children are in the urban centers and require services well beyond assistance received from the Chapter 1 programs or other government provided resources. This need places additional pressure on general fund budgets.
5. Minority children are more heavily concentrated in the large urban centers and they have unique needs of their own related to poverty and other factors. Government and Civil Rights requirements for desegregation and the educational needs of pupils require higher expenditures to serve many of these children.
6. Special education excess costs are largely being met by the state categorical aid, but not entirely. In those urban centers where there are specialized medical facilities and special facilities related to handicaps, there is a tendency for families to be attracted to urban centers to receive services for most severely handicapped children. It then becomes necessary to purchase high cost specialized services or to provide those services at direct district cost. Many of the special needs of these children are met by some of the regular staff under the concept of the least restrictive environment. The severely multiple handicapped pupils are unlikely

to receive services except where specialized facilities exist in urban centers. Concentrations of low income and other deprived families have a disproportionate share of children with handicaps. Thus while 95% of the excess costs are met, the differences must come from general budget transfers.

7. There are the special demands by parents and by industry for courses beyond the "basics." An example would be courses that include computer mathematics for the computer industries. The cultural demands of the community and the three universities require more courses in the fine arts. St. Francis Hospital, Wesley along with Osteopathic Hospital, Veterans Hospital, St. Joseph Hospital, McConnell Air Base Hospital, and the University of Kansas Medical School all have unique requirements that the public schools attempt to meet through vocational and other courses. The aerospace industry requires specialized vocational training to meet their needs. Such courses are not frill courses but courses that provide employment for youth and adults statewide. The preparatory courses for engineering, medicine, aerospace, geoscience, and computer technology are essential for future employment. These community needs require a greater diversity of courses and a greater demand on the general budget. In turn, these training and employment opportunities serve the entire state of Kansas.
8. The general fund supports custodial, maintenance, and repair of equipment, overtime for emergency conditions, crafts and supervision. Large districts with their many buildings require continuous maintenance. Part of this is due to the mix of turn of the century construction and the inadequate post war construction from the 50's when Wichita schools

were burgeoning with children and many schools were on shifts. Further, the requirements for diversity of programs and personnel require diversity in facilities. Special education facilities as well as others place additional demands on the district. There is an intradistrict mobility that approaches 100% in a few areas which causes additional costs in opening and closing classrooms. More security is required in personnel and in equipment to maintain facilities in an urban center. The four mill capital outlay fund is not sufficient to provide new and additional facilities and to assist in the foregoing needs.

In summary, the following factors influence per pupil costs.

1. In large districts there are living costs and wage scales that are higher than other districts for certified personnel.
2. The same costs require higher salaries for classified personnel.
3. There are large numbers of non-English speaking pupils from refugee and migrant families with special educational needs beyond state support.
4. The large cities have higher concentrations of low income families which require additional compensatory services.
5. Large cities have special needs arising from concentrations of minority children in regard to civil rights.
6. The severely handicapped within the special education category incur costs beyond the categorical aid.
7. In larger urban districts there is greater diversity of interests and needs resulting in greater demand for additional programs.
8. The capital outlay needs exceed the capital outlay fund and the ability of an urban district to meet these needs.

1987



LEGISLATIVE GOALS LEGISLATIVE GOALS LEGISLATIVE GOALS

*Education
1/21/87
Attachment 2*

Board of Education
Unified School District 500

**Kansas City, Kansas
Public Schools**

DR. DAVID LUSK
Superintendent of Schools
KCK Public Schools
625 Minnesota
Kansas City, Ks 66101

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Senate
Education
1/21/87
A.2

1. To raise public elementary and secondary education to the first priority of State Government.
2. To provide additional statewide financial support for schools.
3. To leave the School District Equalization Act formula intact including the continuation of the Urban Category for districts with 10,000 or more pupils.
4. To support federal legislation which provides funding for dropout prevention programs.
5. To develop and provide categorical funding for five pilot pre-school programs in urban centers.
6. To reject the current proposal for a third statewide Board to govern Area Vocational Technical Schools.
7. To protect Board of Education rights to manage schools as the elected representatives of the community.
8. To support 100 percent funding of excess costs for Special Education programs.
9. To improve the Kansas City, Kansas School Employees' Retirement Fund to allow employees paying into the local retirement system to shelter their contributions from federal taxes.
10. To oppose Home School Concept without required teacher certification and school accreditation.

GOAL 1

To raise public elementary and secondary education to the first priority of State Government.

Rationale:

The National Governors' Association has recently recognized the importance of public education.

Why? In Time for Results, The Governors' 1997 Report on Education, this question was answered:

Better schools means better jobs. Unless states face these questions, Americans will not keep high standards of living. To be competitive with international labor markets, we must educate ourselves and our children as we never have before.

Change is going to take commitment, hard work and cooperation. And we know it takes money.

Many of the Governors and State Legislatures in our nation have raised public education to the first priority of State Government. They have realized that Education is intimately linked to economic development, to jobs, to child abuse, to welfare, to overcrowded prisons, and on and on. Many states (and not just poor Southern states) have recently placed millions and millions of new dollars into the systematic improvement of public education.

The percent of the State Budget allocated for Education has declined over the past several years in Kansas. This fact, coupled with the recent proposed cuts by the Governor, clearly indicates that Education is not the first priority of State Government in Kansas.

Recommendation:

The State Legislature recognize the importance of public elementary and secondary education and raise it to the first priority of State Government.

FACTS ABOUT THE KANSAS CITY, KANSAS PUBLIC SCHOOLS

Kansas City, Kansas Public Schools have:

- 23,315 students.
- 52 schools including 35 elementary, eight middle schools, four senior highs, Sumner Academy of Arts and Science, an Area Vocational Technical School, a school for teenage mothers, a special vocational training center, a career learning center, and instructional facilities at K. U. Medical Center, Rainbow Unit, Kaw View Detention Home, Wyandotte House, and Kansas School for the Visually Impaired.
- 3,435 employees including 1,675.6 teachers.
- The 1986-87 school year budget per pupil is \$3067.85.
- The 1986-87 annual operating budget (including the public library system) is \$100,866,690.00.
- The school district comprises 59 square miles.
- The value of the school district sites, buildings, contents and vehicles total approximately \$184,848,305.00.

p-Anne Meditz, LPN

Meditz was appointed to the Board in 1984 and elected for a first term in 1985. She is a licensed practical nurse at the University Pediatric Outpatient Clinic, University of Kansas Medical Center, and is a graduate of the Argentine Jr.-Sr. High School and Area Vocational Technical School Nursing Program. She has served as former Chairman of the United Way Campaign for the Argentine area; Secretary, Wyandotte County Landlords, Inc.; Board Member, Crosslines Retirement Center; and Vice President, Argentine Activities Association.

Peter C. Pomeranke

Elected to the Board in 1981 and is immediate Past President. He is President of Pomeranke Insurance, Inc., and a graduate of the Kansas City, Kansas Public Schools. Attended Kansas City, Kansas Community College and earned a Bachelor of Science degree in Business Administration and Marketing Management from Rockhurst College. He is a member of the Advisory Board, Wyandotte House, Inc.; Regional Vice President and Member, Board of Directors, Kansas Association of School Boards; Member, Citizens Alliance for Responsible Education; Member, Board of Directors, Santa Fe Trail Council of Girl Scouts, Inc.

Sylvia Robinson

Robinson is a former teacher, appointed to the Board in 1983 and elected for a first term in 1985. She earned a B.S. in Elementary Education from Kansas State University, M.S. in Special Education from the University of Kansas, where she is also a Ph.D. candidate in Special Education. She has been active in the PTA and is a Member, Board of Directors, Family and Children Services; Member, Board of Directors, NAACP. She currently works as a doctoral research assistant for Juniper Gardens Children's Project.

GOAL 2

To provide additional statewide financial support for schools.

Rationale:

Current economic reports indicate that state revenues are not meeting projections. The fact dramatically underscores the need to prevent further attrition of state support and the need for financial resources.

Ideally, the state should increase its percentage of support for education to reach fifty percent on a statewide basis. This will require revenue sources beyond those funds now available.

Additional resources are needed to fulfill the legislative commitment to upgrade education and the teaching profession. A second important reason is the recognition of declining federal resources in some areas and the inability of low wealth districts to offer a comparable quality of education in contrast to wealthy districts. Thus, additional resources enhance equal educational opportunity on a statewide basis.

Transportation categorical aid should be funded at 100 percent.

For the 1987-88 school year, the budget lid should be set in accordance with existing state law (105 to 115 percent).

Recommendation:

Additional or new progressive resources be provided to move to the fifty percent level of funding on a statewide basis.

GOAL 3

To leave the School District Equalization Act formula intact including the continuation of the Urban Category for districts with 10,000 or more pupils.

Rationale:

The School District Equalization Act funding formula must remain as it is for the following reasons:

- a) In large districts there are living costs and wage scales that are higher than other districts for certified, as well as classified, personnel.
- b) There are large numbers of non-English speaking pupils from refugee and migrant families with special educational needs beyond state support.
- c) The large cities have higher concentrations of low income families which require additional compensatory services.
- d) Large cities have special needs arising from concentrations of minority children in regard to civil rights.
- e) The severely handicapped within the special education category incur costs beyond the categorical aid.
- f) There is a tendency for families with handicapped children to be attracted to urban centers where there are specialized medical facilities. Additionally, concentrations of low income and other deprived families have a disproportionate share of children with handicaps (Note Goal 8).
- g) In larger urban districts there is greater diversity of interests and needs resulting in greater demand for additional programs.

The current School District Equalization Act formula serves USD #500 well. Many of the proposed changes, especially the elimination of the large district category, would mean a substantial loss of funds to USD #500.

Recommendation:

Continue the present State Equalization Aid formula.



William Boone

Boone, a lifetime resident, graduate, former teacher and retired administrator from the Kansas City, Kansas Public Schools was elected to the Board in 1985. Boone earned a B.S. and M.S. from Kansas State Teachers College, Pittsburg. He is a member of the Board of Directors at the Teachers Credit Union; Mental Health and the Northeast Optimist Club.

George Breidenthal

Owner and chairman of the Board of Directors, Turner Bank, Breidenthal is a graduate of the Kansas City, Kansas Public Schools and holds an A.A. degree from Donnelly College, B.S. from Kansas State Teachers College, Emporia. He is completing an M.S. degree in Curriculum and Instruction at Emporia State University. Elected to the Board in 1983, he is a member of the Kansas City, Kansas Long Range Planning Committee; Kaw Valley Bank, Board of Directors; KASB Citizens Alliance for Responsible Education Board; Assistant Treasurer, United Way of Wyandotte County; Vice President, K.C.K. Kiwanis Club; and Treasurer, K.C.K. Community College Endowment Association.

KANSAS CITY, KANSAS BOARD OF EDUCATION:

James S. DeGoler, President

A native of Kansas City, Kansas, and a graduate of the Kansas City Public Schools, DeGoler is owner-pharmacist of DeGoler Pharmacies. He was first elected to the Board in 1979. He is a graduate of the University of Kansas School of Pharmacy and is a former chairman of several major community organizations. They include Board of Trustees, Bethany Medical Center; Chamber of Commerce; KC-Wyandotte County Health Board; Cancer Action, Inc.; and a Director of Sun Savings Association. He is also an active layman in Trinity United Methodist Church.

Kay Nies, Vice-President

Nies was appointed to the Board in 1982 and was elected for a first term in 1983. A 21-year resident of Kansas City, she is a former teacher and graduated magna cum laude from Kansas State University with a B.S. in Biology and Secondary Education. She currently serves on the Community Beautiful Commission; as Chairman of the Family and Children's Service of Wyandotte County; former Chairman of the City-County Board of Health and Past President of the Junior League.

GOAL 4

To support federal legislation which provides funding for dropout prevention programs.

Rationale:

As one of the districts facing the highest dropout rate in the state, these programs and funds would assist local and state educational agencies in addressing the needs of students who have dropped out of school.

The House of Representatives passed HR 3024 which authorizes \$50 million to study the nature and extent of the dropout problem and provide demonstration grants to school districts with promising dropout programs.

Recommendation:

Support federal legislation which provides funding for dropout prevention programs.

GOAL 5

To develop and provide categorical funding for five pilot pre-school programs in urban centers.

Rationale:

Based on a recent eighteen-year study in Michigan, urban students who participated in a structured program for three and four-year-olds exceeded matched students that did not participate in every possible measurement category (i.e. percent of students graduating, percent of students attending college, higher test scores, lower percent of students encountering juvenile problems, etc.). Many states are currently providing funding for pilot pre-school projects, especially in urban areas.

Recommendation:

Provide two million dollars in categorical funding for five pilot pre-school programs in urban areas. Competitive proposals should be required for funding.

GOAL 10

To oppose Home School Concept without required teacher certification and school accreditation.

Rationale:

Home schools in Kansas currently exist illegally and without State accreditation or regulation. Home schools should be defined and regulated by the State.

The State Board of Education and the Kansas State Department of Education should be responsible for oversight, program evaluation, testing, and inspection of home study programs.

The local districts should not be responsible for enforcing regulations related to home study, nor should any financial burden be borne by local school districts as the result of voluntary withdrawal of students from the public schools for participation in home study programs.

Recommendation:

Home schools should only be supported if the state bears the financial burden, and responsibility for accreditation and regulation.

To improve the Kansas City, Kansas School Employees' Retirement Fund to allow employees paying into the local retirement system to shelter their contributions from federal taxes.

Rationale:

In 1984, the State Legislature enacted legislation permitting members of the Kansas Public Employees Retirement System to shelter their contributions from federal taxes. Most staff members of Unified School District #500 are members of KPERS. However, some staff members have maintained membership in the Kansas City, Kansas School Employees' Retirement System. Legislation is requested which would permit this group of persons to shelter their contributions to the KCK School Employees' Retirement System from federal taxes thereby providing similar treatment as for those paying into KPERS.

Recommendation:

Introduce legislation to provide for the sheltering from federal taxes the employee's contributions for those persons paying into the Kansas City, Kansas School Employees' Retirement Fund.

GOAL 6

To reject the current proposal for a third statewide Board to govern Area Vocational Technical Schools.

Rationale:

A third board at the state level for community colleges and vocational education should not be supported with community colleges as a separate entity. This action would separate area vocational technical schools from unified school districts. A third board would not guarantee cooperation or improvement of services.

Recommendation:

Reject community colleges third board proposal. Area vocational technical schools should remain with unified school districts.

GOAL 7

To protect Board of Education rights to manage schools as the elected representatives of the community.

Rationale:

Boards of Education are elected to manage the state's school systems in a manner to provide the best education possible for students. Various groups have sponsored legislation in the past which erodes the rights of local boards to manage their schools. It is likely that such legislation will be introduced in this session, also. Following are areas of management rights which should be protected:

1. The scope of mandatorily negotiable items. The "laundry list" in the professional negotiations law should not be expanded.
2. The decision of the Board as the last step in the negotiations process. The final decision in negotiations should rest with Boards of Education and not with an outside arbitrator.
3. Fact Finders should be required to recommend the last position of one of the two parties in impasse.

Recommendation:

Protect local Board of Education rights to manage schools as elected representatives of the community.

GOAL 8

To support 100 percent funding of excess costs for Special Education programs.

Rationale:

The excess cost formula was first introduced in Fiscal Year 1979. This formula fostered the concept that the state was financially responsible for any excess cost of Special Education over and above the cost of educating non-handicapped/exceptional students.

Unfortunately, as the number of students in Special Education programs increased, the State Legislatures tempered the allowance to school districts by reducing the percentage of funding from 100 percent, then to 95 percent, with an estimate for the 1986-87 school year to about 91 percent. A reduction in categorical aid will force the local school district authority to utilize a larger proportion of the general funds or other funds for Special Education purposes if the district is to remain in compliance with state and federal regulations.

In the late 1970's, the Kansas Legislature mandated Special Education programs for all handicapped and exceptional children. At that time, it was understood that the state authority would assume full responsibility or 100 percent of all costs that would be over and above those of regular students. The reduction of the amounts allotted for Special Education does nothing more than shift the funding burden to other sources.

Recommendation:

Support excess costs at the 100 percent level for Special Education programs.

1987 KANSAS SENATE EDUCATION COMMITTEE

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(Continued)

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STATE BOARD OF EDUCATION LEGISLATIVE RECOMMENDATIONS

1987



Kansas State Department of Education

Kansas State Education Building

120 East 10th Street Topeka, Kansas 66612

An Equal Employment/Educational Opportunity Agency

Attach 5

RECOMMENDATIONS

DESCRIPTION

FY 1988 ESTIMATED COST

APPOINTMENT OF EDUCATIONAL ADVOCATES	The State Board of Education recommends that local school districts be authorized to appoint educational advocates from a state-approved list if parents' guardians are unknown or not available to represent such students. Current law requires SRS to make such appointments.		NONE
STATE AID	The State Board of Education recommends that area vocational-technical schools receive an increase of 6.59 percent in categorical aid for normal growth and loss of federal vocational aid for existing programs.	\$	470,000
BILINGUAL EDUCATION	The State Board of Education recommends that the Bilingual Education Act be amended by striking language "to reduce education deficiencies of such pupils" and inserting "to improve the English proficiency of these students to allow them to effectively participate in the educational programs offered by a school district."		NONE
BILINGUAL EDUCATION	The State Board of Education recommends that the Bilingual Education Act be amended to permit the State Board to determine qualification of instructors including paraprofessionals.		NONE
COMMUNITY COLLEGE ECONOMIC DEVELOPMENT PROGRAM	The State Board of Education recommends that the Legislature appropriate State funds for the following purposes: (1) encouraging new industry to locate in Kansas, (2) providing education and training for prospective employees for new or expanding industries, and (3) updating skills of persons presently in the work force.	\$	250,000
COMMUNITY COLLEGE FUNDING	The State Board of Education recommends that the Legislature increase state aid to community colleges to 60 percent of operating cost phased in over the next five years. It is the State Board's recommendation, following a task force study, that 60 percent of the operating budget be derived from the state, 25 percent from local taxing authority, and 15 percent from student tuition.	FY 1988 FY 1989 FY 1990 FY 1991 FY 1992	\$ 9,011,218 \$ 11,813,815 \$ 12,701,212 \$ 13,640,700 \$ 14,605,415
DUE PROCESS FOR TEACHERS EMPLOYED AT KSSVH AND KSSD	The State Board of Education recommends that certified teachers employed at the Kansas State School for the Deaf and Kansas State School for the Visually Handicapped be granted the same due process procedures currently granted unified school district teachers.		NONE
EARLY CHILDHOOD EDUCATION FOR THE HANDICAPPED	The State Board of Education recommends including the enrollment of three-year-old handicapped children receiving special education services in the School District Equalization Act. This will be the first step in complying with P.L. 99-457 which provides that all students three years of age or older must have access to special education services by July 1, 1990, or the state will forfeit all federal funds for students three to five years of age.		\$ 1,000,000
IMPROVEMENT OF TEACHER SALARIES (School District Equalization Act)	The State Board of Education recommends that the state authorize an overall general fund budget increase of 4.3 percent based upon budget limitations of 2-3.5 percent, resulting in an estimated overall teacher salary increase. It is desirable to raise the teacher salary percentage higher; but, due to the state's economic condition, the State Board feels it is not possible at this time. This proposal would require an increase in property tax of \$32,000,000.	General State Aid Income Tax Rebate	\$ 25,000,000 \$ 3,000,000
REMEDIAL PROGRAMS TO REDUCE ILLITERACY AND DROPOUTS	The State Board of Education recommends authorization of a special incentive funding program to encourage school districts to develop and implement programs which will reduce illiteracy and dropouts.		\$ 1,000,000
SPECIAL EDUCATION FUNDING	The State Board of Education recommends authorization of categorical aid to districts for approved occupational and physical therapy services which are provided through contractual arrangements.		\$ 228,000
STATE SPECIAL EDUCATION AT 95 PERCENT OF EXCESS COST	The State Board of Education recommends that the State fund special education at 95 percent of excess cost.		\$ 15,367,583
TEACHER INTERNSHIP PROGRAM	The State Board of Education recommends that the 1987 Legislature fund the third year of the teacher internship program. Phase I of the program was funded in FY 1986 (\$65,000) and Phase II in FY 1987 (\$241,510). Phase III for FY 1988 will require an additional \$63,541 above the current level.		\$ 63,541
WASHBURN UNIVERSITY CREDIT HOUR STATE AID	The State Board of Education recommends that credit hour state aid for Washburn University be increased by \$1.00 per credit hour. The State Board is committed to the improvement of teacher salaries but believes the state is unable to finance a greater amount due to economic conditions.		\$ 140,000
WASHBURN UNIVERSITY OUT-DISTRICT STATE AID AND OUT-DISTRICT TUITION	The State Board of Education recommends that out-district state aid and out-district tuition for Washburn University be increased by \$1.00 per credit hour.		\$ 31,000
WASHBURN UNIVERSITY STATE AID FOR Vocationally APPROVED COURSES	The State Board of Education recommends that all approved first and second-year vocational programs be financed at the rate of 1.5 times the undergraduate credit hour aid similar to community colleges.		\$ 130,000
INCREASE FUNDING FOR BILINGUAL EDUCATION	POSITION STATEMENT The State Board of Education supports the concept of increasing the entitlement of every limited English proficient student from \$150 to \$200 when State funds become available.		\$ 229,000

EDUCATION A 3
1/21/87

PROPOSED AMENDMENT TO KSA 72-5413 (1)

72-5413 (1). "Terms and conditions of professional service" means (1) salaries and wages, including pay for duties under supplemental contracts; hours and amounts of work; *class size provisions*; vacation allowance, holiday, sick, extended, sabbatical, and other leave, and number of holidays; *assignment procedures*; *transfer procedures*; retirement; insurance benefits; wearing apparel; pay for overtime; jury duty; grievance procedure, including binding arbitration of grievances; disciplinary procedures; resignations; termination and nonrenewal of contracts; re-employment of professional employees; terms and form of the individual professional employee contract; probationary period; professional employee appraisal procedures; each of the foregoing is a term and condition of professional service, regardless of its impact on the employee or on the operation of the educational system; and (2) matters which relate to privileges to be accorded the recognized professional employees' association, including but not limited to, voluntary payroll deductions, use of school or college facilities for meetings, the dissemination of information related to the professional negotiations process and related matters to members of the bargaining unit on school or college premises through direct contact with members of the bargaining unit, the use of bulletin boards on or about the facility, and the use of the school or college mail system to the extent permitted by law, reasonable leaves of absence for members of the bargaining unit for organizational purposes such as engaging in professional negotiating and partaking of instructional programs properly related to the representation of the bargaining unit; and (3) such other matters as the parties mutually agree upon as properly related to professional service. Nothing in this act, or acts amendatory thereof or supplemental thereto, shall authorize the diminution of any right, duty or obligation of either the professional employee or the board of education which have been fixed by statute or by the constitution of this state. Except as otherwise expressly provided in this subsection, the fact that any matter may be the subject of a statute or the constitution of this state does not preclude negotiation thereon so long as the negotiation proposal would not prevent the fulfillment of the statutory or constitutional objective. Matters which relate to the duration of the school term, and specifically to consideration and determination by a board of education of the question of the development and adoption of a policy to provide for a school term consisting of school hours, are not included within the meaning of terms and conditions of professional service and are not subject to professional negotiation.

PROPOSED AMENDMENT TO KSA 72-5419

72-5419. Same; condition of election for determination; conditions; run-off election. If the secretary does not dismiss a petition filed under K.S.A. 72-5417 and determines that it is necessary to direct and conduct a secret ballot election in order to resolve the questions raised by the petition, the secretary shall order the election held and determine the eligibility of professional employees to vote at the election. *The election shall be conducted so that voting will take place in each work center where at least two professional employees are assigned. Professional employees who work at a location where only one professional employee is assigned shall be given an opportunity to vote at an alternate site during one of the work days when the election is held.* The secretary shall base his or her determination of the questions raised by the petition upon the result favored by the majority of the professional employees who vote at the election if at least a majority of the eligible professional employees vote. If less than a majority of the eligible professional employees vote at any election conducted under this section, the status of the professional employees with regard to representation prior to the election is maintained. The name of a professional employees' organization shall not appear on the ballot unless (a) the professional employees' organization has submitted to the secretary satisfactory evidence demonstrating that at least thirty percent (30%) of the professional employees in the appropriate unit are members in good standing of such organization, or (b) the professional organization is the currently recognized exclusive representative. In addition to the name of any professional employees' organization entitled to be contained thereon, the ballot in the election shall contain the choice of "no representation." When an election in which the ballot contains three (3) or more choices results in no choice receiving a majority of the votes cast, the secretary shall conduct a run-off election by secret ballot. The ballot in a run-off election shall only provide for a selection between the two choices receiving the largest and second largest number of votes in the original election. *The run-off election shall be held in the same locations as the first election.* The secretary shall certify the result of the election to the parties involved therein.

SENATE BILL No. 583

By Committee on Education

2-7

0017 AN ACT concerning school districts; relating to contracts of
0018 employment between boards of education and certain em-
0019 ployees thereof; amending K.S.A. 72-5412a and repealing the
0020 existing section.

0021 *Be it enacted by the Legislature of the State of Kansas:*

0022 Section 1. K.S.A. 72-5412a is hereby amended to read as
0023 follows: 72-5412a. (a) *As used in this section:*

0024 (1) *"Primary contract" means a contract of employment*
0025 *between a board of education and an employee for the per-*
0026 *formance of all duties which occur during the duty day and duty*
0027 *year, and which duties are necessary to the educational pro-*
0028 *gram. A primary contract may include, upon mutual agreement*
0029 *of the employee and the board of education, the performance of*
0030 *duties which are outside the duty day and duty year.*

0031 (2) *"Supplemental contract" means a contract of employ-*
0032 *ment, which is separate and distinct from a primary contract,*
0033 *and which is for the performance of duties which are incidental*
0034 *and additional to the duties under the primary contract, and*
0035 *which are outside the regular duty day and duty year, and*
0036 *which are not directly related to the curricular program.*

0037 (b) The board of education of any school district may enter
0038 into a supplemental contract of employment with any employee
0039 of the district. As used in this section "supplemental contract"
0040 means a contract for services other than those services covered in
0041 the principal or primary contract of employment of such em-
0042 ployee, and shall include but not be limited to such services as
0043 coaching, supervising, directing and assisting extra curricular
0044 activities, chaperoning, ticket taking, lunch room supervision
0045 and other similar and related activities.

0046 (c) The provisions of article 54 of chapter 72 of Kansas Stat-
0047 utes Annotated which relate to the continuation of teacher con-
0048 tracts and to the due process procedure upon termination or
0049 nonrenewal of a teacher's contract do not apply to any supple-
0050 mental contract of employment entered into under this section.

0051 (d) *Nothing in this section shall be construed so as to limit,*
0052 *change or affect the rights, duties or obligations of either a*
0053 *board of education or the employees thereof, with respect to the*
0054 *duty day or the duty year, which rights, duties or obligations*
0055 *have been fixed by law or under an agreement entered into*
0056 *pursuant to professional negotiation under article 54 of chapter*
0057 *72 of Kansas Statutes Annotated.*

0058 Sec. 2. K.S.A. 72-5412a is hereby repealed.

0059 Sec. 3. This act shall take effect and be in force from and
0060 after its publication in the statute book.

skills and to retrain those who are the victims of structural unemployment.

✓
**INCREASED FUNDING
FOR REMEDIAL INSTRUCTION**

An increasing number of underprepared students are involved in higher education today. As pressures to enhance educational standards continue, the need for remediation at all levels of instruction is expected to increase, not decrease. Although the state's universities do offer limited remedial instruction, the primary emphasis on such education will probably continue to be at the community college level. It is to the community colleges that the structurally unemployed, the underemployed, the handicapped and the educationally disadvantaged turn for assistance. Whether reading, writing and mathematical skills are unused, forgotten or were never acquired is not important; what is important is for the community colleges to provide, renew or upgrade these basic skills to permit all Kansans to have their rightful place in society and to become productive citizens.

It is not only more difficult to teach remedial/developmental courses than it is to teach regular-paced courses of instruction, it is also more expensive. Since most remedial instruction is for those interested in securing employment upon the completion of their community college careers, it, too, is vocational in nature. **Funding remedial/developmental courses at 1-1/2 times the base rate will more closely approach the true cost of instruction.**

✓
A COMMUNITY COLLEGE ADVANCEMENT FUND

The percentage of statewide operating revenues which the Kansas community colleges receive from the state has decreased from 32

percent in 1980-81 to less than 25 percent today. At the same time, local district taxes to support the state's community colleges have increased by more than 75 percent. A program to **provide matching state grants for funds raised by the community colleges from the private sector** will be an incentive for the colleges to increase their fund-raising efforts and for prospective donors to contribute of their resources. Prospective donors are more likely to contribute if they know that their contributions are going to be matched by another source. A similar program in Florida, now four years old, has resulted in significantly increased contributions to the community colleges involved in the program.

✓
A COMMUNITY COLLEGE SUMMER HONORS PROGRAM

Many talented high school graduates either leave the state to attend college or decide not to attend college at all. Whether the "brain-drain" is to another state or within Kansas, Kansas loses.

Early identification of talented high school students and their involvement in a **summer honors program at a community college**, with emphasis not only on cutting-edge education but also on future employment opportunities in Kansas to face Kansas challenges can lead to greater retention of talented graduates within the state and greater college enrollment of those with high potential who currently do not attend college at all.

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Legislative Program



Kansas
Legislature
1987

A SEPARATE BOARD OF CONTROL FOR COMMUNITY COLLEGES

In October, 1986, after a year-long study of community college governance and funding, the State Board of Education's Community College Funding Task Force recommended the **creation of a separate, appointed board of control for the community colleges.** This is essentially the same recommendation made by five other commissions between 1972 and 1978. In addition, consultants to both the Business and Training and the Higher Education Task Forces of the Legislative Economic Development Commission have recommended that the control and supervision of the community colleges be moved from the State Board of Education to a separate, independent board.

The community colleges value their long and productive association with the State Board of Education but believe their comprehensive programs can better serve the needs of the state, especially in the area of economic development, if their governing board is responsible solely for this level of postsecondary education. As the community colleges move to become the front-line offense in the state's economic development efforts, a separate board of control for this dynamic sector of postsecondary education will ensure better representation before the Legislature and throughout the entire state.

FUNDING FOR A STATE SYSTEM OF COMMUNITY COLLEGES

A legislative initiative of the State Board of Education, as recommended by the Community College Funding Task Force, is to provide additional state support for the community colleges and create a unified state system with adequate funding to meet

the needs of the citizens of Kansas. Currently, the community colleges receive more than 53 percent of their operating revenues from the local districts, approximately 25 percent from the state and 13 percent from students. To provide equal postsecondary educational opportunity and equal access to all citizens of Kansas, the **State Board of Education is requesting that this funding-mix be changed gradually, with a goal of 60 percent of operating revenues from the state, 25 percent from local taxing districts and 15 percent from student tuition.**

The state's universities receive more than 70 percent of their operating revenues from the state, and the vocational schools are funded at 85 percent of the cost of educating postsecondary students. The proposed funding level of state support for the Kansas community colleges more closely approximates the levels of support of other postsecondary educational institutions than the level currently being provided.

ELIMINATION OF THE OVER-64/72-HOUR RESTRICTION FOR ACADEMIC COURSES

The Kansas Association of Community Colleges requests the **elimination of the restriction on paying out-district tuition and state out-district aid for "regular" academic courses, i.e., non-vocational courses, beyond 64/72 hours of credit.** Effective July 1, 1988, community colleges will receive out-district tuition and state out-district aid for **vocationally-approved** credit courses above 64 hours of credit (72 for terminal nursing programs and pre-engineering).

The largest enrollment growth segment at community colleges is comprised of adults

who have earned two or more years of academic credit at the collegiate level, many with an earned bachelor's degree. They are not enrolling as "professional students" but to acquire new skills or to retrain for jobs by upgrading their skills. Although most of their courses are in vocational disciplines, they may also be required to enroll in non-vocational courses to successfully complete new degree requirements. Since the colleges do not receive out-district tuition and state out-district aid for these students, the citizens of one taxing district are forced to support students who cross a county line to further their education. Kansas is the only state with such a restriction.

CUSTOMIZED TRAINING TO ASSIST ECONOMIC DEVELOPMENT EFFORTS

"The community colleges should have primary responsibility for providing postsecondary vocational education and business training," reports the consultant to the Business and Training Task Force of the Legislative Economic Development Commission. He recommends **making customized business training a priority for the community colleges and creating a customized training fund** to provide technical assistance for those colleges establishing a specific custom business training program, partial reimbursement of start-up costs for new programs, and partial reimbursement of costs for training programs which promote economic development.

Currently, community colleges are reimbursed only for courses of instruction offered for credit. They receive no reimbursement for any portion of costs for customized training. What business and industry need today is customized, short-term training to put Kansans back to work, to improve their