

MINUTES OF THE HOUSE COMMITTEE ON EDUCATION

The meeting was called to order by Chairman Denise Apt at
Chairperson

3:30 ~~am~~/p.m. on January 25, 1988 in room 519-S of the Capitol.

All members were present except:

Representative David Miller, Excused
Representative R. D. Miller, Excused

Committee staff present:

Avis Swartzman, Revisor of Statutes' Office
Ben Barrett, Legislative Research
Thelma Canaday, Secretary to the Committee

Conferees appearing before the committee:

Representative Eugene Shore
Ben Barrett, Legislative Research

The meeting was called to order by Chairman Denise Apt.

Hearings on H.B. 2647 were opened and the chair recognized Representative Shore.

Representative Shore asked for legislation that would allow the Elkhart and Rolla school districts, and possibly, to a lesser degree, the Hugoton school district to use the money received from the sale of mineral rights to pay off the bond and interest on the new school building at Elkhart. (Attachment 1)

Senator Hayden said a similar bill is being introduced in the Senate.

Richard Funk, Kansas Association of School Boards, said they had no objection to the bill.

Staff member Ben Barrett reviewed the bills that are carried over from the last session. (Attachment 2)

Dale Dennis, State Board of Education, gave information on H.B. 2161 saying 44 people had made application to serve as hearing committee members for termination or non-renewal of contracts. The State Board had approved 44 and K-NEA had approved 5 so this list was forwarded to the judicial representative.

Representative Crumbaker asked if action on H.B. 2647 could be expedited.

It was moved and seconded to approve the minutes for January 19, 1988. Motion carried.

The chairman adjourned the meeting at 4:00 p.m.

The next meeting will be January 26, 1988 in Room 519-S at 3:30 p.m.

EUGENE L. SHORE

EDUCATION COMMITTEE: TESTIMONY FOR JANUARY 25, 1988, 3:30 P.M., RM. 519-S.
PROPOSER FOR HB-2647.

MADAM CHAIRPERSON AND MEMBERS OF THE HOUSE EDUCATION COMMITTEE,
THANK YOU FOR ALLOWING ME TO TESTIFY AS A PROPOSER OF HB-2647.

THIS LEGISLATION, ALTHOUGH APPLICABLE STATEWIDE IS PERTINENT TO
THE ELKHART AND ROLLA SCHOOL DISTRICTS AND POSSIBLY, TO A LESSER DEGREE,
THE HUGOTON SCHOOL DISTRICT. THE NEED FOR THIS LEGISLATION IS DUE TO
CIRCUMSTANCES IN THE ELKHART SCHOOL DISTRICT USD-218. THE MONEY
INVOLVED IS FUNDS WHICH ARE THE SCHOOL DISTRICTS SHARE FROM THE SALE
OF MINERAL RIGHTS ON THE CIMARRON NATIONAL GRASSLANDS. THIS MONEY
UNDER CURRENT LAW WOULD BE PLACED IN ONE OF SEVERAL FUNDS, PROBABLY IN
THE CAPITAL OUTLAY FUND. WITH THE PROPOSED CHANGE A SCHOOL DISTRICT
COULD RETIRE BONDS AND INTEREST WITH MONEY RECEIVED FROM THE FEDERAL
GOVERNMENT AS ITS SHARE OF THE SALE MINERAL RIGHTS.

IN FEBRUARY, 1987 THE ELKHART SCHOOL DISTRICT PASSED A BOND
ELECTION TO MAKE MAJOR IMPROVEMENTS TO THEIR HIGH SCHOOL. THE SCHOOL
BOARD AT THAT TIME PROMISED THE PATRONS OF THE SCHOOL DISTRICT, IF AND
WHEN THE DISTRICT RECEIVED FEDERAL MONEY FROM THE SALE OF MINERAL
RIGHTS ON THE GRASSLANDS, THEY WOULD BE USED TO PAY OFF THE BOND AND
INTEREST ON THE NEW BUILDING. THE PROBLEM ARISES IN 1988 WHEN THE
MONEY FINALLY BECOMES AVAILABLE IT WILL BECOME CAPITAL OUTLAY FUNDS
WHICH CANNOT BE USED TO RETIRE BONDS AND INTEREST, IF THE MONEY HAD

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EUGENE L. SHORE

TESTIMONY 1/25/88 - PROPONENT FOR HB-2647, HOUSE EDUCATION COMMITTEE.

BEEN RECEIVED BEFORE THE BONDS WERE SOLD THE DISTRICT COULD HAVE USED THE FUNDS FOR THE BUILDING; BUT SINCE THEY CAME AFTER BONDS WERE SOLD THE SCHOOL BOARD FINDS THEMSELVES PROHIBITED BY STATUTE FROM DOING WHAT THEY PROMISED.

TO THE BEST OF MY KNOWLEDGE NO OTHER SCHOOL DISTRICT WOULD BE AFFECTED AND THERE SHOULD BE NO OPPOSITION TO THIS LEGISLATION.

THANK YOU. I'LL BE HAPPY TO STAND FOR QUESTIONS.

4. Review state funding requests of municipal universities and make recommendations on the requests.
5. Develop annually a policy agenda for state educational institutions and municipal universities.
6. Study ways to maximize utilization of resources available for state educational institutions and municipal universities, and initiate changes to improve utilization.
7. Report on activities and make recommendations to the State Board.
8. Propose rules and regulations for operation and management of state educational institutions and for supervision of municipal universities.
9. Exercise other powers and duties deemed necessary or prescribed by law.

H.B. 2605 (Committee on Appropriations). The bill pertains to the State Higher Education Loan Program and amends that law to prohibit that organization from engaging in any discriminatory practice against a borrower based on race, color, sex, religion, national origin, age, handicap status; attendance at a particular eligible institution or class of educational institutions in Kansas; or length of the borrower's educational program or the borrower's academic year in school.

II. HOUSE COMMITTEE ON EDUCATION

A. House Bills in House Committee on Education

H.B. 2042 (Representative Hensley). The bill amends the SDEA to permit a school district board to deposit certain funds (principally interest), that must now be credited to any of several special purpose funds, to the general fund of the district in any year that equalization aid for the SDEA is reduced as a result of the application of an allotment system or by lapse of a portion of the appropriation therefor.

The amount of such funds that may be deposited in the school district general fund in such a year may not exceed the amount determined by the State Board of Education to be the reduction in the equalization aid entitlement of the district due to an allotment or lapsed appropriation.

(The substance of H.B. 2042 is similar to that of H.B. 2194 and S.B. 45, and is identical to a provision contained in H.B. 2106, which was enacted.)

H.B. 2046 (Representatives Blumenthal and Sadar). The bill amends a provision of the SDEA pertaining to budget controls. The bill amends provisions

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3. Advise the respective Committee and provide information.
4. Exercise other powers and duties as delegated by the respective Committee, by the Commissioner, or as prescribed by law.

State Committee on Community Colleges

Powers and duties assigned to the State Committee include:

1. Plan for community colleges.
2. Recommend new programs and courses for state funding.
3. Review existing programs and courses, and recommend any changes in the eligibility for state funding.
4. Review state funding requests of community colleges and make recommendations on the requests.
5. Develop annually a policy agenda for community colleges.
6. Study ways to maximize utilization of resources available for community colleges and initiate changes to improve utilization.
7. Report on activities and make recommendations to the Board.
8. Propose rules and regulations for supervision of community colleges.
9. Exercise other powers and duties deemed necessary or prescribed by law.

State Committee on State Educational Institutions
and Municipal Universities

Powers and duties assigned to the State Committee include:

1. Initiate plans for institutional advancement, new programs, and new courses.
2. Review existing programs and courses at state educational institutions, and make decisions about continuation of programs and courses based on educational and economic justification.
3. Formulate budget requests for state educational institutions.

relating to additional budget authority that is authorized for extraordinary increases in the costs to school districts for Social Security, utilities (water, heat, and electricity), and insurance. In essence, the amendments move the determination of the additional budget authority authorized under these provisions ahead by one year so that they are applicable to expenditures for those purposes that occur in the current school year. (Presently there is a one year lag in making such adjustments.)

Under the amendment, school districts would estimate the expenditures for these purposes for the current school year. The amount by which such estimates exceed the actual expenditures of the prior year increased by the percentage increase in the budget per pupil authorized for the district for the current school year would constitute the additional budget authority authorized under the provision.

If the actual expenditures in the current year turned out to be less than had been budgeted, the budget for the next school year would be adjusted downward to reflect the actual expenditures.

(See also S.B. 61.)

H.B. 2047 (Representatives Blumenthal and Sadar). The bill amends the SDEA as it relates to budget controls.

Beginning in the 1987-88 school year, a new provision would permit any school district which is not entitled to receive general state aid in the school year to budget and expend for operating expenses per pupil an amount not to exceed the amount which would be produced by the 1985 tax rate for the school district general fund (1985-86 school year).

(See also H.B. 2381 and S.B. 83.)

H.B. 2053 (Representative Reardon). The bill amends the SDEA. The definition of the term "pupil" for purposes of the SDEA is expanded to include three-year-old exceptional children (excluding gifted) who are receiving special education services in a school district's enrollment. Any such child who is enrolled in the district on September 20 and who is at least three years old is counted as 0.5 pupil in the school district enrollment.

H.B. 2098 (Representative Hensley). The bill amends the provision of the law pertaining to termination and nonrenewal of contracts of teachers employed by the governing board of a school district, area vocational-technical school, or community college. The amendment provides that the decision of the three-member hearing committee as to whether the employee should be terminated or continued in employment would be final and binding on the local board of education, subject to appeal to the district court.

(Under the present law, the opinion of the hearing committee is binding on the governing board only in the event that the three members of the hearing panel vote unanimously on the issue.)

H.B. 2103 (Representative Graeber). The bill pertains to the age of eligibility of children to attend kindergarten or the first grade in a school district.

Presently, with certain limited exceptions, a child must be five years old on or before September 1 to be eligible to attend kindergarten or six years old on September 1 to be eligible to attend the first grade. H.B. 2103 proposes that in 1990-91, a child would have to attain the age of five on or before June 1 to be eligible to attend kindergarten or six on or before June 1 to be eligible to attend the first grade of a school district. This change would be phased in over a three-year period beginning as follows: in 1988-89 the deadline for reaching the age of eligibility to attend kindergarten or the first grade would be August 1; it would be July 1 in 1989-90; and, finally, June 1 in 1990-91.

The bill also would eliminate a provision which allows any child who was a resident of another state and who, while residing in that state, had entered and was attending kindergarten to be eligible to attend kindergarten in Kansas regardless of age. A similar provision relating to entrance into the first grade is retained for the 1988-89 school year only.

H.B. 2114 (Representative Fox). The bill establishes a new state "basic education" aid program and amends a provision of the SDEA.

~~The bill provides that each school district, in each year, will receive~~ \$100 per full-time equivalent pupil in the form of state basic education aid. This aid will be treated as a part of "local effort" under the SDEA and, therefore, as a deduction in computing a school district's general state aid entitlement under the SDEA.

(See also S.B. 91, which is identical.)

H.B. 2121 (Representative Duncan). The bill amends the compulsory attendance and compulsory attendance enforcement law to increase the compulsory attendance from age 16 to age 18.

H.B. 2160 (Committee on Education). The bill amends certain statutes pertaining to authorization of school boards to assess and collect fees and supplemental charges and it also amends the provision of the SDEA.

The bill authorizes such fees or charges for participation by pupils in driver training courses and courses in motorcycle safety to offset all or a part of the expense of operation of either or both such courses. Money generated by such charges would be required to be deposited to the driver training fund of the school district.

The amendments to the SDEA are technical in nature.

H.B. 2161 (Committee on Education). The bill relates to the due process hearing procedure involving proposed nonrenewal or termination of contracts of teachers of school districts, area vocational-technical schools, and community colleges.

The amendment pertains to the requirement of the law that the Commissioner of Education maintain a list of impartial persons who are representatives of the public and who are qualified to serve as hearing committee members. This list is available for use by the district judge in instances where it is necessary for the judge to appoint the third member of a hearing panel.

The amendment specifies that this list is not to include any person who is an employee of the board or a professional employees' organization or any person who has previously served as a hearing committee member designated by a board or a teacher.

H.B. 2162 (Committee on Education). The bill amends the law pertaining to community college out-district tuition and out-district state aid. The amendments would eliminate the 64/72 credit hour limitation on the payment of out-district tuition and out-district state aid for enrollments of Kansas resident students who do not reside within the community college district. (Under present law, this limitation, as it relates to vocational credit hours, is eliminated on ~~July~~ Jan. 1, 1988.)

H.B. 2184 (Committee on Education). The bill pertains to the state aid program for special education. For purposes of distributions under this program, the term "special teacher" would exclude any teacher or paraprofessional certified or approved by the State Board of Education for the provision of special education services in the following categorical areas: nurse, adaptive physical education, social work, special education instructional material center, counselor, special needs, art therapy, dance/movement/therapy, music therapy/special music education, recreation therapy, and work study/vocational.

(The present law (K.S.A. 72-962) permits the State Board of Education to define the term special teacher which includes both professional and paraprofessional persons. The authority of the State Board to perform this function is not affected by H.B. 2184. The only change is that certain specified categories of special teachers would not be taken into account in the distributions of state special education services aid.)

H.B. 2194 (Committee on Education). The bill permits a board of education to deposit certain revenue (principally interest), otherwise required to be deposited in any of several specific funds of a school district, to the general fund of the district in any year in which appropriations of school district equalization aid are subject to allotment or lapsed by act of the Legislature.

(The substance of H.B. 2194 is similar to the substance of H.B. 2042 and S.B. 45, and to a provision of H.B. 2106, which was enacted.)

H.B. 2200 (Representative Rosenau). The bill pertains to the SDEA. It provides that the median budget per pupil of districts in the fifth (largest) enrollment category will be used for determining the general state aid entitlement and the budget control of a school district in the fourth (next largest) enrollment category and which is contiguous to two or more districts in the fifth enrollment category. (The bill would affect Turner (USD 202) and Blue Valley (USD 229).)

(H.B. 2200 is identical to S.B. 191.)

H.B. 2202 (Representative Amos). The bill requires every school district to develop and provide a continuing program of school bus safety for all pupils of the school district. The program should include:

1. school bus safety guards to assist the school bus driver in monitoring pupils during school transportation (to the extent

possible, boards of education should utilize the assistance of volunteers);

2. preparation of a school bus safety manual;
3. discussions by pupils, teachers, school bus drivers and safety guards and parents or guardians of pupils concerning school bus safety and the related rules and regulations; and
4. provision of time and facilities to personnel of law enforcement agencies in order to acquaint school personnel, pupils, and their parents or guardians with pupil transportation safety rules.

H.B. 2214 (Representative Apt). The bill amends the law which prescribes the age at which a child is eligible to attend first grade in a Kansas school district. With certain exceptions, the present requirement is that the child must be six years old on or before September 1 of the school year. The amendment would authorize an exception to the rule by providing that any child who has entered kindergarten in Kansas who is intellectually, emotionally, and physically ready to do first grade work would be eligible to attend first grade regardless of age.

(In order to attend kindergarten in a Kansas school district, the usual requirement is that the child be five years old on or before September 1 of the school year.)

H.B. 2215 (Representatives Apt, Lowther, and Rolfs). The bill requires the State Board of Regents to prepare a "state university preparatory curriculum." This curriculum must identify academic subject areas in which state university students should be competent, specify the number of units in each such academic subject area which should be satisfactorily completed by a prospective state university student, and designate the subject matter content of the units to be completed in each such subject area.

As of June 30, 1991, the bill sunsets the statute which now provides open admissions to the state universities for persons who complete a four year course of study in an accredited Kansas high school.

From and after July 1, 1991, admission to the freshman class of a state university would be open to persons who complete a four year course in an accredited high school and who also complete (a) State Board of Education high school graduation requirements, and (b) the state university preparatory curriculum. An exception is that from July 1, 1991 through June 30, 1993, such persons are exempt from the foreign language requirement of the state university preparatory curriculum.

H.B. 2229 (Representatives Williams, Baker, and Pottorff). The bill, as amended by House Committee on Education, creates the Professional Practice Conditional Grant to Teacher Education Student program -- a forgivable loan type of program. The program would be administered by the State Board of Regents. The main provisions of the bill are:

1. A grant recipient (teacher education student) must be a Kansas resident; have established financial need; be enrolled for not less than five credit hours in a teacher education program leading to certification by the State Board of Education as a teacher with endorsement in a critically underserved field of specialization; have a cumulative 2.5 grade point average (minimum); remain in good standing, including maintaining a 2.5 grade average; make satisfactory progress toward completion of the program; and enter into an agreement (as provided in the bill) with the State Board of Regents.
2. "Teacher education institutions" whose students are eligible for grants include colleges or universities located in Kansas and accredited by the State Board of Education for preparation of school personnel for certification. Financial need is determined by computing the difference between the student's available financial resources and the anticipated expenses of attending the school. The student's financial resources include \$450 from the student's own work and resources and a contribution from the student's parents, as determined by a needs analysis. Critically underserved fields of specialization are determined by the State Board of Regents.
3. Every teacher education student who applies will receive a grant for each semester under the program. The grant is limited to the lesser of (a) an amount equal to the total tuition and required fees for the student for the semester; or (b) an amount equal to the average amount of total tuition and required fees of teacher education students enrolled full time in teacher education programs in state universities.
4. In order to receive the professional practice conditional grant, the teacher education student must enter into an agreement which obligates that person to maintain enrollment each semester in a teacher education program; remain in good standing and make satisfactory progress; receive a degree conferred by the institution; upon completion of the requirements of the teacher education institution, apply for and obtain certification from the State Board of Education as a teacher with endorsement in a critically underserved field of specialization; within 12 months after being granted certification, engage in professional practice (teaching or school administration) in a school accredited by the State Board of Education; remain engaged in practice for seven consecutive school years; pay interest each month prior to engaging in professional practice on the grant amount received at the rate of 5 percent per annum; submit evidence to the State Board of Regents substantiating satisfaction of the practice obligation; and agree to repay amounts required under the bill (see No. 5, below) to the State Board of Regents upon failure to satisfy the service obligation under the agreement.
5. Upon failure to satisfy the obligation under this program, the person would repay to the State Board of Regents an amount equal to the aggregate amount of money received by the person

under the agreement for which the service obligation was not satisfied, plus annual interest at the rate of 10 percent from the date of failure to satisfy the service obligation. Generally, payments relating to the forfeited service obligation would occur in equal amounts over a five-year period.

6. The professional practice conditional grant is forgiven at the rate of one-seventh of the obligation for each year engaged continuously in professional practice in an accredited school.
7. Provisions are included for deferring the obligations under the act during full-time study in a graduate program, while in the armed forces, while in the Peace Corps, while engaged in missionary work, or during a period of disability. The obligation may not be deferred more than five years, except when it is due to a disability situation.
8. A teacher education student is also eligible to receive a tuition grant or a state scholarship, but the amount of the professional practice conditional grant would be considered in determining financial need for those programs.

(H.B. 2229 is referred separately to the Committees on Education and Appropriations. H.B. 2229 was the subject of interim study by the Legislative Educational Planning Committee.)

H.B. 2275 (Representative Bowden). The bill amends the professional negotiations law applicable to school districts, area vocational-technical schools, and community colleges. The main purpose of the amendments is to provide for arbitration to be used as an impasse resolution device under certain circumstances, i.e., when, in the two preceding years, negotiations were terminated without an agreement and the governing board issued unilateral contracts.

The factfinder's report will not be made public if the board and the employees' organization engaged in professional negotiations during two consecutive school years preceding the current school year and such negotiations were concluded by the board's issuance of unilateral contracts. In this event, when the factfinding activity has been completed and no agreement has been reached, the Secretary of Human Resources, on the 18th day following submission to the Secretary of the factfinder's report, submits to the parties a list containing the names of three arbitrators. (This activity can be commenced at an earlier time upon agreement of both parties.) Each party strikes one of the names of the proposed arbitrators and the one remaining serves as the arbitrator in this particular instance.

When the arbitrator is appointed, each party submits to the Secretary a memorandum containing the issues upon which agreement has been reached and the issues which are still in dispute, with a specific description of the final position of the party on each such issue. Except for issues which have been mutually resolved by the parties, the memorandum cannot deviate from the memorandum the party submitted to the Secretary for purposes of factfinding, except that it may include the acceptance of the position of the factfinder or of the other party on the issue.

The parties are free to reach agreement prior to the conclusion of the arbitration activity. If such an agreement is not reached, the arbitrator selects the memorandum of one party or the other, without modification, for adoption. The decision of the arbitrator is binding on the parties and is incorporated into the agreement of the parties.

The statutory listing of prohibited practices is modified to include refusal to enter into an agreement when professional negotiation is concluded by virtue of the binding arbitration procedure.

H.B. 2289 (Committee on Education). The bill pertains to the budget authority of a school district as determined under the SDEA. For the 1987-88 school year only, it authorizes up to an additional 1 percent per pupil budget authority which is subject to a protest petition election provision. In order to obtain an additional 1 percent budget authority, the board of the school district must adopt a resolution authorizing the increase and publish it once a week for three consecutive weeks in the newspaper having general circulation in the district. The resolution must specify the amount and the percentage of the proposed increase in the budget per pupil and the amount of increase in the ad valorem tax levy that will result therefrom. If a protest petition is filed within 30 days following the last publication of the resolution by at least 5 percent of the qualified electors of the district, the budget per pupil increase is not authorized unless approved at an election on a question.

(The substance of H.B. 2289 was incorporated into H.B. 2106, which was enacted.)

H.B. 2294 (Representatives Leach and Fry). The bill amends the general statute pertaining to the authority of local school boards to close or change the use of school buildings. The main purposes of the amendments are the following:

1. With regard to school districts with enrollments of less than 1,600, to require the school board, prior to adopting a plan for closing a school building, to consider the effects of the closing on the costs of operating other school buildings of the district with enrollment increases resulting from pupil reassignment; transportation of pupils; disposition or future use of the affected school building; and community attitudes and social, cultural, and economic conditions within the affected attendance area and the district as a whole. All written information prepared by and for the board for submission at the public hearing would have to be made available to residents of the district at least five days prior to the hearing on the closing plan.
2. With regard to school districts with enrollments of 1,600 or more (except Shawnee Mission which is governed by a separate law), to apply the same school building closing procedures as presently apply, as well as the new procedures described in 1 (above), to school districts with enrollments of less than 1,600, including a protest petition election procedure for requiring a vote on the school board's proposed school building closing plan. In order to require such an election, the protest petitions would have to be signed by 25 percent of the registered electors who reside in the

school building attendance area. (For districts having enrollments of less than 1,600, the protest petition must be signed by 5 percent of the registered electors of the entire school district.) All registered electors of the district could vote at the election.

H.B. 2368 (Representative Apt). The bill enacts the Kansas High School Graduate Warranty Act. The purpose of the act is to guarantee Kansas employers in business and industry that graduation of a person from a high school in Kansas is a reliable indicator that the person possesses the basic English language and mathematics skills needed to function competently in an employment setting. In the event that such skills are not indicated by a Kansas high school graduate, a remedial program can be provided to enable the individual to acquire such skills. The cost of this remedial program would be borne by the school district from which the employee or prospective employee graduated.

This program would be administered by the State Board of Education. The Board would publicize the program and it would identify and specify basic competency objectives which could be considered as reliable indicators of the ability of an individual to function competently in an entry level position of employment. ~~The program applies to persons who graduate from high school on or after May 1, 1988.~~ To qualify for this program, the person must have graduated from high school, be certified to the State Board of Education by an employer (or prospective employer) as deficient in basic English language or mathematics skills, or both, to the point that such a person cannot function competently in an entry level employment position, and apply to the State Board of Education for placement in a remedial study program.

The State Board of Education may enter into contracts to provide the remedial services that such a person requires. The remedial study program would be provided, to the greatest extent possible, in a manner most convenient to the skills-deficient graduate. The program would be concluded upon attainment by the graduate of the needed skills, when a determination is made that the graduate does not have the ability to attain the necessary skills, or when the graduate voluntarily withdraws from participation in the program.

The State Board of Education would determine the actual expenses incurred by it for the provision of the remedial study program and submit a claim for that amount to the board of the school district which certified the graduate. Failure on the part of the school district to pay the amount of the claim would result in deduction of such amount from payments the district otherwise would receive from the School District Income Tax Fund. There would be no charge assessed to any employer or skills-deficient graduate for the services provided.

H.B. 2375 (Representative Wunsch). The bill establishes the Exemplary School District Award Program. "Exemplary" school districts are determined each year by a ranking of school districts from high to low based on the percentage of their prospective State Board of Regents' university students who met the state's high school graduation requirements and who attained a passing score on an examination prepared by the State Board of Regents. The 30 highest-ranked school districts are the ones which qualify for recognition in any year. The teachers of the school districts designated each year as exemplary would be

entitled to a financial award equal to 2 percent of the teacher's base salary or \$500, whichever is the lesser amount.

Those who would be tested for purposes of this program would be any student who has completed the course requirements of the State Board of Education for graduation from high school and who had applied for admission to a Regents' university. The teaching employees who would be recipients of the financial awards would be those who are certified to teach and who directly and primarily are involved in the instruction of pupils. Not included would be administrators and support personnel such as librarians, school nurses, counselors, social workers, psychologists, or any other person employed in a position that does not directly involve the instruction of pupils.

This program would be implemented in the 1988-89 school year.

H.B. 2381 (Committee on Education). The bill permits the board of a school district not entitled to receive any general state aid in the 1987-88 or 1988-89 school years to levy an ad valorem property tax in each such year at the rate authorized and levied by the district in 1985-86. The proceeds from such a tax levy must be deposited in a school district general fund. The additional amount that may be levied under the authority of this bill must be budgeted and expended for operating expenses in the school year in which the amount is obtained and may not be included in the legally adopted budget of operating expenses of the district.

(See also H.B. 2047 and S.B. 83.)

H.B. 2383 (Committee on Appropriations). The bill, as amended by the Committee of the Whole, provides that the Board of Regents may fix differential tuition rates for each state educational institution and different tuition rates for different courses of study.

The bill provides that tuition rates shall be fixed by the Board of Regents with the goal of recovering educational costs for each such state educational institution, excluding Kansas Technical Institute, University of Kansas Medical Center, and Kansas State University Veterinary Medical Center, by the end of a transition period commencing with the 1988-89 academic year and ending with the 1992-93 academic year. "Educational costs," defined as the total amount of general use expenditures reduced by the expenditures attributable to public service, research and scholarships and other assistance, are to be recovered from Kansas residents in the amount of 20 percent or more of such costs to provide undergraduate and graduate courses. With regard to nonresidents, the bill provides that the regional state educational institutions must recover 50 percent or more and the other state educational institutions must recover 60 percent or more of such costs, respectively.

At least two-thirds of the increased amount of tuition resulting from H.B. 2383 must be used to supplement the educational costs of the schools, including program enhancements and improvements other than capital improvements.

H.B. 2432 (Committee on Education). The bill amends the professional negotiations law applicable to school districts, community colleges, and area vocational-technical schools as follows:

1. The statutory declaration of impasse date is changed from June 1 to March 1.
2. Professional negotiations could not begin each year before February 1. (Presently, negotiations can begin at any time; however, notice to negotiate on new items is to be given by February 1.)
3. The requirement to give notice on new items to be negotiated would be changed from February 1 to January 1.

H.B. 2577 (Committee on Federal and State Affairs). The bill amends the law which provides for due process hearings for certain teachers of school districts, area vocational-technical schools, and community colleges to include teachers of accredited nonpublic schools.

B. House Concurrent Resolutions in
House Committee on Education

H.C.R. 5020 (Committee on Education). The concurrent resolution proposes to amend Article 6 of the Kansas Constitution which pertains to education. The amendment would require the Legislature to provide for the State Board of Community Colleges and for the Board's control and supervision of public community colleges and any other educational institutions or interests that may be provided by law.

This new "third board" would be composed of nine members appointed by the Governor and confirmed by the Senate. These members would serve for overlapping terms. At least one member of the Board would be required to reside in each congressional district with the remaining members appointed at large. No two members could reside in the same county at the time of their appointment.

The election on this question will be held in conjunction with the 1988 general election, unless a special election is called earlier through adoption of a concurrent resolution by the Legislature.

H.C.R. 5026 (Representative Reardon, et al.). The concurrent resolution urges the State Board of Education to explore the merits, or lack thereof, of requiring teachers who have advanced degrees and at least 15 years of teaching experience to complete additional hours of college credit or to acquire additional inservice education points prior to renewal of their certificates. Consideration should be given to the feasibility of issuing life certificates to such teachers. For carrying out this study, the State Board should appoint an advisory task force to assist it, such task force to be representative of teachers, school administrators, boards of education, and the general public.

The State Board is requested to report its findings to the 1988 Legislature.

H.C.R. 5027 (Representative Aylward). The concurrent resolution encourages the State Department of Health and Environment and the State Board

of Education to communicate to preschool and child care facilities located in this state information regarding the merits and benefits to children that can result from participation in quality early childhood programs. Preschool and child care facilities are urged to provide quality early childhood programs and to engage in the accreditation process of the National Academy of Early Childhood Programs.

H.C.R. 5030 (Representative Baker, et al.). The concurrent resolution creates the Study Commission on Special Education for Exceptional Children. The Commission is composed of 13 members, selected as follows: six legislators (three Senators, two appointed by the President and one by the Minority Leader, and three Representatives, two appointed by the Speaker and one by the Minority Leader) and seven persons appointed by the Governor (one each, representative of boards of education, special education teachers, special education administrators, State Advisory Council for Special Education, professions related to the needs of exceptional children, and two persons representative of the general public).

The Commission is charged with evaluating all components of special education and the service delivery system and making comparisons with the systems and practices of other states. The objective is to generate recommendations for more effective and economical delivery of special education services.

The Commission is expected to submit its report to the Governor, Legislature, and State Board of Education on or before January 12, 1988.

The expenses of members appointed by the Governor would be paid by the Governor, and the expenses of legislative members would be authorized by the Legislative Coordinating Council (LCC). The LCC also could enter into contracts to obtain information or assistance required by the Commission. The staff of the Legislative Research Department, Revisor of Statutes' Office, and Legislative Administrative Services, as authorized by the LCC, would serve the Commission.

C. Senate Bills in House Committee on Education

S.B. 208 (Senator F. Kerr). The bill, as amended by the Senate Committee on Education, amends existing law to permit a community college to use any of its funds for scholarships for students who attend a community college. However, with respect to the use of its public funds, scholarships are restricted to students who reside within the service area of the community college, as determined by the State Board of Education. A current list of community college scholarship recipients, including the amounts of such scholarships, must be maintained and be made open for public inspection at any reasonable time. (Presently, the law states that community colleges may not use public funds for the payment of scholarships to students who reside outside of the community college district.)